EXAMINING THE ROLE OF LOCAL GOVERNMENT COUNTY LEGISLATIVE COUNCIL IN PROMOTING SERVICE DELIVERY IN SOUTH SUDAN, CASE OF YEI RIVER COUNTY, CENTRAL EQUATORIA STATE

BY
MRS. OBA CICILIA TITO TOWONGO
200808077

DISSERTATION SUBMITTED IN PARTIAL FULFILMENT OF THE REQUIREMENTS FOR MASTERS DEGREE IN PUBLIC ADMINISTRATION 2012

SCHOOL OF PUBLIC ADMINISTRATION, FACULTY OF MANAGEMENT AND COMMERCE
UNIVERSITY OF FORT HARE, SOUTH AFRICA

SUPERVISOR: DR OGOCHUKWU IRUOMA NZEWI

Date: 31/1/2013

1
DEDICATION

This study is dedicated to my late Father Tito Towongo, our Fallen Heroes during the Liberation Struggle in the Republic of South Sudan, My beloved Family Members, The Institution of Local Government in Central Equatoria State, Yei River County Local Government and the Legislative Council and the entire Community of Yei River County in which Peace and Development shall continue to prevail.
ACKNOWLEDGEMENT

The researcher is grateful and congratulates the University of Fort Hare on the commitment to produce Competent, Reliable and Professional Cadres in the field of Public Administration who could use their talents to make a difference in Africa and particularly in the respective Countries of origin.

Special appreciation and thanks goes to Individuals and Institutions for the tireless contributions they made in one way or the other towards the Significance Success of this Study and special thanks goes to the UFH Administration under the leadership of the Current Head of the department Prof. E. Ijeoma, Dean of the Faculty Prof. Thakhathi and the entire staff of the University; my Supervisor, Dr. Ogochukwu Iruoma Nzewi with her competent guidance to me during the research process; the authorities in South Sudan especially, the State Authority and Local Government Authority in YRC; my beloved Family Members, Africa Education Trust (AET) and Friends. Thanks for your Positive and Constructive support through guidance, motivation, patience and commitment.
DECLARATION

I Mrs. Oba Cicilia Tito declare that, this Study was my own initiative and nobody has ever conducted the same or similar Study in Yei River County (YRC) or Central Equatoria State (CES). The Researcher and the Local Government Authorities in YRC and CES are the owners of this Research Project (Dissertation). For the importance of this Report that may be necessary for future use especially for the transformation and improvement of the Local Government and the Legislative Councils performance in the Republic of South Sudan. Therefore, any interested Individual, Organization or Institution to use the Report for any purpose (s) should acknowledge the Author.

Sign

Date: 31/01/2013
ABSTRACT

This Study was conducted in Yei River County, Central Equatoria State the Republic of South Sudan from July-December/2012 under the topic: Examining the role of Local Government County Legislative Council in promoting service delivery.

The Legislative Council in Yei was established since 2007 in accordance with the provisions of the Transition Constitution of the Republic of South Sudan, 2011:166, LG Act, 2009:8-29 and Governors’ Decree dated 25/August/2007 with the mandate to enact laws and policies and supervise the Executive to implement its decisions.

The study investigated into why there was under performance of Legislative Council in promoting service delivery in Yei River County (YRC) and how can service delivery be improved in YRC. The findings revealed that, the capacity of the Council is low in making appropriate decisions and supervising the Executive to implement its decisions, it lacks the necessary working requirements to facilitate its duties, some of its directives are not implemented by the Executive and negative attitudes towards the work of the Council by some members of the Executive.

Despite the difficulties encountered, the Council was able to enact 31 laws, conducted some joint consultative meetings on County projects and the study recommended that, the relevant institutions of Local Government to review the irregularities in the Local Government Act of 2009 to regulate the duties of the Council and to guide the recruitment of the future Councillors, training of the Councillors to improve performance, improve the working conditions of the Council, conduct public awareness on the role of the Council and promotion of exchange programs for further learning purposes.

The significance of this study is that, the topic was good according to the participants, the recommendations of the study may be adopted by the Local Government Authorities to address the identified gaps and challenges facing the Council not only in Yei River County but also in other parts of the Country and finally, the report may be used by the University of Fort Hare for further Academic purposes and/or other interested individuals/institutions or organizations of the same or similar objectives.
ABBREVIATIONS

- Africa Education Trust (AET)
- Central Equatoria State (CES)
- Comprehensive Peace Agreement (CPA)
- Democratic Republic of Congo (DRC)
- Effective, Efficient and Economic (3 Es)
- Focussed Group Discussion (FGD)
- Government of South Sudan (GoSS)
- Interim Constitution of South Sudan (ICSS)
- Local Government Legislative Council (LGLC)
- Local Government Council (LGC)
- Local Government County Legislative Council (LGCLC)
- Local Government Board (LGB)
- National Ministry of Legal Affairs and Constitutional Development (NMoLCD)
- National Bureau of Statistics (NBS)
- Republic of South Africa (RSA)
- Republic of South Sudan (RSS)
- South Sudan Local Government Act (SSLGA)
- Sudan People Liberation Movement/Army (SPLM/A)
- State Ministry of Local Government and Law Enforcement (SMoLGLE)
- State Ministry of Parliamentary Affairs (SMoPA)
- South Africa Association of Public Administration and Management (SAAPAM)
- South Africa Local Government Association (SALGA)
- Transition Constitution of the Republic of South Sudan (TCRSS)
- United Nations Development Programme (UNDP)
- United States Agency for International Development (USAID)
- University of Fort Hare (UFH)
- United States of America (USA)
- Yei River County (YRC)
- Yei River County Local Government Legislative Council (YRCLGLC)
CLARIFICATION OF CONCEPTS AND TERMS

Administration is to govern and manage people, resources and public activities within public institutions. Fox and Meyer (1995:3) define administration as the execution of activities by persons charged with common objectives.

Autonomy refers to substantial degree of freedom, independence and discretion of the individual or group of people regarding making binding decisions on how to govern their own affairs (Fox & Meyer, 1995).

Boma is the basic administrative unit that is smaller or lowest level of Local Government after the Payam (commonly known as village) administered by chiefs in the case of South Sudan (South Sudan Local Government Act, 2009)

Community is a state of being shared or held in common or organized political, municipal or social body or body of people living in the same locality.

Councillor means an elected member of a Council (people’s representative) from his/her geographical constituency as determined by law (SSLG Act, 2009)

County means a territory under the State (or Province) where the administrative jurisdiction of Local Government is constituted and has both Legislative and Executive roles, duties and responsibility to provide services to the people.

County Legislative Council is a supreme Legal entity of the Local Government in South Sudan composed of elected members from their constituencies which is charged with Legislative powers to enact laws and policies in all matters assigned to in accordance with the provisions of South Sudan Local government Act, (2009:23-24)

Decentralization is the process of dissemination of functions and authority from the National to the lower level of Government and is one of the important component of democracy (Fox and Meyer, 1995)
**Devolution** means total transfer of power from the national to the Local units of Government in a quasi-autonomous manner outside the direct administrative control structures of the Central Government (Fox and Meyer, 1995)

**Government** mean office, function, or authority of a governing individual, institution or body; Government can also be referred to as the agency or apparatus through which a governing individual or body functions and exercises authority/powers of administration, management, rule, command and control over a territorially defined jurisdiction.

**Law** is a legal framework that regulate the behavior and performance of employees dealing or conducting public affairs and protecting the rights, freedom and choices of individuals/citizens, groups and organizations in the attainment of goal(s).

**Local Government** mean decentralized Government Institution with political representative structure which exercises power and authority for administration, management, rule, command and control over a sub national territorially defined area, it is a level of government which is closer to the people within a State in Southern Sudan as provided for in Article 47(c) of the Transition Constitution of the Republic of South Sudan, 2011.

**Local government characteristics** (Annelise et al 2007:4) includes locality, legality, autonomy, governmental powers, participation and representation

**Locality** refers to relative small geographical area in which a sense of community consciousness is evident and for the case of South Sudan, it means a Boma and is a constitutional arrangement.

**Local Government Authority** means the Local Government body with defined administrative jurisdiction within which autonomous, power are exercised by elected Council members and appointed civil servants on behalf of the people (SSLGA, 2009).

**Local Government Board** means the Local Government at the National level established in accordance with the provisions of (TCRSS 2011:166.3) as a policy regulating body.
Local Government Council: The Local Government Act (2009:14) defines a LG (Council) as a community or peoples government which exists at the level of government closest to the people in the States.

Municipality means a Council established in an urban area in accordance with the provisions of local government Act, 2009 and the law (TCRSS, 2011)

Public Administration is an academic multi-disciplinary science taught in higher learning institutions such as the Universities and Colleges to shape public managers on effective and efficient leadership and management practice.

Public administration is an activity which is exercised in public bureaucracies that include policy making, planning, organizing, staffing, coordinating, directing, motivating, controlling, financing activities through budget preparation, monitoring and evaluation, performance management and accountability through reports, statements and public debates. Mafunisa, (2003:86) that public administration is the provision of goods and services to members of the public with the aid of administrative and auxiliary functions as above.

Payam means the second tier of the Local Government under the county which is the coordinative unit of a County and exercise delegated powers from the County Executive (South Sudan Local Government Act, 2009)

Public participation: Is a process that involves individuals/citizens, groups and organizations that have the opportunity to influence public policy.

Public policy is the broad framework of ideas and values within which decisions and actions are taken, or action is taken by governments in power on public issues or problem (Brooks, 1989:16)
# TABLE OF CONTENT

Dedication..............................................................................................................................2
Acknowledgement..................................................................................................................3
Declaration...............................................................................................................................4
Abstract..................................................................................................................................5
Abbreviations..........................................................................................................................6
Clarification of Concepts and terms..........................................................................................7
Table of Content.......................................................................................................................10

## CHAPTER ONE: INTRODUCTION AND BACKGROUND

1.1. Introduction.....................................................................................................................14
1.2. Sample Technique..........................................................................................................15
1.3. Target population............................................................................................................15
1.4. Background information.................................................................................................15
1.5. The History of Yei River County......................................................................................17
1.6. Research Problem...........................................................................................................20
1.7. Research Questions.........................................................................................................21
1.8. Research Objectives.......................................................................................................21
1.9. Significance of the Study.................................................................................................21
1.10. Conclusion......................................................................................................................22

## CHAPERTWO: LITERATURE REVIEW

2.1. Introduction......................................................................................................................23
2.2. Theoretical framework...................................................................................................24
2.3. Conceptual framework...................................................................................................26
  2.3.1. Service delivery.........................................................................................................26
  2.3.2. Local Government....................................................................................................26
  2.3.3. Local Government Council.......................................................................................27
CHAPTER THREE: RESEARCH METHODOLOGY

3.1 Introduction.................................................................................................................. 44
3.2. Permission to conduct the Research Study................................................................. 44
3.3. Scope of the study....................................................................................................... 44
3.4. Target Population....................................................................................................... 45
3.5. Sample and Sampling Procedures............................................................................. 46
3.6. Qualitative Research Method.................................................................................... 48
3.7 Data Collection Techniques...................................................................................... 49
3.7.1 Interview Techniques.............................................................................................. 50
3.7.2 Focus Group Discussion......................................................................................... 51
3.8. Ethical Consideration............................................................................................... 53
3.9 Conclusions................................................................................................................ 54

CHAPTER FOUR: DATA ANALYSIS, INTERPRETATION AND FINDINGS

4.1 Introduction.................................................................................................................. 55
4.2 Analysis of primary and secondary data..................................................................... 55
4.2.1 Primary data analysis.............................................................................................. 55
4.2.2 Secondary data analysis.......................................................................................... 56
4.2.3 Data interpretation................................................................................................... 56
4.3 Social and economic characteristics of the respondents........................................... 56
4.3.1 Respondents by Age.............................................................................................. 57
4.3.2 Respondents by Education levels.......................................................................... 57
4.3.3 Respondents by Sex.............................................................................................. 58
4.3.4 Respondents by Employment................................................................................. 59
4.4 Local Government Legislative Council ................................................................. 59
4.5. Knowledge on the Local Government Legislative Councils .................................. 59
4.6. Capacity of the Legislative Council in regards to service delivery ...................... 61
4.7. Accountability to the communities ....................................................................... 62
4.8. Monitoring and evaluation ................................................................................ 63
4.9. Conclusion ........................................................................................................... 71

CHAPTER FIVE: CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction .......................................................................................................... 72
5.2 Recommendations .............................................................................................. 73

Reference list ............................................................................................................. 77

Annexure: Interview and Letters ............................................................................. 81

1. Interview Guide ..................................................................................................... 81
2. Letter dated 4-10-2012 from H.E the Governor/CES granting permission ................. 86
3. Letter from the Researcher 3/9/2012 to H.E the Governor seeking permission ......... 87
4. Letter from UFH/22/June/2012, Introductory letter to conduct Research .................. 88
5. Letter from UFH/18/August/2011 acceptance for Masters in P.A. ............................ 89
6. Travelling letter from the Speaker, 13/02/2012, State Legislative Assembly ............ 90
CHAPTER ONE: INTRODUCTION AND BACKGROUND

1.1. Introduction
The establishment of a democratic system of governance through the Local Government and the Legislative Council in South Sudan is basically concerning taking services closer to the people through Community involvement and participation in decision making and socio-economic development and this is in accordance with the provisions of the Interim Constitution of South Sudan (2005:6) and the Local Government Act for South Sudan (2009:6.3)

This study is intended to examine the Role of the Local Government County Legislative Council on promoting service delivery in Yei River County. The Local Government County Legislative Council in Yei River County (YRC) was established in accordance with the Transition Constitution of the Republic of South Sudan (2011:166) that provided for democratic and decentralized System of Governance read together with South Sudan Local Government Act (2009:6-8, 12, 13-29) on the creation and establishment of the Local Government and the Legislative Councils as the closest level of Government to the people in South Sudan or in other words it is a Community Government by taking services closer to the people through Decentralization with Devolution of powers to the lower levels of Government.

The study looked in to the performance of the Local Government County Legislative Council in terms of making appropriate decisions/local laws and policies that target the promotion of service delivery to the people in Yei River County, their supervisory role in making sure that their decisions and directives are implemented by the Executive, the relationship between the Council and the Executive and the relationship between the Council and the people they represent as well as the beneficiaries of the Local Government Council services.

Therefore, this study highlighted the achievements, major challenges and proposed solutions to address the identified gaps and challenges in order to promote and improve service delivery in Yei River County and the purpose of this Chapter is to provide an Introduction to the research study, the Background of the study, Statement of the problem, Research questions, Objectives and Significance of the study.
1.2. Sampling Designs/techniques

During the study, the researcher administered non-probability sampling designs which included the systematic sampling techniques because the selection of elements for the interviews depended on other considerations due to the nature of the topic and the situation, the second technique was the snowball sampling where elements for the study were on the basis of single cases in which the researcher was referred from one person to the other example of the single cases included the County Commissioner, the Chairperson of the Legislative Council and the Executive Director were considered single cases while the third technique used was the purposive sampling where the characteristics of elements who were considered knowledgeable to provide the data on the topic and they included various age, sex, education background, employment for the acquisition of reliable information which can benefit the study as well as future purposes (Kumar, 2005:177-180).

1.3. Target Population

Mouton (1996:36) a population refers to a collection of objects, events or individuals having some common characteristics that the researcher is interested in studying and in this case the target population included the Local Government County Executive in YRC, Local Government County Legislative Council, State Ministry of Local Government, Local Government Board, Local Government Payam representatives, Non Governmental Organizations representatives and Community representatives who were assessed using interviews and focussed group discussion techniques, information was collected, screened, analyzed and interpreted to make meaning and produced the report out of it in the fulfilment of the requirement for the masters course and other purposes where appropriate.

1.4. Background information

The Republic of South Sudan is one of the African Countries and the youngest Nation that got its independence July/2011 in accordance to the provisions of the Interim Constitution of the Southern Sudan (2005:11:2.b) provided vote for secession through a Referendum which was conducted successfully in (July/2011) where the people overwhelmingly voted 98% for separation and 2% for the unity of the Sudan (web/Wikipedia, Government of South Sudan
(2005-2011) main article on the Referendum of South Sudan (2011) and the results of South Sudan Referendum Commission on (30th/January/2011).

Its Capital City is Juba and is bordered by Ethiopia in the East, Kenya and Uganda in the South, the Democratic Republic of Congo in the South West and Central Africa Republic in the West and Sudan to the North and this is accordance with the Transition Constitution of the Republic of South Sudan, (2011:1.3). South Sudan is divided in to ten (10) states of Northern Bahar-el Gazal, Western Bahar-el Gazal, Warrap, Western Equatoria, Eastern Equatoria, Jongolei, Lakes, Upper Nile, Unity, and Central Equatoria State with Seventy Nine (79) Counties.

According to the Statistical Yearbook for Southern Sudan (2010 page 11-14) by Southern Sudan Centre for Census, Statistics and Evaluation (currently known as National Bureau of Statistics) and it has an area of 619,745 Km2 (239,285 sq), the inhabitants are both nomadic and Nilotic who practice mixed farming respectively, the official language is English and the other languages spoken includes local Arabic and the other national languages respectively. According to the disputed last Sudan General Census results (2008) released by the then Government of National Unity and the Southern Sudan Centre for Census, Statistics and Evaluation: Southern Sudan Counts of the 5th Sudan Population and Housing Census Report (November/2010 page 2), South Sudan has a population of 8.26 million. It has three organs of Government that is the Legislature, the Executive and the Judiciary respectively.

Transition Constitution of the Republic of South Sudan (2011:47 & 48) provided for Decentralized and Democratic System of Government with Devolution of Powers to the lower levels of Government (South Sudan Local Government Act, 2009:14 on the same) as results South Sudan has three levels of Government that is the National Government well known as the Government of South Sudan (GoSS), States Governments of the Ten States and the Local Government at the Counties and bellow to encourage the involvement and participation of people at all levels of Government in South Sudan in accordance to the Interim Constitution of South Sudan (2005:50 & 51).

The study was conducted in Yei River County (YRC) and YRC is one of the Six Counties of Central Equatoria State (CES) and CES is one of the Ten States of the Republic of South
Sudan where the Capital City of the Republic of South Sudan is as well as the Capital City of the State Government.

1.5. The History of Yei River County

According to Yei River County Commissioners Annual Report, 2010, Gtz Assessment Report for Yei, 2010, Ellen M. and Nina S. 2011, Case Study of Urban and displacement and Vulnerability in Yei, Norwegian Refugee Council (un published materials) concerning the status and inhabitants of Yei, the word Yei came from a Kakwa dialect (word) called “Yoi”. During the time of foreign rule in the past, the foreigners were not able to pronounce the word “Yoi” and ended up calling Yei and the full name of “Yoi” was “Yoi Kare”. The word “Yoi” means going without direction or to unknown direction while “Kare” means “River”. The river flows from the South West to the North direction of the County and the County means the former District headed by District Commissioners earlier and currently known as Yei River County headed by County Commissioner and YRC was one of the oldest and historical Counties in the Republic of South Sudan.

During the Anglo-Egyptian rule before 1950s up to 1960s, a Provincial Administration Act was passed that maintained the name District and headed by the Inspector of Local Government until the passing of Local Government Act (1981) that changed the name of the District to Yei River Area Council and was headed by Chief Executive Officer which continued until (1994) while in (1995) another Local Government Act was passed and changed the name to Yei River Province headed by the Executive Director until (2003) when another Local Government Act was passed and changed the name to Locality while the Executive Director remained until the time of the Comprehensive Peace Agreement (CPA, 2005) which was changed from Area Council to Yei River County as one of the six Counties of Central Equatoria State comprised of five administrative units called Payams under the County in order to provide services to the people in the communities.

Southern Sudan Local Government Act, (2009) Section (5) interprets “County” as a territory in which the administrative jurisdiction of a Local Government Council (LGCs) is established. According to the Act, the classification of Local Government Councils Section 16 &17, Yei River County is Council Grade “C” meaning a Rural Council with an emerging urban centre.
which is not yet qualified to become a Town Council. Yei River County (YRC) is one of the six counties of the Central Equatoria State (CES) and the second largest urban centre to Juba in the State and among the Seventy Nine (79) Counties of the Republic of Southern Sudan according to South Sudan Statistical Year Book (2010).

According Yei River County Strategic Plan (2008-2011 pages 6 & 7), the land covers an area of 9,290 square km and it comprise of five (5) Payams namely (Administrative Centres); Yei Town Payam, Mugwo, Otogo, Lasu and Tore Payams respectively, it has twenty (20) Bomas (last/grass root tier of Government in South Sudan) and it is bordered by the Democratic Republic of Congo (DRC) to the West of Central Equatoria State (CES), Morobo County to the South, and Lainya County to the East, Maridi County to the North West, and Mundri County to the North.

Yei is well known in the history of South Sudan as economically viable due to its strategic location with vibrant commercial hub and a centre for trade between Uganda and the Democratic Republic of Congo, the inhabitants practice mixed farming which is used for both consumption and marketing, its land has fertile reliable clay and loom soils with green belt type of climate and vegetations of four rainfall patterns and the mean annual rainfall it receives ranges from 1400mm to 1800mm. The indigenous main spoken language is Kakwa, with bit of local Arabic known as Arabic Juba while English is the official working language and many other national/local languages, the tribes includes Kakwa as the majority Nilotic Ethnic group that constitute 3/4 of the population, the Mundu, Baka, Keliko, Avokaya and Adio/makarak respectively.

According to the disputed census results by the Southern Government of (2008) released by the then Government of National Unity and the South Sudan Centre for Statistics and Evaluation (National Bureau of Statistics) Report (November/2010 pages 14 & 28), the population of Yei River County was 201,443 but according to Yei River County Strategic Plan (2008/2011) Yei River County population stands at 425,970 while Yei River County Annual Report (December/2010) presented on 3/9/2011 by the Commissioner, the population of YRC rose to 427,141 people and today, the population may be higher than the stated figures due to the daily increase/influx of refugees, returnees and repatriation of South Sudanese
from refugee camps in the Diaspora and from Sudan. Below is the breakdown of the YRC population as per 2008-2011 strategic plan and administrative Payams (Units):

**Table: I Showing the population break down of YRC as per the Strategic Plan (2008-2011)**

<table>
<thead>
<tr>
<th>S/No</th>
<th>Payam</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Yei</td>
<td>289,221</td>
</tr>
<tr>
<td>2</td>
<td>Tore</td>
<td>48732</td>
</tr>
<tr>
<td>3</td>
<td>Mugwo</td>
<td>28,000</td>
</tr>
<tr>
<td>4</td>
<td>Otogo</td>
<td>34357</td>
</tr>
<tr>
<td>5</td>
<td>Lasu</td>
<td>25,660</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>425,970</td>
</tr>
</tbody>
</table>

Concerning service delivery, the administration of Yei River County currently is opening up access roads within the town, there is electricity and water supply, promotion of food security for all communities through agriculture and socio-economic activities for example, the economic recovery local government program funded by UNDP and other donor agency in the county, however YRC also is faced with several challenges relating to high levels of poverty and under development due to poor service provision by the County authority, poor infrastructural development, high unemployment rates and malnutrition.

According to United Nation Development Program (UNDP) South Sudan report, (2010) on the Millennium Development Goals., the unemployment rate in Yei River County is 80%, dependency rate is 1:8 of extended family, malnutrition rate is 21.5% of children where as population growth rate is 2.85% per annum, adult literacy rate is 24% of its total population and HIV/AIDS prevalence is 4.3% in the whole County where as the infection prevalence in Yei Town alone stands at 2.7% of the total county population, meaning that the HIV/AIDS infection in Yei town is so high. Hence the population of Yei River County is 38% of the total
population of Central Equatoria State and Yei town Payam constitute 68% of the total County population, the Population Density is 46 people per square kilometre, age distribution: 54% of the population are 40 years and younger while the female constitute 59% of the total County population

Therefore, this study was to examine the Role of the Local Government County Legislative Council (LGCLC) on promoting service delivery in South Sudan and particularly in Yei River County.

1.6. Research Problem

Due to the prolonged civil war in the Sudan and South Sudan in particular since 1956 up to (2005) where more than two million lives of people were lost and more than four million people were displaced both within and outside the Country, all the governance structures were destroyed especially the formal Educational Learning System. Additionally the democratic rights and fundamental freedoms of the people were denied and abused as results citizen/community participation in decision making process had been undermined, decision making processes on service delivery was centralized by the old regimes in Khartoum.

After the signing of the CPA in (2005), a new Decentralized system of Government was established by creating the Local Government and the Legislative Councils as grassroots Governments and this was tested by establishing the first Legislative Council in Yei River County since 2007 which was inconformity with the Local Government Act (2009), however as a new nation coming from a marginalised past, there is still underperformance in regards to promoting service delivery by the Legislative Council despite its existence for many years in office. Additionally the capacity of the Legislative Council with regards to making local laws and policies that regulate service delivery and supervise the Executive to implement their decisions is lacking. Finally, the impact of the work of the Council on the people in terms of services delivered to them by the Executive members of the Council has yet been explored very little. It is from this basis that this study aimed to examine the role of the Legislative Council on promoting service delivery. Below are the questions which the research aimed to answer as well as the objectives of the research.
1.7. Research Questions:

- What are the provisions of service delivery laws and policies enacted by the Local Government County Legislative Council in Yei River County?
- What are the gaps and challenges that affect the performance of the Legislative Council in making appropriate decisions and making sure that those decisions are implemented by the Executive?
- How can service delivery be improved in Yei River County?

1.8. Research Objectives:

- To find out what are the legal provisions, local laws and policies that were enacted by the Local Government County Legislative Council to promote service delivery in Yei River County;
- To establish the gaps and challenges that affect the performance of the Legislative Council in making appropriate decisions and supervise the Executive to implement their decisions in order to promote service delivery in Yei River County;
- To identify ways of how the identified gaps and challenges above can be addressed in order to improve service delivery in Yei River County

1.9. Significance of the Study

This study is important because it enabled the researcher to accomplish her academic study by gaining more knowledge and skills on the Role of Local Government Legislative Council in YRC as well as in the Republic of South Sudan and other parts of the world. The report may be used by the University of Fort Hare Administration as references especially with an issue concerning Local Government System in the Republic of South Sudan. The report may also benefit Yei River County and other levels of authorities by drawing their attention to the challenges that affect the performance of Yei River County Local Government Legislative Council as well as other Legislative Councils in other parts of the Country in enacting appropriate legislations, ensuring its implementation and measuring its impact on service delivery; the findings, strategies and the recommendations drawn from this study may be
used by the Local Government Authorities to strengthen and improve the working relationship between the Council and the Executive and between the Council and the people, the same recommendations may be adopted by the Local Government authorities in addressing the same or similar issues in the County, Central Equatoria State as well as the Country at large where as the same report may be used as reference by other researchers/scholars who are interested in the same or similar field of study in future.

1.10. Conclusion
Chapter one provided introduction and the background of the study to show to the readers of this report, what happened, where and how, identified the research problem and questions, research objectives, the significance of the study and highlight on the sample technique and target population while the next chapter presents theoretical and Conceptual framework, the Legal and public management framework/models of South Sudan, examples and experiences from some African Countries of Nigeria, Uganda and South Africa, South Sudan Local Government Legislative Council processes in the Country and particularly in Yei River County, Central Equatoria State. The next presents Literature review.
CHAPTER TWO: LITERATURE REVIEW

2.1. Introduction

The first chapter introduced the study topic, its background and context, the research problem, the research questions, research objectives and the significance of the study while chapter two reviewed the literature on the Role of Local Government County Legislative Council in promoting service delivery, related literature on the Role of Local Government Councilors was also reviewed in this chapter.

The literature was explored from relevant books, government policy documents among others: the Interim and Transitional Constitution of the Republic of South Sudan (2005) amended 2011, the Comprehensive Peace Agreement (2005), the Local Government Framework of South Sudan (2006), the South Sudan Local Government Act (2009) and the Central Equatoria State Local Government Act of 2008 all have been reviewed in this chapter. Legislations from Yei River County (YRC), other published and unpublished information both within, outside the County and Country with examples and experiences from Nigeria, Republic of South African and Uganda concerning Local Government System on the performance of the Legislative Councils in making laws and ensuring that those laws are implemented by the Executive arm of Local Government to deliver services to the people.

The reviewed literature is provided in four parts that included Theoretical and Conceptual underpinning of the study, the History and the Development of Local Government and the Legislative Councils in the Republic of South Sudan, the Constitutional Mandate for the establishment of the Legislative Councils in South Sudan and finally, practical examples on the Role of the Legislative Councils and other experiences from other African Countries on the provision of services and goods to the environment where people live in relation to the Role of the Legislative Council on promoting service delivery to the people in South Sudan and particularly in Yei River County (YRC).
2.2. Theoretical Framework

In related theories to this study, Mafunisa, (2003:86) defined public administration as the provision of goods and services to members of the public with the aid of administrative and auxiliary functions. The administrative functions include policy-making, organizing, financing, personnel provision and utilization, determination of work procedures and control. Cameron (2003:7) also defined administration as the neutral implementation of policy by bureaucrats in a non-partisan, technical fashion. In support of Cameron’s view, Thornhill (2005:180) asserted that, administration is primarily concerned with the establishment of an enabling framework for the performance of duties while Dye (1987:324) wrote that the term Public Administration has always meant the study of the public services. Public administrators need to be concerned with both theory and practice hence practical considerations are at the forefront of the field, even though theory is the basis of best practices and Public administration is considered a science because knowledge is generated and evaluated according to the scientific method (Singelmann & Singelmann 1986).

In brief, public administration is the translation of theory into practice in the public sector/public institution and in this case, the study looked into how South Sudan Local Government Framework was translated into governance structures, system and procedures to promote delivery of services to the people in all communities of South Sudan and particularly in YRC, CES.

In discharging services to the people in the Society by Local Government authorities between their organs, Weber, (in Fly and Negro 1996:37), suggests that, dichotomy exist between politics and administration. He argued that the Role of political office bearers in a Democratic Local Government is to give direction to policy and expression to common interest. The honour of political office bearers lies in their personal and ethical responsibility for their actions as such, they take a stand and are passionate on political matters. This role is opposed to that of public servants (administrators) who are to engage only in the impartial administration of their offices and the honour of administrators, Weber urged that, is vested in their ability to execute conscientiously the lawful orders of superior political authorities. Politics and administrative distinction has long been recognized by administrative theorists as an artificial one. The serious criticism came from Waldo, in the Administrative State, (1948 as
cited in Cameron 2003), that, bureaucrats were becoming too loyal to the profession rather than to the public (Cameron, 2003:56). For instance, if there is dichotomy, administrators will tend to concentrate on the separation of power between them and the politicians whilst compromising service delivery. Hence, it is practically impossible for us to separate these two-complimentary phenomena of politicians making laws and executive implement the laws. Implicitly, what makes the dichotomy artificial is the interface, which basically disqualifies the supposed divisibility of politics from administration. The two institutions of governance that is the Legislature and the Executive are inseparable but have distinct roles to play.

Therefore, the argument here is that, in the public sector organizations/institutions, there are two organs of government that is the Legislature which enacts laws and policies while on the other hand, the Executive implement the laws and policies as results, there should be good working relationship between the Legislature and the Executive and the dichotomy is not possible as they complement one another.

The significance of the above argument were the reasons that motivated the researcher to investigate the Role of Local Government Legislative County Legislative Council as well as the specific Role of the Councillors in contributing to promoting service delivery to the people in the communities. At the Local Government level in South Sudan, there exists the Legislative Council whose main function is to formulate policies which should be interpreted by the Executive of the Local Government into tangible services. Meaning that, policies which are developed by the Legislative Council, should be translated into actions by the executive arm of the local government e.g. Legislative Council Resolution number 14/LC/YRC/S9/20/Oct/2008 approval of Lutaya market and Council Resolution without number YRC/LC/S2R09/ 22/February/2008 on population influx in Yei in other words the influx of people to Yei and all these resulted to the development of the strategic plan for YRC of 2008/2011 to cater for certain situations that may arise in YRC and the same Strategic Plan is on use up to today by developing annual budgets out of it. Therefore, in principle, the Role of the Legislative Council is to give direction to the Executive arm of the Local government in delivering services to the people in the society.
2.3 Conceptual Framework

2.3.1 Service delivery
According to Du Toit et al (…:74), once an institution has been created, it has to do what it was set up for, (service delivery). In order to deliver services and products that have been envisaged, organizational structures, with their different institutions must be enabled to do so. In other words, it must be made possible for them to deliver and this calls for the following; a policy setting out the parameters in terms of which relevant institution may operate; provision for the appointment and utilization of personnel; availing the necessary funds; prescribing the methods and procedures that must be followed and an organizational structure. Annalise and Chris et al, (2007:156), asserted that the, role of Local Government in South Africa is to improve the nature and extent of basic public services at the grassroots level,

In this study, the researcher was interested to establish when was the Local Government and the Legislative Councils established in South Sudan and particularly in YRC, what was the Legal mandate of the Council to conduct its duties, how much has the Council done in making laws and ensure that the laws are implemented by the Executive, other requirements that facilitate the work of the Council, the impact of the work of the Council in terms of the services delivered to the population of YRC.

2.3.2 Local Government
Local Government Act (2009) defines “Local Government” as the level of Government closest to the people within a State in Southern Sudan as provided under Article 50(c) of the Interim Constitution of South Sudan (2005) read together with Section (6:1) of South Sudan Local Government Act, (2009) that provided for the nature and establishment of Local Government and Legislative Councils as the third level of Government in Southern Sudan which Consists of a number of autonomous Local Government Councils.

The establishment of the Local Government Councils in South Sudan was based on the Principles of Decentralization and Democratic system of Governance that demands the Devolution of authority and power to the lowest level of Government closest to the people. It Is a Decentralized Government Institution of Governance with Political representative structure which exercises power and authority for administration, management, rule,
command and control over a sub national territorially and has a defined area by the Local Government Board and the relevant authorities in the Country.

2.3.3 Local Government Council (LGC)
The Local Government Act (2009:6:3) defined LGC as a Community or peoples Government which exists at the level of Government closest to the people in the States or under the States.

2.3.4 County Legislative Council
Is an elected body which is the supreme organ of the Local Government Council and is vested with Legislative powers to enact local laws in all matters assigned to in accordance with the provisions of the Local Government Act of 2009. The Legislative Council is made up of elected representatives (Councillors) and its Chairperson/ Speaker is elected from among the Council Members (South Sudan Local government Act, 2009)

2.3.5 County
Means a territory under the state (province) where the administrative jurisdiction of Local Government is constituted and has Legislative and Executive Roles, Duties and Responsibility to provide services to the people.

2.3.6 Public Policy (Definition of Public Policy, Quoted)
Bruce L. Smith Sept/2003, points out that, public policy and public participation is the process of engaging Citizens and Community in the development of public policy as detailed bellow in the definitions of public policy. 

*Public policy is whatever governments choose to do or not to do.* (Dye, 1972, p. 18); *Commitment to a course or plan of action agreed to by a group of people with the power to carry it out..* (Dodd et al., nd, p. 2) or *a plan of action agreed to by a group of people with the power to carry it out and enforce it.* Therefore, in summary, public policy is the decision or action taken by Government/organization to achieve specific targets and objectives within a given period of time.
2.3.7 Public Participation (Bruce L. Smith, 2003)
Is a process that involves individuals, groups/communities and organizations having the opportunity to influence public policy through education, advocacy, or mobilization of interest groups on issues that affects them. Shaping public policy is obviously different in Western-style democracies than in other forms of government but it is reasonable to assume that the process always involves efforts by competing interest groups to influence policy makers in their favour.

2.4 Legal Framework

2.4.1 Introduction
The system of Local Government in Southern Sudan is established under the Transition Constitution of the Republic of Southern Sudan (2011 Articles 47.C) and Article 48 which demands for the establishment of Democratic and Decentralized system of Local Government with Devolution of power to the people at the grassroots level. The South Sudan Local Government Act of 2009 provided for the establishment of the Local Government and the Legislative Councils as the third tier and Community Government immediately under the State government. The Local Government Council is by law, a corporate body that can sue and be sued. Section 8, subsection 2 of the Local Government Act of 2009 stipulated the Executive and Legislative powers of Local Governments. The same section also provided for administrative and legal powers, functions and responsibilities for Local Government Councils. It also identified the sources of revenues to finance the functions and responsibilities assigned to Local Government Councils.

2.4.2 The objectives of Local Government in South Sudan
Section 24 of the South Sudan Local Government Act of 2009 clearly stipulated the objectives of Local Government as mentioned below;

- Promote self-governance and enhance the participation of people and communities in maintaining law and order and promoting democratic, transparent and accountable local government;
- Establish the local government institutions as close as possible to the people;
- Encourage the involvement of communities and community based organizations in the matters of local government, and promote dialogue among them on matters of local interest;
• Promote and facilitate civic education;
• Promote social and economic development;
• Promote self-reliance amongst the people through mobilization of local resources to ensure the provision of health and educational services to communities in a sustainable manner;
• Promote peace, reconciliation and peaceful coexistence among the various communities;
• Ensure gender mainstreaming in local government;
• Acknowledge and incorporate the role of Traditional Authority and customary law in the local government system;
• Involve communities in decisions relating to the exploitation of natural resources in their areas and promote a safe and healthy environment;
• Promote and support the training of local cadres and
• Local governments have the powers to levy, charge, collect and appropriate fees and taxes in accordance with the law.

2.4.3 Principles of Local Government
Section (13) of the South Sudan Local government Act of 2009 categorically explained the principles of Local Governance which provided the basis for decentralization and democratization of the Local Government Authority system in Southern Sudan. These include:

• Principle of subsidiary, where decisions and functions shall be delegated to the lowest competent level of Government; Self governance and democracy;
• Participation of all citizens in the exercise of their rights to express their opinions in the process of decision making in public affairs;
• Rule of law, maintain law and order and its enforcement in a fair and impartial manner while respecting and honouring the norms, virtues and values of the society.
• Transparency in the management of Local Government affairs, building mutual trust between government and citizens through the provision of information and guaranteed access to information.
• Equitable distribution of resources throughout the Local Government Council and equal provision of services and opportunities for all members of the local community with the aim of improving their welfare;
• Local Government Councils are to be responsive, increase the sensitivity of the employees of government and non-governmental organizations to the aspirations of the people in service delivery and meeting public demands;
• Ensuring accountability of decision-makers to the people in all matters of public interest; and
• Efficiency and effectiveness, to ensure good public service delivery through optimum and responsible use of resources.

2.4.4 The Local Government Structure in South Sudan
According to the Local Government Councillors Induction Guide (2011:20), in the Republic of South Sudan, there are three structures of Local Government namely; Local Government Board (LGB) at the National level, the States Ministry of Local Governments and Local Government Councils. The functions and relationship between these structures are illustrated and explained below;

Figure: 1 Local Government Organisational Structure in South Sudan (As adopted from the South Sudan Local Government Councillors Induction Guide of 2011)
2.4.5 Local Government Board

The Local Government Board was established pursuant to article (166) subsection (3) of the Transitional Constitution of the Republic of South Sudan (2011) by the president of the Republic of South Sudan. The Local Government Board has responsibility to; make recommendations for the establishment of Local Government Legislative Councils; research, formulate and review local government policies and legal frameworks; recommend and coordinate the establishment of the minimum standards for service delivery; advice on appropriate transitional arrangements to nurture the incipient Local Government Legislative Councils into integrated modern local authorities; build the capacity for Local Government Administrators, Councillors; and develop Local Government fiscal systems.

2.4.6 States Ministry of Local Government

According to the Local Government Councillors induction Guide (2011:20) The State Ministry of Local Government and Law Enforcement (SMoLGLE) has both oversight and advisory responsibility over LGCs. The responsibility includes: ensuring compliance with legislative and regulatory requirements; providing technical support and advice; monitoring the financial management performance and providing capacity building support to LGCs; and Spearheading the local government recovery agenda. Best practices indicate that this oversight responsibility aimed at ensuring prudent management of financial resources of the council, improved service delivery to local communities, proper accountability of appointed officials and effective participation and involvement of the citizens in the decision-making process on matters pertaining to service delivery and development as well as empowering them to demand accountability from their elected representatives.

2.4.7 The Structure of Local Government Councils in South Sudan

Within the institutional structure, the system of Local Government Legislative Councils is elaborated through the Local Government Act of 2009 which provided for the definition of Local Government as the third tier and the government closest to the citizens. This system consists of rural, urban and industrial local government structures and the table below shows the classification of Local Government Councils;

*Figure 2: Local Government Council Structure in South Sudan (source: the South Sudan Local Government Councillors Induction Guide, 2011)*
The South Sudan Local Government Act of 2009 Act provided for three types of Local Government Councils as follows:

**Rural Councils** is where there is a County to be headed by the County Commissioner and under that, the administrative units are the Payam and Boma levels. Currently the majority of Local Government Councils in Southern Sudan fall under this type.

**Urban Councils** this category includes the City/ municipal Councils to be headed by a Mayor and the Town Councils to be headed by a Town Chief Administrator, the Quarter and Block are not yet established in South Sudan.

**Industrial Councils** is a type which is proposed to be established when Southern Sudan has real industrial areas.

However, the South Sudan Local Government Act of 2009 reserved that, there will be an inter-ministerial technical committee of the Government of South Sudan that will work with the States to delineate boundaries of Local Government Councils and determine Local Government Council types in the near future. This implies that Local Councils have not been classified in South Sudan until now.
2.4.8 The Composition of Local Government Councils
Section 26 of the South Sudan Local Government Act of 2009 provided the guidelines for the composition of the legislative Councils consisting of the following:

- Thirty five members directly elected from the Bomas of a County or the Quarters of a City, Municipal or Town Council;
- Women representatives should constitute at least twenty five percent of the total membership including representatives of persons with special needs and/or other categories as may be determined by regulations.
- Members of the Executive Council may participate as ex-officio members, without the right to vote.

2.4.9 The Functions of Local Government Councils
The powers and Competencies of Local Government Councils are enshrined in the South Sudan Local Government Act of 2009 Sections 23 and 24. The general functions assigned to LGCs include the following:

- Regulation and maintenance of law and public order;
- Regulation, provision and maintenance of services to the people;
- Land administration and environmental management;
- Encouragement and promotion of local development and provision of access and opportunities for people to engage in the development of their people; and

Protection of the rights of the people and their interests.

Specific functions of LG Councils include:

- Preparation and enactment of local Orders, regulations and bye-laws necessary for execution of its mandate;
- Preparation and execution of plans and budgets; establishment and maintenance of economic and social infrastructure services (such as roads, bridges, buildings, water facilities, education facilities, parks and other public spaces, animal pounds etc);
- Organising and promoting public and hygiene and environmental health;
Establishment and management of basic schools; protection of natural resources and promotion of sustainable agriculture and livestock practices;

- Promoting cultural and social affairs for sustainable community development;
- Support to vulnerable groups in the community (destitute/widows/orphans/disabled etc);
- Promoting and maintaining public order and security; and Establishing and managing fire brigades, equipment and facilities.

### 2.4.10. Organs of Local Government Councils

According to section (22) of the South Sudan Local Government Act of 2009, the Local Government Councils shall have; Legislative Councils, the Executive Council; and the Customary Law Council. The Legislative Council is composed of elected representatives (Councillors) each representing an electoral area within the county. It works through committees, both standing committees as well as ad hoc committees constituted for a specific task. The organisational structure of the Legislative Council is summarised below.

**Figure 3: Organisational Structure of the Legislative Council**

(Source: South Sudan Local Government Councillors Induction Guide, 2012)
The Executive or administrative arm of a Local Government Council is headed by a County Commissioner, elected through universal suffrage in a general election. The Executive Council is composed of the County Commissioner/Mayor/Town Chief Administrator (Chairperson) Chief Administrators as secretaries and heads of department are members. The Executive Council works through departments. The number of departments depends on the size and the functions and services being undertaken by a Council. The number of departments varies from one Council to another but generally they include: General Administration, Education, Health, Agriculture, Public Works, and Social Development, the departments are headed by technical or professional officers. These are appointed by the State Authority and trained into the Local Government Administrative Cadre of Southern Sudan. Departments are divided into sections which are the operational levels in the execution of local services and programs. The sections supervise the front line services units such as schools; health centres and road maintenance work teams.

2.4.11. Roles and Responsibilities of Local Government Councillors

According to the South Sudan Local Government Councils Induction Guide (2011:40 – 41) the primary role of a councillor in their individual capacity is to represent the interest of his/her constituents. The ultimate aim being to ensure that his/her constituents get access to services and improve their livelihoods. This is based on the assumption that citizens are able to influence local decision-making through their local council representatives. Hence the Local Government Councillors have the responsibility to;

- Mobilize the constituents to participate in the identification of their problems and prioritize projects/programs to address them through the participatory planning process
- Channel their constituents’ views, needs and preferences into the council decision-making process;
- Facilitate the citizens’ participation in project identification, planning and monitoring of implementation;
- Championed the cause of their constituents in the council leading to policies, actions and resource allocation that is responsive to their needs and priorities;
- Is the citizens’ watch dog in the council to ensure that their taxes are prudently managed by the council administration and public assets are safe guarded?
2.5. Public Management Framework on Local Governance in South Sudan and other Countries

South Sudan being eight years of relative peace and two years now from independence cannot be compared with the other African Countries that have been in peace for many years and have set good governance structures, convenient and reliable public management models as the case in South Africa and other African nations not mentioned here. However, during the relative peace period the Government of South Sudan and some Development partners such as UNDP, UNICEF, USAID and World bank have made efforts on how to improve Local Governance and service delivery at the grassroots levels through the governance structures of Bomas, Payams and Counties with the help of the other relevant institutions that enacted the Local Government Act, 2009 to regulate the functions of the Local Government authorities at all levels while the Land Act, 2009 to regulate the land use and sustainable land management for the benefit of all people in the Society.

2.5.1. South Sudan Reform Process: Public Management Models

The government of South Sudan and its partners within the eight years were able to develop the following public management models:

- Local Government Capacity Development program

This was a joint venture between the Local Government authorities in South Sudan and the UNDP South Sudan program by offering three months training Courses for Local Administrators and orientation workshops for the Legislative Councillors using the Local Government Councillors Induction Guide produced by UNDP in partnership with Local Government Board, 2011 and Participatory Planning and Budgeting Guide for Local Government in South Sudan January, 2011 also by UNDP and LGB to improve their performance and service delivery to citizens in the country, South Sudan Local Government Frame work, 2006 and South Sudan Local Government Act, 2009.
• **Public expenditure management:**

In order to regulate public expenditure and the three EEEs (Effective, Efficient and Economic use of public resources), South Sudan National Legislature enacted public financial management Act, 2011 to regulate public expenditure and Yei Local Government Annual budgets drawn from the Strategic Plan of 2008/2011 to provide services to the people and improve their standard of living.

Amanda/ECOSOC (2012:22) presented a paper on the integrated support to South Sudan capacity building and core functions asserted that, to guarantee effective public expenditure, is by prioritizing planning, effective financial management, accountability, expansion of the revenue base and capacity development of public officials.

• **Public Service Reforms (2006) UNDP South Sudan Program**

This laid down the foundation for the development of Public Service Reforms Implementation Framework Manual by the Ministry of Labour, Public Service and Human Resource Development (MoLPHRD), January, 2009 to regulate the recruitment and employment processes as well as controlling the human behaviour in dealing with public affairs and the MoLPHRD three years Development Strategy for 2008-2010.

• **Presidency Reform Program on Corruption 2007-2012**

This program is under the presidency in collaboration with the Anti-corruption Commission to investigate and now empowered by National Legislature to try and prosecute corrupt cases (TCRSS 2011: 143 & 144)

• **Knowledge Transfer through Expatriates Nationals**

Middle of 2012, the Ministry of Labour, Public Service and Human Resource Development issued notification for the termination of all contracts with foreign expatriates and all Government Institutions to encourage the recruitment of the South Sudanese nationals to take up jobs to deliver services to the people in the Country.
• **Capacity of public official/staff**

Amanda/ESCOC (24/July/2012) presented a paper on Democratic Governance and Reforms in South Sudan and reiterated that, there is need to develop the capacity of staff at the State and County levels to enhance service delivery to the citizens. She also continued further that without reforms, the impact of development may be limited due to lack of sufficient qualified personnel to mentor, coach or train others and she cited that, in decentralized system in South Sudan, the structures, roles and responsibilities of local government still require clarity in some aspects which in turn will determine the size, scope, skills and competencies of the Local Governments.

• **Public Participation and Local Government**

This is how citizens can be involved in the governance process in making decision by electing their leaders e.g. Citizens participated in the election of the Legislative Councillors for YRC in 2007 and the Sudan general elections April, 2010 in electing the current President, Members of Parliament and State Governors, currently, the community contribute in constructing local learning facilities, recreation centres and opening up feeder roads to access services from the service providers ( TCRSS, 2011: 47 & 48 )

• **Support to Good Governance, Justice and Human rights and the Rule of law**

For good governance, justice and rule of law to be effective in South Sudan, the national government is embarking on the review of the existing laws and the review commission is added two more years to finish reviewing the current national constitution of 2011 and the other laws will follow, hence justice will never prevail especially in the case of South Sudan without putting in place the relevant legal framework. (Gildenhuys and A.Knipe, 2000) provided for the Public Management Principles of Good Governance.

• **Poverty Alleviation Projects**

The governing authorities in South Sudan and UNDP introduced poverty alleviation and other projects to provide services to the people as well as improve the living standard of the people in both urban and rural communities for example, some of these projects were the electricity and water projects in YRC, the revolving fund scheme through provision of goats and ox-plough projects in East and some parts of CES and the introduction of these projects were
meant for surplus production that can serve for local consumption and marketing for future savings.

2.5.2. Local Government Reform and Constitutional Review in Nigeria

In Nigeria (Igbuzor, 2013) explained that on the democratic transformation process geared towards developmental Local Government and the Legislative Councils, between 1969/71, some State Governments introduced changes in the structure of their Legislative Councils and in 1976, the Federal Government in collaboration with the State Government embarked on extensive reforms of Local Government with the following reform objectives:

- To make appropriate services and development activities responsive to local wishes and initiatives by devolving or delegating them to local representative bodies.
- To facilitate the exercise of democratic self-government close to the grass roots of our society and to encourage initiative and leadership potential.
- Mobilisation of human material resources through the involvement of members of the public in their local development, and
- To provide a two-way channel of communication between local communities and government (both State and Federal)

For the first time in the history of local government in Nigeria, a uniform system was developed for the whole country. According to the then Chief of staff Brigadier Shehu M. Yar Adu’a in his forward to the Guidelines for Local Government Reform (1976) and in embarking on these reforms, the Federal Military Government was essentially motivated by the necessity to stabilize and rationalize Government at the local levels.

2.5.3. Experiences from other African countries

2.5.3.1 Introduction

The introduction of Local Government and the Legislative Councils in Africa was to address the need for more services in both rural and especially in the urban areas due to rural-urban migration. The ideas were to take the Government and services closer to the people, encourage community/citizens involvement and participation on matters affecting their wellbeing directly and making rational decisions. Though the concept is still struggling to take
roots in Africa however, the Republic South Africa and Uganda are cited below as some of the African Countries that are succeeding in implementing the concept as well as putting measures to develop and improve the system in addressing the needs and aspirations of the people in the communities.

2.5.3.2 South African experience on the Local Government Legislative Councils

Since 1994 up to 1998 and thereafter, South Africa has moved several steps forward on the development and transformation of the Local Government system from the traditional way to a developmental Local Government not only to promote service delivery but to deliver adequate quality services to all people without discrimination and especially the needy. For example in South Africa, the Municipal councils building houses and giving to the poor, the poor are receiving free money from the government through the banks on the monthly bases which is not the case in some African Countries including the growing young nation of South Sudan, the White Paper on local government (9th March 1998) by Minister Mohamed Valli Musa and Mr. Pravin Gordhan provided for the "Batho Pele” (means people first) principles in South Africa for achieving the transformation through among others, the Integrated Development Planning (IDP), Local Economic Development strategies and skills training for sustainable development.

The White Paper on Local Government, (998:34-35) provided for the Eight (8) Batho Pele principles of Consultation with the people on service delivery; Setting service standards through targets and goals; Increasing access to social services; Ensuring courtesy to maintain effective communication with the people; Providing timely and accurate information to citizens; Openness and transparency on the services rendered; address issues before they go out of hand and finally, Value for money that is the services delivered should be equivalent of the cost/money spent.

These principles were developed and serve as acceptable Policy and Legislative Framework regarding Service Delivery through the Public Service in South Africa and they are aligned with the Constitutional ideals of Public Service Principles on Promoting and maintaining high standards of professional ethics; Providing service impartially, fairly, equitably and without bias; Utilizing resources efficiently and effectively; Responding to people's needs; the citizens

2.5.3.3. The Ugandan experience on the Local Government Legislative Councils

Uganda being a land locked country that would experience more problems than the other African countries; it has same Districts Legislative Councils system as the Municipal Council System in South Africa and the County Legislative Council in South Sudan. Uganda has elected Local Government Legislative Councils which are accountable to the people they represent and their councils includes City, Municipal, Town and District Councils while others are City, Division and Sub-County Council. Their activities includes Participatory Planning and Budgeting, Local Economic Development Initiatives (Locally known as “etandikwa”), Skills Development, Law- making and Raising Revenues to the Local Government activities and programs to render services to the people. The efforts of the Legislative Councils in Uganda at all levels resulted on the following implementation of the Millennium Development Goals and the Decentralized system of the Local Government with the empowerment of the communities resulted on the following indicators according to Johnson Bitarabeho (September/2008):

- Education: With the introduction of Universal Primary Education (UPE), primary school enrolment increased from 1.6 million in the year 2000 to 7 million in 2007.

- Water: Access to safe and clean water has increased in all districts with an average increase from 45% in 2000 to about 63% for rural and 65% for urban local governments in 2007.

- Infant Mortality has reduced from 505/100,000 in 2000 to 435/100,000 in 2006. A survey to get this information is carried out every 5 years. Local Governments are also in charge of primary health care delivery.
• Agriculture extension services which are the responsibility of Local Governments have been reformed to promote services to farmers on high yielding and commercial enterprises. This has been done through a Programme for Modernization of Agriculture (PMA). This programme has key components of research, national advisory services, agro processing and marketing.

• Gender promotion, in particular empowerment of women, youth and persons with disability has become a reality with statutory representation in governance structures at a minimum of 33%

• Poverty has reduced from about 45% in 2000 of people earning less than one dollar per day to 31% in 2007.

In the context of South Sudan, though the models mentioned above do exists however, no quantified measurable indicators have been felt or achieved in terms of performance and improving services to the people in the society as indicated in the Ugandan experienced above, concerning fighting corruption, no single individual have been prosecuted or found guilty due to corrupt cases and most of these models are theories which are yet to be translated into action by the public officials in public Institutions. Therefore, the three experiences of SA Batho Pele Principles, the Ugandan and Nigerian practice are essential live examples that can be adopted by the young new nation of South Sudan in setting up its Local Government Structures and System of work which shall be friendly in promoting the improvement of quality services to all people in the communities especially, the reform processes.

2.6. Conclusion
This chapter provided the insight understanding on the Local Government Legislative Council system in the Republic of South Sudan, literature related on the topic from other scholars and books and it includes the theoretical and conceptual framework where the link between politics and administration in public administration has been explained. It provided the conceptual and Legal Frame work within which Local Government Councils function in South Sudan, public management models and reform processes of Local Governance in South Sudan and other Countries in Africa through public management models. The chapter also
provided an experience from the Republic of South Africa, Uganda and Nigeria on the role and performance of Local Government and the Legislative Councils practices while the next chapter presents the design and methodology employed during the study for the attainment of the study objectives as well as answering the research questions mentioned above in chapter one.
CHAPTER THREE: RESEARCH METHODOLOGY

3.1. Introduction
This chapter discusses the methodology, design and the approaches used in the study. It describes the sampling procedures, the sample population and data collection techniques which were used to collect data from the field. It also emphasizes on the Ethical issues that were observed by the researcher in the course of carrying out the research study. The chapter also discusses the scope of the research study and the authorities that mandated the researcher to conduct the research in YRC.

3.2. Permission to conduct the Research Study
Before going to the field, the researcher sought permission from the Government of Central Equatoria State. The request was made in writing and the permission was officially granted allowing her to conduct the research in YRC in accordance with the research topic (see Annexure: Letter 1&.2). The researcher proceeded to seek Consent from the County Local Government before conducting and interacting with the respondents. The local respondents to be involved were also fully informed and clarified about the study and how the intended data would be collected, handled and utilized.

3.3. Scope of the Research Study
The study was conducted in YRC from July to December 2012, for reasons that the research area was stable in terms of the security compared to other Counties in the Republic of South Sudan. Besides this, it is in YRC that a substantial progress had been made in the establishment of the Local Government systems that presented an opportunity for the research on the LCs to be conducted. The YRC has five constituencies (administrative units/payams) which were established in line with the Interim Constitution of South Sudan, 2005 amended 2011 and SSLGA, 2009.

The study sample population was 49 respondents which was a measurable size and acted as representative sample for the entire population. The 49 respondents was a spectrum of the different population elements and gender. The sample population for the study considered persons above 18 years of age, who were considered to be adults in accordance with the National Constitution Provisions. The study was only limited to YRC because of the limited time and resources to permit covering the wider scope area and population.
The entire research study was conducted within a period of 24 weeks (6 months) starting from July to December 2012 as described in the table below.

**Table 1 Showing the research study period and activities from July-December/2012**

<table>
<thead>
<tr>
<th>No.</th>
<th>Research Activity</th>
<th>Period [Week]</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Conduct consultation with national, state and local authorities</td>
<td>1 Week</td>
</tr>
<tr>
<td>2</td>
<td>Developing, pre-testing and printing research materials</td>
<td>3 Weeks</td>
</tr>
<tr>
<td>3</td>
<td>Collecting data from the field</td>
<td>4 Weeks</td>
</tr>
<tr>
<td>4</td>
<td>Drafting the research report</td>
<td></td>
</tr>
<tr>
<td>4.1</td>
<td>Chapter one (introduction and background to the study)</td>
<td>2 Week</td>
</tr>
<tr>
<td>4.2</td>
<td>Chapter two (literature review)</td>
<td>3 Weeks</td>
</tr>
<tr>
<td>4.3</td>
<td>Chapter three (research methodology)</td>
<td>4 Weeks</td>
</tr>
<tr>
<td>4.4</td>
<td>Chapter four (data analysis, interpretation and presentation)</td>
<td>4 Weeks</td>
</tr>
<tr>
<td>4.5</td>
<td>Chapter five (conclusion and recommendations)</td>
<td>3 Weeks</td>
</tr>
</tbody>
</table>

**3.4. Target Population**

The focus of the research study was examining the Role of Local Government County Legislative Council on Promoting Service Delivery in South Sudan. The researcher therefore considered the population who were responsible for the Local Government administration, those complementing government service delivery and the receipt of the government delivered services which in this case where the local communities and local administrative units. This was in accordance to Bless & Higson (1995:87) who defined target population as a set of elements that the researcher focuses upon and to which results obtained by testing the sample should be generalized.
The target population included the Local Government County Executive in YRC, Local Government County Legislative Council, State Ministry of Local Government, Local Government Board, Local Government Payam representatives, Non Governmental Organizations representatives and Community representatives who were assessed, information collected, screened, analyzed and interpreted to make meaning and produced the report out of it in the fulfilment of the requirement for the Masters course and other purposes where appropriate. Using the sampling method, only 49 elements were extracted from the larger population as sample population and sample size for the study and this was in accordance with Nkatini (2005:38) who asserted that target population is the actual population that can be studied. It was also in accordance with Kumar (2005:164) who defined sampling as the process of selecting a few (a sample) from a bigger group (the sampling population) to be the basis of the assessment in estimating or predicting the prevalence of an unknown piece of information, situation or outcome regarding the bigger group.

3.5. Sample and Sampling Procedure

Sampling is a process of selecting a few elements from the larger population for the study and the results are used to represent the total population of a given phenomenon, issue or situation. The advantage of sampling is that it saves time and resources while in the other hand there may be some biasness because the judgement is based on estimates from smaller group/population representing the whole population in a given situation Kumar, 2005:164-165).

In this study, the researcher applied non-probability sampling designs where the researcher had to examine who could be the right person or persons to provide the right information in order to come out with reliable and valid data and valid report. Therefore, out of many techniques of non-probability sampling designs, the researcher only administered the following three (Kumar (2005:177-180):

**Systematic sampling designs** which is a mixture of probability and non-probability sampling designs in selecting elements for the study using simple random sampling procedure, snowball sampling designs and in this type network was used, respondents identified individuals who were knowledgeable of the topic under study and they were interviewed while judgemental/purposive sampling to gather information from reliable sources about the role of the Legislative Council in YRC on promoting service delivery to the people.
Snowball sampling was used to establish the elements of the sample population as single cases who were involved in the study investigation in order to gain reliable information using networks. This was in accordance with Adams (1991:166) assertion that snowball sampling help to obtain a sample population by having initially identified subjects who can refer the researcher to other subjects with like or similar characteristic.

Purposive sampling was another sampling procedure highly valued and used by the researcher. Basing on her entire wisdom and judgment, the researcher took into consideration the socio economic demographic characteristics such as age, sex, level of education, employment status and marital status as major elements that constitute the composition of the sample population. The composition of the sample elements also included the person’s typical attributes, the experience, integrity and previous research participations deliberately measure to obtain high quality information and achieve certain specific characteristics. This was in accordance with Adams (1991:164) who pointed out that purposive sampling is a procedure based on cases, individuals or communities judged as being appropriate or very informative for the purpose of the research underway. The result of the above research sample procedures and methods resulted in the composition of the sample population size described in the table 2 below.
### Table: 2 Summary of targeted sample respondents and their Sex distribution

<table>
<thead>
<tr>
<th>STATUS</th>
<th>POPULATION</th>
<th>SAMPLE</th>
<th>MALES</th>
<th>Female</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commissioner</td>
<td>1</td>
<td></td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Chairpersons of the Legislative Council</td>
<td>14</td>
<td></td>
<td>12</td>
<td>2</td>
<td>14</td>
</tr>
<tr>
<td>Executive Director</td>
<td>1</td>
<td></td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>County Revenue department</td>
<td>1</td>
<td></td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>County Planning Unit</td>
<td>1</td>
<td></td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Accounting Staff</td>
<td>1</td>
<td></td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>County service Departments</td>
<td>5</td>
<td></td>
<td>4</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Payam representatives (Executive)</td>
<td>5</td>
<td></td>
<td>5</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Development partners (NGOs)</td>
<td>2</td>
<td></td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Community representatives</td>
<td>15</td>
<td></td>
<td>10</td>
<td>5</td>
<td>15</td>
</tr>
<tr>
<td>State Ministry of Local Government</td>
<td>2</td>
<td></td>
<td>2</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Local Government Board</td>
<td>1</td>
<td></td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>49</strong></td>
<td><strong>41</strong></td>
<td><strong>8</strong></td>
<td><strong>49</strong></td>
<td></td>
</tr>
</tbody>
</table>
consideration, similarly, this study focuses on how policies are made by the Legislative Council to regulate the provision of social service in addressing social problems in YRC.

The study applied the qualitative approach where the respondents were interviewed and others involved in the organized Focused Group Discussions. This approach was highly valued because of its ability to elicit participant’s accounts, experiences or perceptions through expression of their ideas, views and opinion on the topic of the research study. The approach also allowed for the production of the descriptive data in respondents’ own writing or spoken words as strong quotes to emphasize research findings. It also emphasized identifying the participant’s belief and values that underlie the research topic under study.

Interviewing the respondents and organizing the FGDs however, necessitated physical visit to the respondents in their local set up in order to access the required information based on the respondents’ accounts, experiences and the researcher offered the respondents maximum cooperation and opportunity to freely express their ideas, views and opinions perceptions on the roles of Local Government County Legislative Council on Promoting Service Delivery in South Sudan. During the data collection exercise, with regards to the roles and performances of the LCs, and throughout the whole process, the researcher maintained naturalistic observation rather than controlled measurement nor dominating the interviews and discussions neither. This was in accordance with Denzin & Lincoln, (1994:1-2.) who asserted that Qualitative investigators are not only interested in the number of items or statements falling into each category, their major concern is usually in the variety of meanings, attitudes, and interpretations found within each category.

However, the Qualitative approach had one disadvantage in that; the raw data collected from the field using interview and Focused Group Discussion as the viable data collection tools from different categories of respondents, sorting out of the raw data, coding it according to questions and themes, analyzing and interpreting it in order to produce a highly balanced quality report, became costly and time consuming exercise.

3.7 Data Collection Techniques

Data collection process involved gathering information from respondents using generally acceptable data collection techniques. In this study, the researcher used Interviews and Focused Group Discussion technique. These two data collection instruments contributed greatly in improvising ways and means of accessing information from the respondents. The
data collections were applied directly to the target population that had previously been informed about the impending research exercise and their reaction to the techniques were very positive which gave a lot of encouragement to the researcher. Informing the respondents about the research exercise in advance was in line with John Mouton (1998; 14) assertion that; depending on the nature of the particular source of data and the manner in which data is to be collected, respondents being aware of the situation when getting opportunity to participate in the research, they tend to react to it. The research techniques used by the researcher procured a high response rate of the respondents, the reason being that they already knew about the research in advance and were eager to participate in it.

3.7.1. Interview technique

Kumar (2005:123) Interview is person to person interaction between two or more individuals with specific purpose in mind and therefore, interviews is face to face interaction in collecting data. The advantage with this method is that it is quick and the researcher gets first hand information but the disadvantage is that, it is tiresome in listening to respondents, making clarification of questions especially to illiterate group of respondents, the researcher had to organise for the interview location and travel to where respondents are. Therefore, in this study, the researcher conducted interviews using Interview Guide for soliciting information from the respondents individually or in groups. Some Individual respondents were identified and interviewed independently, while others were organized or grouped in meetings and interviewed collectively. During the interviews, the researcher assured the respondents of their confidentiality for all the information disclosed.

The researcher also offered the respondents maximum cooperation and opportunity to freely express their ideas, views and opinions and maintained naturalistic observation, controlled her dominance throughout entire individual interviews and meeting discussions which together granted them freedom to express themselves without fear and asking for more time to talk.
3.7.2. Focused Group Discussions (FGD)

Kumar (2005:124), FG Interviews is a process of exploring the perceptions, experiences and understandings of a group of people who have some experience in common with regards to a situation or event and therefore, FGD technique was used by the researcher to gather data from respondents on the performance of the Legislative Council in YRC. The FGD Guide/questions were technically designed to collect data from the respondents who had been organised in the groups whose memberships constituted between (5-13) participants. Using the FGD Guide, the researcher moderated and guided the discussion process on the topics concerning the study, respect to each other, non interferences, freedom of expression and neutralism were the guiding principles of the discussions and mandatory to all participants irrespective of one’s status, age, sex, religion, ethnicity, disability, political affiliation and previous way of life.

The advantage of this technique was that it provided the opportunity for a wide spectrum of the respondents to come together and get the opportunity to directly, interact and exchanged ideas on issues regarding the research topic. Secondly, because of its ability to hold many respondents at ago, FGDs technique was so fast, accurate, effective in the case of the communities in Yei and is like killing two birds using one stone but the disadvantage is that, it is expensive to afford because the researcher needs to prepare in advance how to cater for the group in terms feeding them during the meeting, mobilize and invite them using various means for the meeting and transport them to the venue of the meeting, other respondents who do not keep time or engaged had to be waited for so that they do not take the group back in discussions. The table below shows how the Interview and FGDs data technique correspondingly was applied to sample population.
Table: 3 Showing the Sample, Sample size and Data collection Methods.

<table>
<thead>
<tr>
<th>No.</th>
<th>Sample</th>
<th>Sample Size</th>
<th>No.</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Local Government County Legislative Council</td>
<td>Speaker Chairpersons of the Specialized Council Committees</td>
<td>1</td>
<td>Interviews</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>13</td>
<td>Focus Group</td>
</tr>
<tr>
<td>2.</td>
<td>Local government County Executive</td>
<td>Commissioner/YRC Executive Director</td>
<td>1</td>
<td>Interviews</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Director For Revenue Director For Planning</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Director for Accounts</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Service Departments</td>
<td>Director of Agriculture</td>
<td>5</td>
<td>Focussed Group Discussions</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Director of Health</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Director of Gender &amp; Social Development</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Director of Education</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Director of Lands</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Payam Administrators</td>
<td>Director of Yei Town Payam, Otogo, Mugwo, Lasu &amp; Tore Payams respectively</td>
<td>5</td>
<td>Focussed Group Discussions</td>
</tr>
<tr>
<td>5.</td>
<td>Ministry of Local Government</td>
<td>Former Minister MoLG/CES Director</td>
<td>1</td>
<td>Interviews</td>
</tr>
<tr>
<td>6.</td>
<td>Non Governmental Organization (NGOs)</td>
<td>Centre for Democracy Institute-Sudan UNDP, South Sudan</td>
<td>1</td>
<td>Interviews</td>
</tr>
<tr>
<td>7.</td>
<td>Community representatives</td>
<td>Mixture of male, female, youths, women, elders, chiefs, traders, farmers and people with special needs</td>
<td>15</td>
<td>Focussed Group Discussions</td>
</tr>
<tr>
<td>8.</td>
<td>Local Government Board</td>
<td>Staff</td>
<td>1</td>
<td>Interviews</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td><strong>49</strong></td>
<td></td>
</tr>
</tbody>
</table>
3.8 Ethical Considerations

In the course of gathering data from the field with the help of the data collection techniques, the researcher took into consideration the ethical issues. Throughout the entire period of study, the universal ethical issues were strictly observed and adhered which included; confidentiality, informed consent, voluntary participation and avoidance of harm. The purpose of conducting the research was in accordance with the ethical procedures which were basically to avoid running into ethical arguments with each other and this was in accordance with Hussey, (1997:35) who observed that it would be very difficult to conduct much research at all without running into ethical arguments or considering ethical issues.

In confidentially, the information and responses got from the respondents were strictly kept secret, honesty, respect for the rights of individuals and protection of the respondents privacy were also observed by ensuring that, the information given shall be used for the study and learning purposes.

Informed Consent and voluntary participation, in this types, the researcher consulted with the relevant authorities before conducting the study and informed the participants to the study in advance before conducting interviews with them as such, it led to voluntary participation and contributed to the success of the study. This is in accordance with DeVos et.al (2005:60) who acknowledged that; informed consent ensures the full co-operation, knowledge and information about the investigation they are going to take part, its aims and purpose so as to make informed decision of whether to participate or decline from the study while Babbie & Mouton (2002:521) asserted that, respondents should not be coerced into participating, but be allowed to voluntary participate as results, this allowed the researcher to collect data from the respondents who had shown interest and were willing to contribute to the topic under investigation.

Avoidance of harm, the purpose of ethical consideration during research study was to avoid either physical or emotional harm to the respondents or the study itself as one of the fundamental rules of research. Harm was minimized by avoiding the violation of the rights to which every respondent was entitled, respondents were informed beforehand about the potential impact of the investigation and this offered the respondents an opportunity to withdraw from the investigation if they wished. This was in accordance to Bryan & Bell (2003:542) who noted that one of the problems with the harm-to-participants is that, it is not
possible to identify in all circumstances whether harm is likely to occur, though such point should not be taken to mean that there is no point in seeking to protect participants. The researcher was careful in examining whether the involvement of subjects was likely to harm them in anyway. If there was a possibility of harm, the researcher would see to it that, it would have been minimized before occurrence.

Therefore, the research design and methodology helped the researcher to establish a clear relationship with the respondents and it allowed for the conduct of the research in a professional manner while the designed techniques of interviews guide and FGDs guide contributed greatly in gathering of the information successfully, accurately and in timely.

3.9. Conclusion

Chapter three provided the criteria and procedure employed during the research from the beginning up to the end and it consist of Introduction of the topic, the Permission grated to conduct the research, scope of the study, time schedule for the study, target population, sample and sample procedures, qualitative research methods and data collection techniques using interviews and focused group discussions and finally, consideration to ethical issues during the study period while the next chapter provides the Data analysis, Interpretation and Presentation of research findings.
CHAPTER FOUR: DATA ANALYSIS, INTERPRETATION AND FINDINGS

4.1 Introduction
Data analysis is the process of filtering and removing the unwanted sentences, statement and irrelevant information. Therefore, it is the process of purifying data and this is in accordance with Maree (2010:99) who defined data analysis and interpretation is to establish how participants make meaning of specific phenomenon by analyzing their perceptions, attitudes, understanding, knowledge, values, feelings and experiences in an attempt to approximate their construction of the phenomenon while Mouton (1998:108) described that data analysis is a process that involve breaking data into manageable themes, patterns, trends and relationships for easy understanding and presentation.

This Chapter discusses the research findings, analysis and interpretation on the Role of the Local Government County Legislative Council on promoting service delivery to all communities in YRC, the Republic of South Sudan. The discussion of the analysis also compared the information from the secondary sources (literature review) with the findings of the field, it presents the techniques that were used to analyze the primary data and how it was interpreted to produce the research report.

4.2 Analysis of Primary and Secondary data

4.2.1 Primary data analysis
Kumar (2005:118): Research Methodology explained primary data analysis as first hand data collected from respondents/community on their attitudes towards service provision and in this case the primary data was collected from the categories of elements mentioned herein using interviews and Focus Group Discussions and the results were analyzed by use of code matrix technique. Therefore, this was convenient in analysing the responses on the capacity of the Legislative Council, their supervisory role on the Executive, the linkages between the Legislature and the Executive, as well as the linkages between the Legislature and the Community. The qualitative primary data was collected from the socio economic demographic of the respondents, which was analyzed to describe the study characteristics.
using percentages, mode and means. The results were compared to qualitative information and secondary data for purposes of easy data interpretation.

4.2.2 Secondary data Analysis

The Secondary data analysis (Kumar, 2005) is data collected from secondary sources and providing second-hand information example of these were the information collected from South Sudan Local Government Act, 2009, South Sudan Transitional Constitution, 2011, Local government Framework, 2006, Local Government Councillors Induction Training Guide, 2011, Yei County Strategic Plan, 2008-2011, Programs implementation reports, reports on Local Government from Some African Countries such as Uganda, South Africa and Nigeria, literature on Local Governance, service delivery and community participation/development respectively.

4.2.3 Data Interpretation

During the data interpretation process, the researcher took into the consideration the following variables for the production of valid and high quality research report; the socio economic demographic characteristics of the respondents, the confidentiality of the respondents and respect of the respondents cultures, values and the traditions in view of not damaging the integrity of the individuals who participated in the research study. The resultant of this process was the production of the report which highly protects the integrity of the respondents and eliminated all grounds for future dispute arising between the researcher and the respondents.

4.3 Social Economic Characteristics of the Respondents

The researcher collected information on the socio economic demographic characteristics of each respondent as one of the most significant variables of the study, which were compared with the qualitative information for purposes of easy data interpretation and triangulation wherever possible.
4.3.1 Respondents by Age

The respondent’s aged between 20-25 years of age were found to be 10.2%, those between the age 26-31 years were 14.2% and those between the age group 32-37 were 20.4%. However, those between the age group of 38-43 constituted 22.4% of the total respondents, those aged 44-49 were constituted 26.6% and those found to be above the age of 49 years were 6.2% of the total respondents.

Table 1: Showing respondents distribution by age

<table>
<thead>
<tr>
<th>Age Group[Years]</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>20-25</td>
<td>5</td>
<td>10.2%</td>
</tr>
<tr>
<td>26-31</td>
<td>7</td>
<td>14.2%</td>
</tr>
<tr>
<td>32-37</td>
<td>10</td>
<td>20.4%</td>
</tr>
<tr>
<td>38-43</td>
<td>11</td>
<td>22.4%</td>
</tr>
<tr>
<td>44-49</td>
<td>13</td>
<td>26.6%</td>
</tr>
<tr>
<td>Above 49</td>
<td>3</td>
<td>6.2%</td>
</tr>
</tbody>
</table>

4.3.2 Respondents by Education Levels

Pie chart 1: Showing the reported distribution of the respondents by Education levels and the total respondents who were University Degree holders were 6.2%, those with Diploma qualifications were 10.2%, the Institution Certificate holders were 14.2% and the Secondary Certificate holders were 22.5%. However, those who had finished Junior education were mere 8.1%, the Primary school Certificate holders constituted 24.5% and those who never had went to school were 14.2%.
4.3.3 Respondents by Sex

The research also considered gender as a significant variable for the collection of data from the field. Out of the total respondents, the number of Male respondents in the research study was 41 which constitute a total of 83.6% of the respondents, whereas Females were just 8, constituting a total of 16.4%

Table: 2 Showing the Reported Respondents by Sex in % as mentioned above

<table>
<thead>
<tr>
<th>Sex category</th>
<th>No of Respondents</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>41</td>
<td>83.6%</td>
</tr>
<tr>
<td>Female</td>
<td>8</td>
<td>16.4%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>49</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>
4.3.4 Respondents by Employment

Graph 1; Showing the reported respondents by Employment source

The total number of the respondents employed by the government constituted 55.1 %, those employed by NGOs were found to be 14.2%, those in self employment constituted 20.5 %, while those not employed were 10.2 %

Diagram: 2 Showing respondents by Employment by % as mentioned above

4.4 Local Government Legislative Councils

4.4.1 Knowledge on the Local Government Legislative Councils

The Local Government Act, 2009, provided for the nature and establishment of the Local Government and Local Government Councils. The Act also recognizes the Local Government as the third level of the Government in South Sudan which consists of autonomous Local Government Councils established in accordance with the provisions of the Act. Accordingly, the establishment of the Local Government Councils (LGCs) shall be based on the principles of decentralization and democratic governance that demands the devolution of authority and power to the lowest level of the government close to the people.
The identified LGCs were the County Governments at Payam and Boma levels rural councils, as well as Quarters and Block Councils of Urban Councils.

The respondents were on the basis of this Act provisions asked about their knowledge on the Local Government and Legislative Councils. The overall 65% of the respondents knew about the Local Government and the Legislative Councils, while the rest of the respondents did not know about the LGLCs. The existence of the respondents with knowledge about the LGLCs was reported to be a result of lack of awareness and education about the Local Government Act of 2009.

The Respondents who were reported to have knowledge about the LGLCs, there was variations in the definitions, and perceptions about the LGLCs across all categories of the respondents and social characteristics. However, the proportion of the respondents who knew about the LGLCs increased with the level of education and employment with the government. Full knowledge on the LGLCs was found to be higher amongst the government officials than the unemployed and those employed by the NGOs and in self employment during the research study.

In the same situation, the respondents who admitted to have knowledge about the LGLCs, were asked about the establishment of the Legislative Council in Yei River County and whether the establishment of the LC was by elections or by appointment from higher authorities. The overall 95% of the respondents confirmed the establishment of the LC in 2007, of controlled elections and appointments. However 80% of the respondents reported that those who were elected, the elections were not free and fair with a lot of elections irregularities.

The existence of the Local Councillors who were appointed contravenes section 28 of Local Government Act, 2009 which provided for establishment of the LGLCs only through democratic governance. This indicated that the Local Government Act is ignored or Government leaders had no knowledge about the existence of the Act, as legal document which guide the activities and operations of Local Governments Legislative Councils.

The findings from the Interviews and Focus Group Discussions showed that, Yei Legislative Council was the first Council established in South Sudan since 2007 before the enactment of the State Local Government Act, 2008 and South Sudan Local Government Act, 2009, the
LC was established by the Governor of Central Equatoria State Decree since 25/August/2007 and appointing the Legislative Councillors after their nomination/election, sworn in November/2007 and started their first session early 2008, and out of the total of 35 councillors, 21 were elected by the people while 14 were nominated to the Council (Governors copy of the Decree was not available, cannot be traced/misplaced neither with the Council not the Executive).

4.4.2 Capacity of the Legislative Council in regards to Service Delivery

The Local Government Act, 2009, the LGLCs Induction Training Guide, 2011 and LGLCs Planning and budgeting Guide, 2011 had provided for the Capacity Development of the Local Councillors to improve and enhance service delivery. The Act also provided for legal powers, roles, duties and responsibilities to be exercised by the Councillors in discharging their duties. However, information from the Interviews and Focus Group Discussions (FGDs) revealed that, the majority of the Councillors do not exercise their powers and conduct their activities within the guidelines of the existing legal framework and policy guidelines, which has resulted into poor service delivery to the communities. It further revealed that the majority of the Councillors were not of high academic qualifications and did not obtain other relevant training in the fields of community service delivery. Big number of the Councillors lacked the necessary experiences and majority of them were not exposed to the Local Government operations concerning service delivery to the communities.

It was further reported that although the Councillors were ready to serve the people of Yei regardless of the limited resources, the existing capacity inadequacies amongst themselves that limit their level performance, the Councillors were not happy with LG authorities at the higher level for not addressing their capacity development needs, which was viewed to be a major cause to their low levels of performance, and increasing diminishing services delivered to the communities in Yei especially, the rural communities where the poor people live. Data collected from the FGDs indicated that the problem was further acerbated by poor communication between the local communities and the Councillors who represent them in the Councils, resulting from lack of knowledge and experiences about the operations of the LGLCs. It was suggested that the poor communication between the Councillors and the stakeholders would be reduced or avoided when Councillors are properly trained on LGLCs.
operations to enhance knowledge on their roles and duties, equip themselves with knowledge about the LGLCs Legal Framework and be able to explain it to local communities. In the same situation, it was also suggested that the LG Executive should be competent enough to implement the decisions of the Legislative Council accordingly for the benefit of the local communities.

Sentiments of the quotations by the respondents on poor service delivery

“Rural population in Yei River County especially from the rural areas desperately demand for the provision of basic services such as; feeder roads that link them and their farm produce to urban marketing centres, improve the health centres and build hospitals, build better schools in the rural areas to provide education services nearer to their children and put better recreation facilities to entertain the young people for preservation of positive cultures, values and traditions.” (Male; FGD, Yei)

In all FGDs, the respondents recommended the election of new Councillors through a democratic free and fair elections where all eligible voters have to participate in the voting process, training of the Councillors to know their roles, duties and responsibilities, promotion of exchange visits to share ideas and experiences, facilitation from the LG authorities as temporally measures to address the problem of poor service delivery amongst the LGLCs in particular and the LG in general.

4.4.3 Accountability to the Communities.

The respondents were asked on how regular the LCs conduct meetings with the communities in seeking community views as well as bringing feedback from government. The overall 78% of the respondents reported that there were no meetings usually conducted neither held by the Councillors nor visiting the communities while the Councillors confessed that, they do not have the capacity/money to pay for the electronic media houses such as FM radio stations for purposes of communicating to the community members or creating awareness. The 67% of the respondents expressed dissatisfaction over the work of the Council and accused the Council of not knowing what they were doing since the Councillors do not visit them and aware them on what was happening in the government system, and as results they do not know what is actually happening on the ground, neither the local communities know what is
happening with their representatives nor the Councillors knows what is happening in the villages.

Quotation on the dissatisfaction of LCs failure to account to electorates

“Most respondents from the Councillors do not know their roles, most Councillors are not known by the people in their constituencies, they do not conduct awareness meetings in any form anywhere as such they are not accessible, their resolutions are not published through the media or any means, those elected did not go back to them to explain what they are doing and these being few citations by the respondents”.
(Female; FGD, Yei)

4.4.4 Monitoring and Evaluation

After introducing the concept of creating and establishing Legislative Councils in the Country and particularly in YRC was a good idea of taking the government and services closer to the people in accordance with the provisions of the Constitution and the Act, the system encouraged the involvement and participation of people from all the communities, the production of the training materials by the LGB and the partners to strengthen the capacity of the Councillors all have been in theory.

Practical aspect of monitoring and evaluating the work of the Councillors is lacking as results, the Council has done very little in making relevant laws and ensuring the implementation of the laws, direct supervision of the Council by other levels of Local Government is lacking, as expressed by the Councillors “they never had professional training on their roles and duties except orientation workshops organized by partners” to improve the capacity of the councillors. The following description bellow provides the really views of respondents concerning the role and performance of the legislative Council in YRC.

During the FGD with the chairpersons of the legislative Council, it was revealed that, although the Council acknowledged the fair working relationship with the Executive, they also expressed little cooperation with the Executive in terms of releasing their allowances/emoluments which mostly delays and limited working office requirements.

It was further revealed that, the Executive arm of the Local Government in Yei is not executing most decisions of the Legislative Council as agreed upon for example, the Council
passes local laws and policies which are sometimes not implemented by the Executive, cited the 31 laws passed, only 12 were implemented and 19 were not implemented and yet the Executive is demanding for more laws from the Council. The Council sometimes demand the submission of government bills by the Executive that target raising adequate revenue to facilitate delivering of services to the people and the request is sometimes turned down.

Lack of transport facilities was viewed to be a major issue where the Councillors cannot travel to their constituencies for courtesy visits and enlightened programs as such the Councillors are always blamed. To address the transport problems, the Council held a special meeting and discussed on the delayed payment of their arrears and allowances which are sometimes overdue and after a long discussion and consultations, the members of the Council recommended the timely implementation of the their decisions, release of their allowances and the need for capacity building to strengthen their capacity and improve performance.

It was reported that because the working relationship between the Council and the Executive is weak, the Council passed resolution number one for the year 2012 rejecting the current Executive Director of Yei to be transferred out of Yei. After the concerned authorities did not respond on this matter, the council wrote a second letter to the Commissioner asking why their resolution was not implemented by the County Commissioner and the State Ministry of Local Government which was implemented after one year.
Information from Interviews and FGDs indicated that the Executive members acknowledged the work of the Council but reaffirmed the lack of money to facilitate the Council directives/decision, because the revenue base has dropped down especially this year ranging from 60-70, 000 SSP per month compared to the previous year’s which used to be up to 300,000 SSP per month.

Data from the Executive further revealed that, Yei legislative Council was the most expensive Council to manage in the region. It was revealed that the Council demanded between 54,000 - 65,000 SSP per year, as payment of their sittings allowances. It was cited in one of the meetings that when in October, 2011, the Council demanded payment of their arrears last year and raised the issue to the State Government; the authorities at that level resolved the issue by paying the Councillors their arrears out of Yei Development Grant that usually comes from the National Government. The decision to pay the Councillors out of the grant resulted into the suspension of the funding from the National Government up to date and this affected the construction of the new Council Office project.

Information further revealed that, the Yei Legislative Council over stayed in office since 2007 than the required period in accordance to South Sudan Local Government Act (2009:28.2) of four years terms of office.
Data from the FGD meetings with the representatives of the public both formal and non-formal meetings through direct interviews and the media, most members of the public expressed dissatisfaction over the work of the Council and alleged that they do not know what the Council is doing because the Councillors do not visit them and do not enlighten them through meetings, the media or other means on what is happening in the government system as results they do not know what their representatives are doing on their behalf.

In this assessment, half of the people said they do not know what the Council is doing, a quarter said they are aware of the existence of the Council while the other quarter denied the existence of the Council that they are not aware that there is Legislative Council to represent their issues and therefore, the summary of the findings revealed the following achievements, challenges, conclusions and recommendations. The Council leadership carried out 3 consultative-joint meetings with the Executive; conducted 9 supervisory meetings to areas where County projects are implemented and continuous follow up with the relevant
departments by the respective council committees; developed and amended their Code of Conduct; according to the former State Minister of Local government, the State authority conducted one skills training workshop for the councillors in YRC. The majority of the respondents stated that the working relationship between the Council and the Executive is very poor while the minority ranges from between fair to good with the reasons being lack of cooperation between the Executive and the Legislature in terms of coordinating and implementing activities, projects and programs.

Community members in one of the FGDs posing for a group photo with the Researcher
Information from FGDs with the representative of the development partners such as NGOs confirmed that they have trained the Councillors on Legislative and Parliamentary procedures, decision making and how to make Code of Conduct for YRC Local Government Legislative Council, how to improve performance as well supervises the executive to implement Council decisions.

According to development partners, Councillors were able to raise motions, participate effectively and passed the relevant bills into the mentioned laws above while on the other hand some of the council laws and policies were implemented by the Executive and services delivered to the people of Yei after undergoing through capacity building trainings.

During the FGDs, Partners cited the Lack of training, lack of exposure, limited education with mixture of different standards, lack of technical knowhow/experience on how to monitor, supervise and evaluate the performance of the Executive in implementing the Council decisions.

In all FGDs, the participants recommended that, the concerned authorities of the Local Government to consider the election of new councillors sooner or later and clear criteria be laid down based on competency, education qualification and experience for example Councillors should be from at least minimum of Secondary school leavers and above and electing people who have some experience on government work.

Data from FGDs with the Councillors revealed that, although the Councillors faced challenges such as transport facilitations, delayed payment of their sitting allowances but yet the Council in Yei was able to pass the 31 local laws between 2007 and 2012 and some of the Resolutions bellow were extracted from the LC Resolution book 2007-2012.
<table>
<thead>
<tr>
<th>S/ N</th>
<th>Resolutions implemented</th>
<th>Resolutions not implemented or partly</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Resolution No.9/LC/YRC/14/10/2011 on the renovation of the old commissioner’s house</td>
<td>Resolution No.01/LC/YRC/CES/13/March/2012 on the transfer of the Executive Director Mr. John Mogga Ezekiel out of Yei River County</td>
</tr>
<tr>
<td>2</td>
<td>Resolution No.03/LC/YRC/CES/13/June/2011 approved the Land for Elia Lupe commercial complex</td>
<td>Resolution No.02/LC/YRC/CES/27/March/2012 on the rejection of agriculture land measuring 6,000 feddans for farming by investor</td>
</tr>
<tr>
<td>3</td>
<td>Resolution No.01/LC/YRC/CES/9th/March/2011 approval of Town rates and ground rent</td>
<td>Resolution No.11/LC/YRC/CES/10/Jan/2011 on passed private member bill on improvement of education system in YRC</td>
</tr>
<tr>
<td>4</td>
<td>Resolution No.3/17/07/2010 on the issuance of 1,500 residential plots at Lutaya North to displaced people due to opening of roads and open spaces</td>
<td>Resolution No.01/LC/YRC/CES/21/Jan/2011 approval of 2011 budget</td>
</tr>
<tr>
<td>5</td>
<td>Resolution No.2/LC/YRC/17/07/2010 that banned drug and alcohol abuse e.g. consumption of alcohol, marungi etc</td>
<td>Resolution No.02/LC/YRC/9/March/2011 resolved the dispute concerning land for development between Christ the king and the catholic diocese of Yei</td>
</tr>
<tr>
<td>6</td>
<td>Resolution No.2/LC/YRC/S2/28/Feb/2009 on</td>
<td>Resolution No.3/LC/YRC/CES/13/6/2011 on the</td>
</tr>
<tr>
<td>Resolution No.</td>
<td>Date</td>
<td>Description</td>
</tr>
<tr>
<td>---------------</td>
<td>------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>1(a) LC/YRC/S2/24/Feb/2009</td>
<td>Chiefs accused the Commissioner of Yei River County to H.E the Governor, CES</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>YRC/LC/S2R09/22/Feb/2008</td>
<td>Resolution No.14/LC/YRC/S9/18/10/2008 passed the bill for the establishment of Lutaya market</td>
</tr>
<tr>
<td>2</td>
<td>YRC/LC/S2R09/22/April/2009</td>
<td>Resolution 4/LC/YRC/22/April/2009 passed the allotment of piece of land for building State house &amp; SPLM County Secretariat</td>
</tr>
<tr>
<td>3</td>
<td>No.LC/YRC/S*R12/2008, sitting</td>
<td>Resolution without number reading YRC/LC/S2R09/22/Feb/2008 on the Population Influx to Yei or influx of people to YRC</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td>Resolution No.5/LC/YRC/9/Dec/2010 stoppage of un sustainable logging of teak trees &amp; their transportation from YRC</td>
</tr>
<tr>
<td>5</td>
<td></td>
<td>Resolution No.7/7/Dec/2009 approval of plot rates to raise revenue to the county</td>
</tr>
<tr>
<td>6</td>
<td></td>
<td>Resolution 4/LC/YRC/22/April/2009 passed the allotment of piece of land for building State house &amp; SPLM County Secretariat</td>
</tr>
<tr>
<td>7</td>
<td></td>
<td>Resolution No.10/LC/YRC/CES/23/09/2011 approved Private member bill on security situation in Yei River County</td>
</tr>
<tr>
<td>8</td>
<td></td>
<td>Resolved on 17/Dec/2010 the way forward for YRC in the year 2011</td>
</tr>
<tr>
<td>9</td>
<td></td>
<td>Resolution No.4/27/10/2010 passed Commissioners concept paper on land management and town planning in Yei Town</td>
</tr>
<tr>
<td>10</td>
<td></td>
<td>Resolution No.7/7/Dec/2009 approval of plot rates to raise revenue to the county</td>
</tr>
<tr>
<td>11</td>
<td></td>
<td>Resolution without number reading No.LC/YRC/S*R12/2008, sitting</td>
</tr>
</tbody>
</table>
The information in the table above was extracted from the resolution book of the Legislative Council of YRC 2007-2012, it has been observed that, the numbering of the Resolutions and files is another serious skills gap with the Legislative Council members including the support staff especially the Secretariat section.

4.5. Conclusion
Chapter four was the most tedious one that took the researcher time in screening the unwanted and repeated statements, tenses and wrong wordings, aligning the findings in line with the study objectives, primary and secondary data analysis, data interpretation using socio-economic demographic characteristics of respondents and presented in charts, graphs, tables and percentages, interpretation of the Local Government Legislative Framework for South Sudan 2006/9, the Capacity of the Legislative Council in regards to service delivery, respondents quotes, accountabilities to the communities, monitoring and evaluation, sample photos after interviews with respondents and the sample of some of the Resolutions of the Legislative Council in YRC while the next chapter provides the conclusion and recommendations that may be helpful for future use and reference by the authorities in South Sudan and other interested persons/institutions of same or similar interest.
CHAPTER FIVE: CONCLUSION AND RECOMMENDATIONS

5.1 Introduction;

Chapter one of this study discussed the background to the study, sampling techniques, target population, historical background of Yei River County, the research problem, questions, objectives and significance of the study. Chapter two discussed the related literature to the study and the literature focused on Local Government Councils with regard to their functions, roles and responsibilities in the South Sudan perspective and other Countries. The literature reviewed also presented case studies from Counties like Nigeria, Uganda and South Africa and reforms in both South Sudan and other Countries. Therefore, this was done in order to give a deeper understanding of Local Government Councils. Chapter three discussed the research methodology employed during the study, the scope of the study, sampling techniques employed were explained, the qualitative methods of data collection were also explained and ethical considerations that guided the study were also discussed. Chapter four discussed data analysis, interpretation and findings where both primary and secondary sources of data were analysed. The chapter also discussed and interpreted the social demographic characteristics of the respondednts with the aid of charts, tables and percentages. The chapter further discussed the capacity of the existing Local Government Council in Yei River County with respect to service delivery. Chapter five presents conclusion and the recommendations drawn from the study that can used by the Local Government authorities in Yei River County to enhance service delivery.
5.2. Recommendations

After the assessment on the role of Local Government County Legislative Council on promoting service delivery in YRC through the implementation of the Act and the other relevant laws, the Council has made some achievements while experienced numerous challenges and gaps needed to be addressed in order to improve and strengthen their capacity in conducting their duties. Below are the recommendations:

1. There is need to train the members of the Legislative Council in order to strengthen their capacities as well as improve their performance in making laws and supervise the executive in implementing their directives/decisions to deliver services to the people. Therefore, the authorities concerned to embark on skills development and professional training to address the under performance of the Councillors as the case with Scarce skills in the Limpopo Department of Local Government and Housing that conducted assessment first on the existing skills, the gaps between the demand and the supply of skills in Limpopo and educator capacity building program with emphasis on personal growth and continuous learning (Public Administration Journal of volume 46 number 1.1, March/2011, special issue, pages 885-887).

2. There is need to promote and conduct exchange visits as part of the learning process for the Councillors from other successful Countries within and outside Africa to share experiences as well as learn how to nurse the new concept already planted in South Sudan and particularly in YRC to improve performance and service delivery to the people.

3. The Councillors are to assume their role of enacting the relevant laws and policies that regulate service delivery in YRC, supervise the Executive to implement their decisions while maintaining good working relationship between the Council and the Executive and between the Council and the people they represent from the various constituencies through regular meetings and visits to promote delivery of services to the people.

4. Motivation occurs in different forms as cited by George Elton Mayor (1880-1949) one of the scholars of Public Administration (Administrative theories: Human relations approach on motivation) and therefore, for the Councillors to perform well, their dues have to be provided
and in time including the working requirements to facilitate their work especially the lack of transport facilities and the provision of all these demand will lead to the attainment of Local Government goals and objective as confirmed by Frederick Taylor in Classical Administrative theory development (1856-1915) that, in order to achieve the task, improve the working conditions and put in place the work procedures.

5. Need for effective communication and coordination of work in the Local Government structures at all levels is important to the success of their activities as well as maintain close relationship within the institutions and the stakeholders (How to be an even better manager by Michael Armstrong, 1998:9).

6. For the Local Government and the Legislative Council in YRC to maintain mutual cooperation and support from the other levels of Government in the Country and for the other levels of Government to monitor service delivery at the community levels, to prioritize development plans and avoid duplication of projects while clearly identify the challenges facing the Local Government and address them in time and amicable settlement of disputes therefore, Intergovernmental Relations have to be started in South Sudan, encouraged and promoted to strengthen relationships and improve delivery of services to the people in the communities of South Sudan (Norman Levy and Chris Tapscott, 2001), on Intergovernmental Relations and Cooperative Governance in South Africa.

7. Need to create public awareness especially concerning such new concepts is paramount by the Legislative Council and the other levels of Local Government to inform the people to know what the government is doing on their behave, the Councillors are whistle blowers of government as the case with other developed Countries in Africa as well as in the World.

8. For the success of the work of the Council, the LGB and the other levels of Government to review and amend the LGA of 2009 to address some of the irregularities that require attention to regulate the work of the Council as well as improve the performance of the Council to deliver services to the people as emphasized by Amanda (2012) that the structure, roles and responsibility of Local Government in South Sudan still require clarity in some aspects to determine the size, scope, skills and competencies of the Local Government.
9. Community involvement and participation has been over emphasized in the Act and the Constitution in terms of representation, contributing to policy development and taking appropriate decisions by electing leaders and as well as participating in development activities in their respective areas of origin has to be encouraged and promoted at all levels of Government.

10. Any organization cannot succeed without resources and therefore, in collaboration with the Executive, the Council has to maximise on the ways of how to generate adequate revenues to fund the activities of the Council as well as the general provision of services to the people of YRC using the three (3 Es) that effective, efficient and economic use of the scarce resources and combat corruption.

11. Transparency and accountability are the components for the success of any activity in public organizations in that the Councillors have to be accountable to the people they serve even if some of them were not elected by the people but they still represent the people as well as the Executive to do the right thing to the people at the right time in addressing the disparities within the communities in YRC, the accountability should be through reports, meetings and visits to the sites.

12. Monitoring and evaluating for the work of the Legislative Council by the relevant authorities of the Local Government is important to check the impacts of the services rendered by the Council during specific period of time as the case with South African (Public Service Commission, Monitoring and Evaluation Report, 2009/2010) on the principles of public service. Therefore, South Sudan could do the same to measure the strength of the Legislative Council in regards to the services rendered using the available means.

13. Passing laws and polices without direction cannot promote and improve service delivery in YRC and without setting a direction. Therefore, the authorities in YRC in collaboration with the other levels of government to set a strategy and targets to achieve after certain period of time as the case with South African “Batho Pele principles (Batho pele means people first”) (South African White paper on Local Government, 1998) and South African Local
Government Municipal Systems Act, 2000 (*Act 32 of 2000*) stipulated the mechanisms to enable Municipalities to move progressively towards social and economic upliftment of local communities and ensure universal access to essential affordable services to all and related matters.
REFERENCE LIST

1. Amanda Serumaga, 24/July/2012 presented a paper on Integrated Support to South Sudan Capacity building and Core Governance Functions (Democratic Governance and Reforms), UNDP Juba, South Sudan.
11. CESG, 2011, Transitional Constitution of CES, 2011 (NMoLACD), produced by the State Ministry of Parliamentary Affairs/CES, Juba, Republic of South Sudan.
13. Ellen Martin and Nina Sluga, 2011, HPG working paper in collaboration with the Norwegian Refugee Council (NRC), Case Study of Urban displacement and vulnerability in Yei, South Sudan.


27. Igbuzor, 22/January/2013 presented a paper on Nigerian experience on Local Government Councils, Lagos, Nigeria (igbuzor@cddnig.org)

28. Johnson Bitarabeho, 15-17/Sept/2008 presented a paper on (Ugandan experience) the Local Government as a partner in decentralization process, Emperors Palace Hotel, Johannesburg, South Africa.


34. Millennium Development Goals (MDGs) Evaluation Report, 2010 by UNDP, Yei/Juba, South Sudan.


38. PAD 512, 2010, Advanced Theories of Public Administration compiled by Prof. MH Kanyane, University of Fort Hare, South Africa.


45. UNDP, 2006/2009, Reform programs in South Sudan by UNDP and Local Government Board, Juba, Republic of South Sudan


47. UNDP and LGB, 2011, Participatory Planning and Budgeting Guide for Local Government Councils, Juba, Republic of South Sudan.


51. Yei River County, 2008-2011, Strategic Plan, 2008-2011 produced by the department of planning, Yei, Central Equatoria State, South Sudan.

52. Yei River County, 2012, County Annual Report by the Department of planning, Yei, Central Equatoria State, South Sudan.
Examining the Role of Local Government County Legislative Council on Promoting Service Delivery in South Sudan, Case of Yei River County in Central Equatoria State

Iam Mrs. Oba Cicilia Tito Towongo wishing to conduct an academic research on the Role of Local Government County Legislative Council on promoting service delivery in Yei River County as partial fulfilment for the award of Masters Degree in Public Administration at the University of Fort Hare, Republic of South Africa. You are therefore, requested to participate in this research study by contributing ideas/information/answers on the study topic whereas the answers provided shall be used for the attainment of the academic purposes.

For the Respondent

a) The Name of the respondent-----------------------------------------------
b) Institution/organization/agency-----------------------------------------------
c) Type of the organization (specify: Self, NGO, Government and none)
d) Occupation (specify the-----------------------------------------------
e) Type of the occupation-----------------------------------------------
f) Name of the employer/Source of the employment (Specify: Government, NGOs, Self and not employed)-----------------------------------------------
g) Age (specify the years)-----------------------------------------------
h) Sex (Male or female, specify)-----------------------------------------------
i) Highest level of education attained (Degree, Diploma, Institutional level of certificate, secondary level of certificate, Junior education level and Primary school level-------
1. Interview questions for the members of Local Government County Legislative Council

What is a council?

What is Local Government Legislative County Legislative Council?

When was the Legislative Council established, is it by election or appointment?

Is there any warrant of establishment or its equivalent?

How many Local laws and policies that regulate service delivery have been enacted by the Council since its establishment?

Which laws and policies have been implemented, state the reason?

What efforts have been made by the legislative Council to in supervising the Executive implement decisions/directives?

How is the working relationship between the Council and the Executive?

The relationship between the Council and the Citizens?
What are the Gaps and Challenges that affect the performance of the Legislative Council in making appropriate decisions and supervise the Executive to implement those decisions?

What are your recommendations to address the identified Gaps/Challenges in order to improve service delivery in Yei River County?

Do you have anything to add?

2. Interview questions for the members of the Executive organ of the Local Government

State the laws and policies that have been enacted by the Legislative Council since its establishment to regulate service delivery?

Which laws and policies have implemented, give details?

What efforts have been made by the Executive in raising resources to facilitate the implementation of the Council decisions?

What are the Gaps and Challenges that affect the Executive in implementing the decisions of the council?
What are your Recommendations to address the identified challenges above in order to improve service delivery in Yei River County?

Do you have anything to add?

3. Interview questions for the members of the Community/Citizens

How did you come to know about Local Government County Legislative Council in Yei?

What does it do?

What do you think are the Gaps/Challenges that affect the performance of the Legislative Council?

What are your Recommendations to address the identified Gaps/Challenges above in order to improve service delivery in YRC?

Do you have anything to add?
4. Interview questions for partners (Representatives from the State Ministry of Local Government, NGO representative and representative of the Local Government Board)

How did you come to know about Local Government County Legislative Council Yei and when?

What efforts did you put in place to the Legislative Council to improve its performance?

If yes, what is the impact in terms of performance and service delivery?

Do you have any monitoring and follow up mechanism and how?

What are the Gaps/Challenges that affect the performance of the Legislative Council in promoting service delivery in YRC?

What are your Recommendations to address the identified gaps and challenges above?

Do you have anything to add?
No. RSS/CES/SGC/SGO/20-M-1

Hon. Minister

Ministry of Cabinet Affairs

Central Equatoria State/Juba

Subject: Permission granted for two weeks

Reference to your letter dated RSS/CES/MCA/A.1/3/9/2012 requesting on the above mentioned subject to go and conduct Masters Research on the Role of Local Government County Legislative Council on promoting service delivery in YRC as well as in CES, the permission is granted for two weeks from 15th-30/September/2012.

Therefore, the authorities in YRC are expected to cooperate are render you the necessary assistant during the period.

Maj. Gen. Clement Wani Konga
Governor of CES
Juba

Cc: Hon. Minister of Local Government/CES
Cc: Commissioner of YRC/CES
Cc: Secretary General of the Government/CES
To H.E the Governor
Central Equatoria State/Juba

Subject: Request of permission for two weeks to go and conduct Research in Yei
River County

Your Excellency,

With honor and respect, I am a student at the University of Fort Hare in South Africa doing my Masters in Public Administration and expected to conduct research on the area of interest and present report to the University. My research topic is to examine the Role of Local Government County Legislative Council in YRC, CES. Therefore, your consideration to my request will contribute to the success of my Masters Studies.

Hon. Oba Cicilia Tito
Minister of Cabinet Affairs
Central Equatoria State/Juba

Cc: Hon. Deputy Governor/CES
Cc: Hon. Minister of Local Government/CES
Cc: Commissioner/YRC
Cc: Speaker of the Legislative Council/YRC
22 June 2012

TO WHOM IT MAY CONCERN

RE: REQUEST FOR CONDUCTING AN ACADEMIC RESEARCH

PROGRAMME: MASTER OF PUBLIC ADMINISTRATION (MPA)

NAME: Oba Cicilia Tito Towango
STUDENT NUMBER: 200808077

The above named is a registered student of the university of Forte Hare. As part of the requirements for completing her MPA degree, the student is expected to conduct a research and submit its findings accordingly.

We hereby request you to allow the student conduct a research in your institution and to interact with relevant selected office-bearers and officials. We have instructed the student to observe professionalism and ethical considerations by maintaining anonymity of the participants concerned. The student has also been advised to maintain strict confidentiality in her interactions with respondents.

Once the research is completed, it may be availed to your institution on request. We hope that the findings of the research will benefit your institution in particular and South Africa in general.

Please extend every assistance he stands in need.

Regards

EOC Ijeoma
Dear Towongo Oba Cicilia Tito

RE: ACCEPTANCE LETTER FOR MASTERS IN PUBLIC ADMINISTRATION PROGRAMME

This serves to confirm that you have been accepted for the above mentioned programme, Masters in Public Administration (MPA) for a maximum period of two years. Please be informed that you need to attend a block session from the 5th to 30th September 2011 at the University of Fort Hare, South Africa.

On presentation of this letter to the South African authorities in your country of residence, you will be required to meet the necessary consular requirements towards facilitating your travel to the Republic of South Africa.

Hoping for a proudly South African welcome on your arrival.

Yours Sincerely

EOC Ijeoma
TO WHOM IT MAY CONCERN

Subject: - Hon. Mary Apai Ayiga and Hon. Oba Cicilia Tito to Proceed to South Africa for Study

Please, acknowledge that, Hon. Mary Apai Ayiga and Hon. Oba Cicilia Tito, Members of Central Equatoria State Legislative Assembly are scheduled to proceed to South Africa for study within the next coming few days.

Please, consider to accord them every possible assistance to make their mission a success.

CC: - Hon. Mary Apai Ayiga - SLA/CES/Juba
CC: - Oba Cicilia Tito - SLA/CES/Juba
CC: - File of Hon. Clerk, SLA/CES/Juba