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"South Africa's Public Service: Evolution and Future Perspective."

"New World, New Society, New Administration."

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I bring greetings from Minister Geraldine Fraser Moleketi, who asked me to convey to you her regrets at not being present with you today. Unfortunately a number critical domestic issues detained her in South Africa and she wishes you every success at this conference.

I would like to take this opportunity to congratulate the Public Service Commission of Canada on its centenary celebrations. And it is fitting that we are meeting here in Quebec City, an incredibly beautiful city celebrating the 400<sup>th</sup> year of its founding.

We concur with David J. Holdsworth, who in a 2006 said "While a professional, non-partisan and merit-based public service is often taken for granted within our own borders, other countries looking to reform their public services see ours as a reference point and Canada as a source of best practices." We in South Africa have continually looked to the Public Service Commission of Canada for advice and inspiration as we have sought to transform not just reform our own public service in South Africa.

While the theme of this conference is "New World, New Society, New Administration", I understand that today we are talking about and reflecting on the "New World".

But what is new in this new world? How different is it from the old world? I ask these questions not rhetorically but from the perspective of the South which experiences this world very differently from the developed North. It is worth remembering that when the European colonisers came to North America they thought they had "discovered a new world".

The new world we in the global South experience is still characterised by the same challenges of the old world – global poverty now euphemistically referred to as the bottom billion; global unemployment, underdevelopment on national, regional, continental and global scales; a global unequal division of wealth and

assets that incessantly and relentlessly compound poverty, unemployment and underdevelopment.

The critical issues that we need to address and solve collectively in the new world cut deeply across national boundaries but our collective capacity to deal with them is weak and incomplete. The four most critical challenges we face today and for the foreseeable future are all very much a function of globalisation and they are – global, regional and national poverty and unemployment, the current international monetary crisis occasioned by the sub-prime crisis in the United States – the first since the Great Depression and the monetary crisis of Europe in the 1930's; the re-emergence of food inflation and the potential for global food shortages, and fourth is environmental degradation and global warming. These four challenges find different national expression but the reach of each is undoubtedly global.

Governments around the world have no choice but to respond to these crises which threaten us as never before. The 1990's fad of downsizing coupled with anorexic public administration and the call for unregulated markets, less government, less government commitment to social programmes and unlimited access to domestic markets by transnational corporations has increasingly been replaced by caution. Our task in this critical period is to clearly articulate a position that calls for more responsible, more efficient and more effective government. We must stake out a position that argues for a strong, decisive and socially responsible democratic developmental state which balances the need for national sovereignty and responsible global citizenship. These are the critical lessons we in Africa take forward into the new world.

These challenges are related to three central realities that we need to recognize - first that we share our planet with others (global warming, environmental degradation, loss of biodiversity, growing concerns with fresh, clean water supplies), second the need to sustain and improve our life chances (poverty, unemployment, conflict prevention, global infectious diseases) and third identifying and abiding by a set of global rules to guide our engagement with each other on the critical issues of the day (trade, global environmental standards, global labour standards, intellectual property rights, patent rights, etc). No one nation state, no matter how powerful can solve these global problems on its own. Therefore, in the new world public administration has to transcend national boundaries and have a global reach to deal with governance and administrative and public policy challenges which are global. And this is important in a world where we take collective responsibility for post conflict reconstruction and development in many countries emerging from conflict. Even as we in South Africa have developed a new architecture for post conflict reconstruction and to avoid stalled peace we stress the centrality of public administration, administrative law, Constitutional law and rebuilding the institutions of governance and administration.

In the South and in Africa we talk of the need to strengthen democracy, national institutions of governance and administration, strengthen the interventionist role of the developmental state to deal with the challenges of pro-poor, ecologically sensitive and sustainable growth and development and at the same time to identify ways of strengthening collective and collaborative action—something that the nations of the world have been woeful at thus far.

We can all agree on the self evident truth that in today's world we are all highly interconnected. This interconnectedness of countries finds expression in trade, investment, the global division of labour, the global patterns of production and consumption, communication, and the global uneven patterns of development and income and wealth distribution. These processes will continually replicate themselves over the next few decades irrespective of the exact political form globalisation takes.

Recognizing the reality that nation states of the South and the North likely experience the new world differently and especially the new world of globalization differently, requires us to posit anew ways of thinking about the politics and administration interface and the relationship between democracy, governance and administration.

In South Africa we experienced a new world in 1994 when we held our first democratic elections and when the first democratically elected government in the history of our country took office. In 1994 with the dawning of the new world came the reality that we had inherited a racially stratified, hierarchically ordered administration trained and dedicated to uphold apartheid. And we inherited a South Africa which included immense material deprivation for the vast majority of South Africans. The legacy of apartheid we inherited also included racialised and feminised poverty, racial segregation, a huge unequal division of land, wealth and income based on race, and legalised, institutionalised and systemic racial and gender discrimination in all walks of life.

The new world, our new reality was one where we were going to build a new democracy and a new public service organised around the principles of democracy and accountability, representivity and merit, efficiency and effectiveness and transparency and the values of Ubuntu and Ujama.

This was our new world to be built on the ashes of apartheid which was declared a crime against humanity, but also to be built in the immediate aftermath of the collapse of the "Soviet Bloc" and the emergence of a uni-polar world. For us it was not in Fukiyama's words "the end of history" nor Huntington's clash of civilisations. Rather it was a new world where we were determined to create a non-racial, non-sexist democratic and prosperous South Africa that belonged to all who lived in it. We envisaged a new world in which democracy would flourish, diversity would be cherished, nurtured and respected, where a People's Contract would define the relationship between citizen and state and where fundamental

human rights and freedoms would continually be advanced and where services would be delivered to all and in particular to those most in need. We argued that the measure of good government is the extent to which it cares for the well being of its most vulnerable, excluded and marginalised citizens.

We must have a clear vision of the kind of society we want to build and the kind of administrative arrangements we need to make that happen. But what is very clear is that in the new world we will continually need to underscore the importance of values that need to inform both democratic administration, conceptions of the public good and good governance.

Fourteen years ago we in South Africa, inherited and needed to transform a public service which lacked representivity in race, gender and disability; was discriminatory with respect to service delivery to the majority of the population; there was centralized control and top-down management, low productivity, low morale and professional service ethos and work ethic was poor.

There was no question at all that apartheid South Africa's public service had to be totally and radically transformed and in short order. In addition the ethos of exclusion (in service delivery and in hiring) based on racial exclusion also had to be transformed and replaced with values of inclusion, democracy and Batho Pele (citizens first). Initially in South Africa we did not have the luxury of debating the separation of politics and administration. We had a Constitutional obligation to undertake the most far reaching process of transformation of public administration. We had to dismantle the old administrative order, transform it, democratize it, re-orient its ethos, its structure and culture and we had to do this with a sense of urgency; we had to both repeal race based apartheid legislation and bring in new legislation based on a new Constitutional dispensation. And we did this with alacrity and with a sense of purpose and we succeeded.

And in this endeavour we were assisted by the Public Service Commission of Canada which brought to South Africa not dogma or a one size fits all approach rather the merit principle and the principles of professionalism and non-partisanship, and the call for an autonomous Public Service Commission.

The Canadian program in South Africa focused on mentoring managers and on management, rather than public policy research. Canadian *practitioners* of public management Deputy Ministers and other senior officials, including some Ministers and provincial Premiers all became significant coaches to their South African counterparts.

In 1996, the South Africa Constitution enshrined an independent Public Service Commission accountable to the National Assembly, very much like the Canadian Public Service Commission which is independent and accountable to Parliament. The Canadian model undoubtedly served as a significant reference point for the establishment of our Public Service Commission. And core values have been incorporated in our Constitution – including a high standard of professional

ethics, impartiality, accountability, and a public service broadly representative of the South African people. We thank Canada, the people of Canada and the Public Service Commission of Canada for assisting us so unstintingly early in our democracy and in the initial phase of nation building.

It was the Freedom Charter, adopted in Kliptown South Africa in 1956 which succinctly articulated the values of our democracy when it proclaimed that “South Africa belongs to all who live in it, black and white, and that no government can justly claim authority unless it is based on the will of all the people”.

The values of equality, social justice, the right to rule based on the legitimate will of the people, service to the people without fear or favour, transformation of all the institutions of injustice, and transformation of a public service, are all embedded in the Freedom Charter which with immense foresight said “All people shall be entitled to take part in the administration of the country” - referring to the radical transformation of public administration and in particular:

- That the public service must reflect the demographic make up of the population that it serves – and in fifteen years I can confidently say we have transformed the administration with a swiftness that is unquestionable and transformation will continue apace.
- That a democratic ethos must inform the values of public servants and as Plato says they must “do no service for a present “.These are the principles of “Batho Pele” which we seek to instil in all public servants. These principles include putting people first, being open, transparent and honest and not corrupt.
- The administration of the state must work to advance the core values of our country – the values of non-sexism, non-racism. It must consciously eschew all forms of chauvinism and discrimination both in service delivery and in hiring of personnel.

It is this essence of the Freedom Charter that has found its way into our Constitution which is transformative and speaks of recognizing “the injustices of our past”. But this recognition brings with it obligations for the state and for public administration. In adopting the Constitution the state has to heal the wounds of the past, respect democracy; rule based on the will of the people; respect fundamental freedoms and human rights; improve the quality of life of all the people of South Africa, and realise the vision of a non racial, non-sexist democratic and prosperous South Africa where the wealth and assets of the country are more equitably shared by all.

The Constitution like the Freedom Charter proclaims the equality of all and is highly transformative for it recognises that “To promote the achievement of equality, legislative and other measures designed to protect or advance persons,

or categories of persons, disadvantaged by unfair discrimination may be taken". This is about making both public and private institutions representative of the people being served by these institutions.

The importance of governance and administration based on democratic principles including the rule of law and administrative law finds its most cogent expression in the Constitution. And specifically with respect to public administration the Constitution in **S195. Basic values and principles governing public administration**, enjoins us as follows:

1. Public administration must be governed by the democratic values and principles enshrined in the Constitution, including the following principles:
  - a. A high standard of professional ethics...
  - b. Efficient, economic and effective use of resources...
  - c. Public administration must be development-oriented.
  - d. Services must be provided impartially, fairly, equitably and without bias.
  - e. People's needs must be responded to, and the public must be encouraged to participate in policy-making.
  - f. Public administration must be accountable.
  - g. Transparency must be ...
  - h. Good human-resource management ... must be cultivated.
  - i. Public administration must be broadly representative of the South African people ...

The challenge for government was to establish new democratic and accountable institutions and to transform those existing institutions, in particular the public service. Transformation was aimed at rendering the public service capable of redressing the injustices of the past, extending its services to the majority of South Africa's people who had been receiving inadequate services or no services at all. The public service therefore had to become more efficient, economic and effective at the same time as it radically expanded its reach and changed its ethos.

The three terms of the first 15 years of freedom in South Africa correspond to three distinct phases in the transformation of the public service: the first from 1994 to 1999 is the phase of deconstruction and reconstruction in which the emphasis was on the repeal of race based policies and legislation, policy-making, law-making and institutional restructuring. Massive restructuring took place in the years immediately following the advent of democratic governance, to unify the public services of the previous dispensation.

The White Paper on the Transformation of the Public Service (WPTPS) published in December 1995 identified eight pillars of public service transformation: Restructuring and rationalising the public service; institution

building and management; representativeness and affirmative action; transforming service delivery; enhancing accountability; human resource development and training; employment conditions and labour relations; and the promotion of a professional service ethos.

Representivity is one of the key objectives outlined in the Constitution and accordingly representivity goals for Black people and women and persons with disabilities in management and in the public service as a whole were set. Progress against these goals has been uneven. Targets for Black people in management are being exceeded. Cabinet took a decision that by 2009 50% of senior managers are to be women and by 2010 2% are to be persons with disabilities. With respect to the representation of women, we are currently at 43% in Cabinet, 39% in local government, 35% in parliament and 34% in senior management in the Public Service. The public service is falling short of targets for representation of women and people with disabilities.

Straddling Phases 1 and two was the Presidential Review Commission (PRC) appointed in 1998 to conduct a review of the operation, transformation and development of the South African public service and whether it was able to:

1. Protect and enhance representative and participatory democracy;
2. Support civil society and its interaction with government;
3. Promote economic and social development and the advancement and empowerment of disadvantaged people and communities;
4. Shift power and authority from central government to provincial and local government, within a framework of national norms, standards and values;
5. Locate responsibility for achieving efficient and effective delivery of services to the lowest possible level;
6. Ensure that ethical and professional standards are developed and maintained throughout the public service and all other organs of state;
7. Ensure that the functions and records of government are open to public view and appraisal;
8. Secure accountable and transparent stewardship of public resources, so as to build the kind of society envisaged in the 1996 Constitution; and
9. Reward achievement, acknowledge failure and give redress to grievances.

The PRC concluded that “the system of governance in the new Republic of South Africa is in a number of crucial respects not working well at this stage of the transition process.”

The Commission recommended, amongst others, the development of a professional management corps, consideration of alternative service delivery models, policy work on monitoring and evaluation (M&E), the development of guidelines on human resource planning, the implementation of measures to promote affirmative action, a phased approach for performance management,

the evolution of a facilitator as opposed to implementer role for the South African Management Development Institute now called PALAMA and the development of a competency-based approach to human resource development. All of these recommendations have been implemented by government, although in many instances, such as the evolving role of PALAMA and the policy on monitoring and evaluation, implementation is still underway.

The PRC was scathing in its assessment of the centre of government. It identified “a vacuum at the centre of government”, (p.25) noting that there were also “serious weaknesses in the current structures and mechanisms for coordination both within departments and provinces and between the different spheres of government.” (p.26). This was “highlighted as a major problem by most departments and provinces who made presentations before the Commission.” (p.26)

Phase two from 1999 to 2004, was the phase of consolidation and implementation of policy. In this phase integration and coordination were strengthened and efforts were made to strengthen the centre of governance. Integrated service delivery gathered momentum and government sharpened its focus on anti-corruption.

Phase three from 2004 to 2009, is the phase of integration – integrating learnings from the first ten years, integrating new initiatives including the integration of planning, monitoring and evaluation and integrating the national, provincial and local spheres of government in the Single Public Service initiative and the development of a comprehensive human resources development plan. Government responded to the fragmentation in some areas of public service human resource practice by strengthening compliance measures in new legislation. In addition many of the successful initiatives introduced in the preceding decade such as Batho Pele were sustained.

Certainly, a concern with the lack of capacity of the public service has been a constant theme throughout the first three terms of democratic governance. In 2004, there was a renewed focus on capacity, when the President asked Ministers to investigate whether the state had the capacity to achieve government’s socio-economic objectives.

Efficient and effective service delivery by government has been hampered by issues of accessibility, spatial location, transportation and hours of operation. Despite our efforts at integration, there is still a great deal of fragmentation in the macro-organisation of the state.

The White Paper on Transforming Service Delivery (“Batho Pele” White Paper) outlined eight principles for improved service delivery: consultation of service users, setting service standards, increasing access, ensuring courtesy, providing

information, openness and transparency, providing redress and ensuring value for money. Batho Pele has served as a rallying cry for service delivery improvement since the policy's promulgation, but implementation has sometimes fallen short.

The Senior Management Service (SMS) was established in 2001. Overall it has had a positive impact, as more managers are attracted from outside the public service and retention has improved, but capacity development, professionalism, discipline and commitment need to be improved. However more research is required to assess the impact that the introduction of the Senior Management Service initiative has had on the quality of management; service delivery; and the capacity to implement economic developmental programmes of the developmental state.

The Single Public Service (SPS) is our government's response to the need for better quality services to the people where they live, especially since many cannot afford to travel great distances, and in particular to offer as many services as possible from a single window by integrating the institutions responsible for service delivery and the personnel at the frontline who deliver services to meet the people's needs. This ambitious project is primarily aimed at improving service delivery, by promoting convenience and access to services for the people of South Africa, and entails a fundamental transformation of the administrative state apparatuses.

The principal object of the draft SPS Bill is to provide for administration in all three spheres of government to be organised and to function in ways that ensure efficient, quality, collaborative and accountable service delivery to promote social and economic development for the people of South Africa.

In this third phase we stress the importance of creating a value system and a democratic ethos to serve as the bedrock of a modern professional public service and underpin and strengthen democracy in South Africa. Such a value system, such a national integrity system, of which merit and non-partisanship are but two components is critical in our fight against corruption.

The political cost of corruption is that it undermines democracy, weakens the developmental state and undermines responsibility, accountability and legitimacy. In eroding the "People's Contract", corruption weakens trust, alienates citizens from the very officials they have elected and also alienates people from each other. Corruption weakens democratic processes, public order and undermines the ability to fight for reform. Developmental states are about the interface between the political, economic and the bureaucratic elites. As the developmental infrastructure is created, the interface intensifies, and there must be requisite levels of trust to ensure that public goods and resources are well

managed and not squandered. The interfaces between politics, economics and the bureaucracy must be kept clean.

Critical to this is first reclaiming a value system that sees the individual as part of a broader community. In the South African context we talk about *ubuntu*. In kiSwahili we talk about *ujamaa*, the values that relate to neighbourliness and *utu*, possessing the values of a human being, humanity and cooperation. *Ubuntu* means "humanity towards others" and "I am what I am because of who we all are"; and "a person is a person through other persons". *Ubuntu* is "The belief in a universal bond of sharing that connects all humanity."

Second, we need strong robust democracies where all sectors of society promote the values of *ubuntu* and anti-corruption.

Third, there is the need for the establishment of a professional merit based public service steeped in a strong code of conduct and a code of ethics that is able to uphold the values and principles of democracy, good governance and *ubuntu*.

The public interest which is central to public administration has to be an integral part of the democratic process. The standard by which we address the public good in South Africa is the dual imperative of historical redress and socio-economic improvements in the well being of all our people.

Values embedded in the National Integrity System include accountability, transparency, equity, efficiency, developmentalism, and fundamental rights and freedoms including freedom of speech, access to information, democracy and participation. Sound administrative values of probity, trust, justice and fairness must be integrated in the daily work ethic of public servants.

As we reflect on the lessons from our respective pasts and we prepare our public administrations for the future let us exercise leadership and judgement in the building of a world that rests on the principles of *ubuntu – humanity to others*.

And as we enter the new world we need to ask and answer if there are a set of fundamental values which cut across the culture of different nation states and which underpin public administration globally. This along with the need for public administration to transcend national boundaries constitute two among the many challenges we face as we enter the new world.

I thank you.