

Speech delivered by the Chairperson of the Public Service Commission: Mpumalanga Centenary Celebration 20 June 2013

Honourable Premier of the Mpumalanga Province
Honourable Members of the Mpumalanga Provincial Executive Committee
Honourable Speaker of the Mpumalanga Provincial Legislature
Honourable Deputy Speaker of the Mpumalanga Provincial legislature
Honourable Members of the Mpumalanga Provincial Legislature
Deputy Chairperson of the Public Service Commission
Public Service Commissioners
Public Service Officials
Honoured Guests

Our Historical Inheritance

It is a pleasure and an honour for me, as the Chairperson of the Public Service Commission to look back and reflect on 100 years of an evolving mandate.

Public Administration as discourse and practice evolved over many thousands of years through the evolution of leadership and functional roles which human beings developed in the endeavour to organise and manage society and communities.

The evolution of our Public Service Commission is traceable to developments in Britain. Following the work of the Northcote-Trevelyan Commission in 1855, a Civil Service Commission was established as the custodian of a meritocratic administration and to secure the accountability of the civil service to the monarch, thereby separating it from political interference.

350 years of colonial and apartheid oppression in South Africa, meant that the majority of indigenous South African people were politically and administratively excluded from the evolving South African state.

The establishment of the Union of South Africa cemented this exclusion, most notably through the Native Land Act of 1913. In addition the exclusion of the black South Africans from the body politic and administration of their country of birth was deepened in terms of the *Public Service and Pensions Act* of 1912, which established the Public Service Commission in August 1912.

The Commission was established along colonial lines as an appointments body and it evolved over the years prior to the era of democracy to become a strong centralised body with overarching powers over human resource matters. It developed norms and standards in the area of recruitment and selection as well as staffing more broadly and other key matters of public administration.

These powers were exercised by the white minority state with an increasing focus on centralised control in critical matters while maintaining policy-making, executive and monitoring powers.

This changed with the dawning of democracy, which heralded the establishment of the PSC as we know it today as an independent oversight body reporting to the National Assembly on the compliance of the public service with the Constitutional Values and Principles of Public Administration outlined in Chapter 10.

The Public Service Commission envisages being a champion of public administration excellence in democratic governance in South Africa. Its mission is to promote the constitutionally enshrined democratic principles and values of the

Public Service through investigation, research, monitoring, evaluating, communicating and reporting on public administration.

The implementation of this vision and mission underpinned by the exercise of its mandate, has seen the PSC evolve as a key advisor to the Executive and Legislative arms of government at National and Provincial levels. The PSC also works with Chapter 9 and other Constitutional bodies, most notably the Auditor General, the Public Protector and the Fiscal and Financial Commission. The PSC has both a compliance and developmental mandate, which have been both challenging and exciting to implement.

Its work is shaped by the external environment, globally and domestically and the need for the state and its administration to respond to social, economic and political challenges.

Current Global Challenges

The Great recession of 2009 has led to sustained declines in growth rates in the developed world, and a protracted economic slowdown which is likely to persist in the long term.

Given that the EU which faces the brunt of the recession, and the US are still South Africa's largest trading partners, South Africa needs to look elsewhere to expand its export capability.

There is therefore an increased focus on the BRICS countries as alternative economic drivers of growth and development.

These countries are poised to replace the advanced Western economies as the biggest and fastest growing economies, marking a shift in global economic power relations from West to East and North to South, although there are questions around the sustainability of their high growth rates.

These changes have also seen the international rise of state capitalism as an alternative to the traditional stark choice between private markets or command economies. The role of State Owned Enterprises has been critical in the east Asian developmental states and China as a primary vehicle of state capitalisation, growth and development.

The current economic recession is best understood as a consequence of poor economic governance in the face of growing complexity in instruments and systems. These ultimately are questions of the role of the state and the capacity of public administration to emerge as the driver of a capable developmental state as envisaged by South Africa's National Development Plan.

Amidst the gloom of the economic slowdown, global poverty has been largely unaffected; in any event, it experienced little alleviation from the boom of the early 2000s.

South Africa's triple challenges of poverty, socio-economic inequality and unemployment are global challenges, which impact profoundly on the role of the state in all parts of the world.

Social inequality is increasingly recognised as the core challenge for all governments in both the developed North and the global South.

Nobel Laureate Joseph Stiglitz recently wrote a book on the USA entitled *The Price of Inequality*, which analyses the problems of social inequality which underpinned and indeed which were exacerbated by the Great Recession of 2009. He argues, “We have seen that politics and economics are inseparable...but we are unlikely to achieve a fair and responsive political system within an economic system that is characterized by the degree of inequality that marks ours.”

A key driver of inequality is however, the character and stance of the State. It is frequently rent seeking, especially in post-colonial situations but in even more opaque, entrenched and sinister ways in mature capitalist economies as well.

Capitalist relations of production and aspirant consumerism give inequality a violent and aggressive nature in certain contexts, especially in countries in transition.

But growing inequality is not inevitable, even though moneyed interests compound their wealth by stifling true, dynamic capitalism, trampling on the rule of law, and undermining democracy. Plotting a different course requires strategy, courage and determination.

South African Governance Challenges

South African economic development and the mode of accumulation which underpinned it, historically excluded black people from access to resources. Three and a half centuries of oppression and exploitation is a challenging legacy which any government would struggle to overcome.

Democracy has now created opportunities for access and economic inclusion, but the role of the state remains critical to unlocking avenues for individual and collective growth and development. New paths of accumulation must be opened up, where the state legitimately intervenes to affirm those who historically have been excluded for so long.

Progress has been made in providing people with access to basic services that they have never previously enjoyed. But at the same time, the state has been misused for personal enrichment. South Africa has seen a rise in the “tender state” and the emergence of “tenderpreneurs”, rather than the emergence of entrepreneurship.

Undoubtedly supply chain management is a legitimate lever of economic transformation and economic inclusion. Nevertheless state procurement has become a vehicle of corruption and the abuse of power by those in both the public and private spheres for personal gain.

We must ensure that we restore the integrity of state procurement for it to become a major vehicle of legitimate new and emerging pathways to capital accumulation accessible to different black socio-economic groupings.

Public Administration in South Africa does have pockets of excellence, but is also characterised by corruption, maladministration, a culture of poor performance and impunity. Despite the efforts of hundreds of thousands public servants to change the lives of South Africans for the better, the quality of public services is often low and this has contributed to the phenomenon of service delivery protests.

The Constitutional Values and Principles of public administration make it clear that the public service must be development oriented and that people’s socio-

economic needs must be met. In so doing, they provide a powerful concrete expression of the role of the state in securing the socio-economic rights guaranteed in Chapter 2 of the Constitution. The Bill of Rights provides the cornerstone of South Africa's democracy and the Constitutional Values and Principles affirm the role of the state in guaranteeing these rights.

There is little doubt that the quality of public services is a major factor in the social protests against service delivery failures. Chapter 10 of the Constitution places an obligation on South African public administrators to adhere to the principle of public participation in the formulation of public policy.

The *Strategy and Tactics of the ANC* repeats this commitment, which is an expression of confidence in the capacity of the people of South Africa to shape their own destiny.

Nevertheless in practice, public participation in service provision has often been practically discouraged, even if that was not the intention. Lack of ownership of the challenges of communities by public administrators, fuelled by perceptions of socio-political exclusion have seen public unrest being easily ignited.

Peter Evans, a key theorist of the developmental state emphasises the importance of "embeddedness" for developmental states. This refers to "the dense sets of interactive ties that connect the apparatus of the state, administrative and political to civil society."

Evans also argues that "While state bureaucratic capacity remains crucial, questions of embeddedness and state-society relations move to the fore in the twenty-first century developmental state."

A key challenge for the PSC emerging out of the problems of corruption and poor service delivery is the manifestation of the self-serving bureaucracy in post-apartheid South Africa. This is by no means unique to South Africa and has its roots in the apartheid state. Nevertheless, it does contradict commitments made by government in the White Paper of Public Service Transformation in 1998 and its undertaking to change the way the State relates to the public through *Batho Pele*, putting people first.

Priorities and Outcomes for the current Term

During its current term, government has committed itself to 5 overarching priorities and outcomes. These are:

- An improved quality of basic education;
- A long and healthy life for all South Africans;
- All people in South Africa are and feel safe;
- Decent employment through inclusive economic growth; and
- Vibrant, equitable and sustainable rural communities with food security for all.

The constitutional mandate of the PSC, requires the Commission to make findings, propose measures, make recommendations, give directions regarding specific personnel practices, provide advice, report, promote, investigate, monitor and evaluate.

In implementing this mandate, the PSC must take cognisance of the Constitutional Values and Principles of public administration articulated in Section 195. These values and principles call for both compliance with laws, regulations and rules as well as for developmental outcomes.

South Africa's commitment to a developmental state, described in the long-term vision of the *National Development Plan* as a capable developmental state sees the state as central to development.

Professionalisation of the public service, stabilization of the political administrative interface, improving the intergovernmental system and strengthening state-owned enterprises are seen as central to building a capable developmental state.

The PSC and its role in overcoming public administration challenges

The evidence and knowledge generated by the PSC in line with its constitutional mandate must be sufficiently framed and shaped to provide clear and useful advice and guidance to Parliament and the Executive. The PSC's monitoring and evaluation experience and knowledge-base provide opportunities for it to impact on the policy landscape as well as on implementation improvement.

The best way for the PSC to ensure that this impact is made, is through the integrity of its findings and proposed measures to improve public administration. This can be assured through the presentation and analysis of high quality data.

The Annual *State of the Public Service Report* produced by the PSC has laid a solid basis for a renewed format. Following discussions with Parliament on strengthening this instrument, indicators have been developed for performance against each Constitutional value and principle. This has led to the establishment of a *Public Service Barometer* to measure the quality of public services against the Constitutional Values and Principles.

In the case of *promotion of professional ethics*, the financial disclosure framework, financial misconduct and the management of precautionary suspensions are key indicators.

In the area of *promoting efficient, economic and effective use of resources*, indicators include, the achievement of planned outputs, audit findings on pre-determined objectives and unauthorized, irregular, fruitless and wasteful expenditure.

In evaluating the *development-orientation* of public administration, the Commission looks at what departments practically do in relation to their individual roles in fighting poverty and employment creation. We also examine the impact of state action on the proportion of people living below R422 a month, the number of jobs created by the economy annually and work opportunities by government created through employment schemes such as the Expanded Public Works Programme and the Community Works Programme.

Ultimately, the quality of the governance of public institutions guided by the constitutional values and principles must reflect on the quality of service delivery, especially to the most marginalised and vulnerable populations. The PSC has developed a participatory methodology focused on the convening of citizens' forums to assist in evaluating the quality of service delivery. It also organizes Public Hearings and conducts Inspections at service delivery points to make the necessary qualitative assessments.

Evidence from work conducted by the PSC suggests that despite pockets of excellence, service delivery performance needs strengthening. Improving the quality of service delivery requires that a number of areas of public management be addressed urgently.

These are better performance management, improved accountability through stronger financial management, better use of our people through improvements in human resource management and rooting out corruption and maladministration by addressing ethics and integrity.

Regarding the constitutional value and principle of sound human resource management, capacity must be built in key areas to address the challenge of skills shortages. This will facilitate the implementation of, for example, the infrastructure build programme where engineering and technical skills shortages threaten the success of the programme.

Speedy resolution of grievances is a major area of human resource management focus of the Commission. More timely resolution and recommendations on grievances will be facilitated by improved response rates from departments and reengineered processes within the PSC.

In Conclusion...

The PSC looks forward to building on the solid foundation laid over the past 19 years of democracy by previous Chairpersons, Professor Stan Sangweni and Dr. Ralph Mgijima and previous and current Deputy Chairpersons, Mr. John Erntzen and Ms. Phelele Tengeneni.

As a collective, the Commission has been served well by its former and current Commissioners and I would like to thank all of them profusely for the role they have played in placing the PSC at the centre of developmental Public Administration in South Africa.

The Commission has set itself 3 goals for the immediate future. These are:

- Good Governance in developmental public administration
- Improved service delivery; and
- The institutional development of the PSC.

The Commission will continue to implement its key performance areas of leadership and management practice, monitoring and evaluation and integrity and anti-corruption.

The PSC fiercely guards its independence in discharging its mandate, a stance that has brought it into conflict with powerful forces within the state. Former President Nelson Mandela once said: I learned that courage was not the absence of fear, but the triumph over it. The brave man is not he who does not feel afraid, but he who conquers that fear.” The PSC will continue to act without fear and favour in making its contribution towards the construction of a capable developmental state.

Over the past 100 years the Commission has evolved from an instrument of control in an oppressive undemocratic state into an independent developmental agent of public service transformation and change under democracy. It is a privilege working for the Commission and I appeal to all of you here today: join us in celebrating this progressive evolution.