Professionalising the South African civil service:

in retrospect and the road ahead

'Only an efficient and effective government can provide the framework in which peoples can fulfil their needs.' (Lee Kuan Yew)[1]

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The authors argue that a developmental state requires an efficient and effective civil service, one that has autonomy and therefore cannot be influenced by politicians. In South Africa, therefore, building state capacity is imperative to deliver service and gives greater priority to the social and economic challenges faced by the majority.

INTRODUCTION

Speaking at the February 2021 State of the Nation Address, President Cyril Ramaphosa had this to say about the imperative of building an ethical, capable, developmental and professional civil service:

> The public service is at the coalface of government, and lack of professionalism doesn't just impact service delivery; it also dents public confidence. Advancing honesty, ethics and integrity in the public service is critical if we are to build a capable state … We remain on course to build a capable and professional civil service that delivers on its mandate and is accountable to the South African people … We are focusing on the appointment of properly qualified officials at a local level to ensure effective management and provision of services.

A month later (15 March 2021), in his Monday newsletter, the President took this further and wrote:

> When I was elected to the position of President of South Africa, I said that building an efficient, capable and ethical state free from corruption was among my foremost priorities. Only a capable, efficient, ethical and development-oriented state can deliver on the commitment to improve the lives of the people of this country. This means that the public service must be staffed by men and women who are professional, skilled, selfless and honest. They must be committed to upholding the values of the Constitution, and must, as I said in my inaugural speech, 'faithfully serve no other cause than that of the public' … Twenty- ››

> **The South African public service has been crying out for professionalisation for nearly three decades – President Cyril Ramaphosa**

> seven years into democracy, it can be said of the public service that while several pockets of excellence exist, we have serious challenges in many government departments with regards to skills, competence and professionalism. All too often, people have been hired into and promoted to key positions for which they are neither suitable nor qualified. This affects government performance, but also contributes to nepotism, political interference in the work of departments, lack of accountability, mismanagement and corruption.

Addressing the Zondo Commission on 28 April 2021, the President returned to this burning platform of building a capable, ethical and professional public service. He argued:

> Professionalisation of the civil service would seek to address the problems that we have had … we do have some people in our civil service who are ill-qualified, who are not that fit for the purpose, who do not have those qualifications that are necessary. Now we want to professionalise the civil service and that will happen in a variety of ways and we are not talking about chucking people out. We are talking about capacitating those people, having them properly trained … The South African public service has been crying out for professionalisation for nearly three decades.

We purposefully extensively cite the President in this introduction as a way of demonstrating that building state capacity has become an imperative for government as much as it has been for the citizens who directly endure the pain of bureaucratic inefficiencies. When the President laments the extent of poor ethics and unprofessionalism, it signals both a crisis and opportunity.

This article summarises how the crisis has manifested and explores the opportunities that arise from the draft professionalisation framework project coordinated by the National School of Government. Our thesis is that the proposed professionalisation framework is reformist due to the subjective realities of the country's political economy of policymaking (constrained by the intra-party politics of the ruling African National Congress [ANC]). It touches on the margins of the challenges confronting the public service and leaves the fundamental challenges unattended. It is a formula for gradual reform. As the President argues above, public service deficiencies are fundamentally political, not just the poor skilling of bureaucrats. Necessarily, ground-breaking reforms must cleanse the toxicity in our body-politic, thus allowing the bureaucracy to be autonomous so that bureaucrats can reign whilst politicians rule (Mkandawire, 2001).

SETTING THE SCENE: POLITICAL WEAKNESSES THAT UNDERMINE BUREAUCRATIC EFFECTIVENESS

There are two fundamental political weaknesses we are referring to. The first regards the entrenched idea of state-party relationships, and its manifestation in cadre deployment. The second is an absent normative performance standard for politicians that demands a certain level of ethical conduct and competency. Implementing the proposed framework for the professionalisation of the public service will be difficult in the absence of a

political framework that introduces ethical and performance disciplines for members of the Executive.

Before we assess the political requirements for professionalisation of the public service, it is worth looking at the past 20 years to better understand the nature of initiatives that have been undertaken in reforming government. It is easy to take for granted the weight of the task at hand if we do not appreciate the various phases of policy and institutional reforms in the past. However, we also need to place the broader reform trajectory of the public service within the context of a significant shift from the apartheid-era public service, which had taken nearly 45 years, to a new dispensation marked by a shortage of skills and other resources.

The ideals espoused by the government for the country's public service and the strategic intent laid out in various legislative and policy frameworks have so far failed to take root. This let-down is not because the policies or legislative intent are weakly articulated but due to political factors discussed in this article. The idealism has been good, but the practice poor. If we seek to avoid the same pitfall with the current framework, we must confront the political obstacles head-on.

EARLY PUBLIC SERVICE REFORM EFFORTS

Policy perspectives of the ANC were set out in foundational documents such as *Ready to Govern* (1992) and the Reconstruction and Development Programme (RDP) of 1994. These early documents offered a vision of a public service that would be characterised by well-developed human capital in the service of meeting the basic needs of the majority of South Africans.

Ready to Govern sought to define a future developmental state. It noted that the developmental state would '… have ultimate responsibility – in cooperation with the trade union movement, business and other organs of civil society – for coordinating, planning and guiding the development of the economy towards a sustainable economic growth pattern …' (ANC, 1992). This document stressed a consultative and participatory approach to governance, with civil society broadly and community-based initiatives as key agents working alongside the state in social service delivery.

The RDP document contained, in concentrated form, the aspirations of South Africa for socio-economic change. Its main thrust was to promote a 'people-driven approach' to governance and development, in line with the Freedom Charter's call, 'The people shall govern'. The institutional agency that would ensure these pillars find concrete expression in society was the public service.

Historical context: what did the public service look like in 1994?

In 1993, the foundations of the public service were constructed with the adoption of the interim Constitution. Reform measures to bring the public service more in line with the 1996 Constitution were set in motion. The public administration that existed before 1994 was 'characterised by outdated management practices, corruption, and mismanagement of resources' (Cameron & Tapscott, 2000: 81-86). A significant part of the goal of transforming the public service was to rid it of its racialised character, while at the same time establishing a new set of norms and values that would reflect the preferred social reality in South Africa, where human dignity would be affirmed.

The normative ideals of democracy, non-sexism and non-racialism were to be the lifeblood of the public service. As the 1995 White Paper on Public Service underlined: 'The Government of National Unity is committed to continually improving the lives of the people of South Africa by a transformed public service which is representative, coherent, transparent, efficient, accountable, and responsive to the needs of all' (RSA, 1995: 14).

The White Paper set out eight priorities for transforming the public service: reorienting service delivery to meet basic needs and redress past imbalances; rationalisation and restructuring to ensure a unified, integrated and leaner public service; institution-building and reforms to promote greater accountability and organisational and management effectiveness; increasing representativeness through affirmative action; improving internal democracy and external accountability; human resource development and capacity building; improving employment conditions and labour relations; and promoting professional services ethos. This period of change in South Africa also coincided with what was dubbed a decade of public service renewal internationally – characterised mainly by the dominant new public administration paradigm associated with neo-liberal economic policies.

Undertaking this task in South Africa would not be without hurdles. The challenge facing government in redesigning the norms and standards of public service delivery was steep. The institutional configuration of the apartheid state, and its bureaucratic apparatus, was meant to enforce racial discrimination and ethnic separatism. The essence of the balkanisation of public service under apartheid was to direct the lion's share of the state's resources to sustain the privileged existence of the white minority while delivering inferior services to the black majority. Thus, maintaining separate development along the lines of privilege (for white people) and relative under-development for black people was the essence of the public service under apartheid.

The fractured character of the public services ordered along the lines of white public service in what was then the Republic of South Africa; the TBVC ››

For a public administration system in a developmental state to enjoy a reasonable degree of autonomy, it should invest in human capital and be effective in policy execution.

(Transkei, Bophuthatswana, Venda and Ciskei) states or Bantustan homeland system; self-governing territories; and the segment that was known as 'own affairs' – for coloured and Indian administration – expressed this reality. The amalgamation of a total of 11 separate entities was thus one of the key priorities of the democratic government. This amalgamation represented the first phase in the transformation of public service. It was necessary to overcome the ugly practice of balkanisation of the public service along ethnic and regionalist lines and to achieve a unified public service system that reflected the principles of non-racialism.

As former Minister of Public Services and Administration Geraldine Fraser-Moleketi pointed out: '... these measures registered mixed success' (Fraser-Moleketi, 2006). This is also borne out by the Presidential Review Commission of 1996, whose report came out in March 1998. The commission report pointed to several weaknesses: the slow pace of transformation; lack of alignment between planning and budgeting; ineffective strategic management; and coordination problems. Some of these have been addressed since the report came out.

It is worth highlighting that the new democratic government could not willy-nilly remove the old-order bureaucrats since the same template under which the public service was to be reformed was cobbled through compromise during transitional negotiations in 1992 and 1993. The sunset clauses that were a crucial element of the 1993 interim Constitution helped secure the position of old-order bureaucrats. Still, public service had to rise to the challenge of managing social and economic change. There was an appreciation within the liberation movement that not all officials from the old order were rooted in the apartheid ideological system and orientation. There is much to suggest that many were willing and able to serve as professionals.

The new public service would be at the coalface of engineering the developmental state promise, ie to deliver service and give greater priority to the social and economic challenges faced by most South Africans. To provide a practical effect to this goal, the Public Service Act of 1994 was adopted. This was followed by the 1995 White Paper on the Transformation of Service Delivery, with its enshrined principle of Batho Pele (Putting the People First). Batho Pele was a derivation of the idea that was embedded in the 1955 Freedom Charter – 'The people shall govern' – and later the RDP. Batho Pele focused on the values of public service and articulated seven pillars (DPSA, 2003):

1. **Consultation**: that the public should be consulted about the level and quality of services they are offered, and where possible given choice;
2. **Service standards**: that the public should be informed about the level and quality of service they receive so that they know what to expect;
3. **Access:** that citizens should be able to access services equally, with implementation of equal access to services achieved incrementally;
4. **Courtesy:** that services must be provided in a courteous environment;
5. **Information:** that citizens must be provided with the information about the services they are entitled to receive;
6. **Transparency:** that all departments of government should inform the public about the costs of services and the details of running departments; and
7. **Redress:** that if the promised standards of service are not achieved, the public should therefore be provided with reasons for non-delivery.

These seven pillars provided a cornerstone of what government would later refer to as a developmental state. Together with the RDP objectives, they are the norms against which it would be fair to judge the success – or lack thereof – of the new democratic state in overcoming the legacy of apartheid and delivering qualitatively better services to the people.

A 'TURN' TOWARDS A DEVELOPMENTAL AND CAPABLE STATE

As already pointed out, building a developmental state entailed overhauling the previous political, social and economic edifice that reinforced the apartheid system and creating a state that would restore the dignity of the previously disenfranchised by delivering better quality services and transforming the economy. Ben Turok (2011) defined a developmental state as marked by efficient institutional interventions directed at promoting economic growth and human development.

For such interventions to be effective, efficient bureaucratic machinery endowed with requisite skills and the right incentives was required. Ngcaweni (2020) defines these as being states that are characterised by diligent management of public affairs and courageous pursuit of society's aspirations for economic and spatial justice, social cohesion and epistemic (knowledge and cultural) freedom.

In determining the terms of our transition early on, and the precise role that the state was to play in catalysing development, the role of human and institutional capacities was left pretty much under-explored (Hirsch, 2005: 56). Yet, the solidity of the bureaucratic nerve-centre of the state is pivotal for the achievement of the many objectives that are set out in various policies, from the RDP to the current raft of developmental strategies in government. It is difficult to achieve developmental goals without well-established administrative structures and public servants who enjoy relative autonomy from undue political control.

For a public administration system in a developmental state to enjoy a reasonable degree of autonomy, it should invest in human capital and be effective in policy execution. Moreover, it has to have clearly defined roles, functions and authority that govern implementation at various levels. This point was made much earlier and forcefully by Max Weber, the fountainhead of modern bureaucracy, who argued that a modern bureaucracy has to be defined by processes and functions that are interdependent and with clearly demarcated roles for different functional units (Weber, 1968: 956). He further pointed out:

> The principles of the office hierarchy and of channels of appeal (*Instanzenzug*) stipulate a clearly established system of super and sub-ordination in which there is supervision of the lower offices by the higher ones. Such a system offers the governed the possibility of appealing, in a precisely regulated manner, the decision of a lower office to the corresponding superior authority. (Weber, 1968: 957)

According to the Weberian notion of bureaucracy, formal rules of institutions trump informal, personal rules and meritocracy, with specialised professional knowledge, has primacy over traditional power relations. As the former President of Singapore, Lee Kuan Yew, warned:

> When those in office regard the power vested in them as a personal prerogative, they inevitably enrich themselves, promote their families, and favour their friends. The fundamental structures of the modern state are eroded, like the supporting beams of a house after termites have attacked them. Then the people have to pay dearly and long for the sins and crimes of their leaders. (Allison and Blackwill, 2013: 114-5)

Because they are insulated from undue political manipulation, public service institutions in a developmental state have the authority to create strategic plans and drive implementation at a high level. Meritocracy is a feature that was prized highly in developmental states, such as South Korea, Hong Kong, Taiwan and Singapore, that we sometimes seek to emulate. The bright and the best are recruited into the public service and incentivised to perform at a high level compared to their peers in the private sector. As a result, bureaucrats in such states are highly skilled, competent, embedded and motivated to use their skills to contribute to the attainment of national development objectives (Wong, 2004).

Because merit-based recruitment processes in developmental states are institutionalised rather than following the model of cadre deployment or other crony-type appointments, the allegiance of top-level bureaucrats lies with society rather than with political party bosses. In this way, government bureaucracy operates like a well-oiled machine – efficient and effective. Lee Kuan Yew insisted that a country needs good institutions and individuals who believe in them and can run them; have a grasp of the virtues of good governance; and have a sense of transparency and accountability. As he put it, these are 'the spearheads in the society, on whom depends the pace of our progress' (Allison and Blackwill, 2013:41).

The best public services that deliver on their developmental mandates are those that the best people at the top lead. Apart from the insularity that competent bureaucrats have to enjoy to fulfil their responsibilities, the character of political leadership at the top should be nothing less than admirable. Good political leadership would be central to appreciating the authority divide at the interface and understanding the parameters of political responsibility. Concomitantly, it also requires that ➤➤

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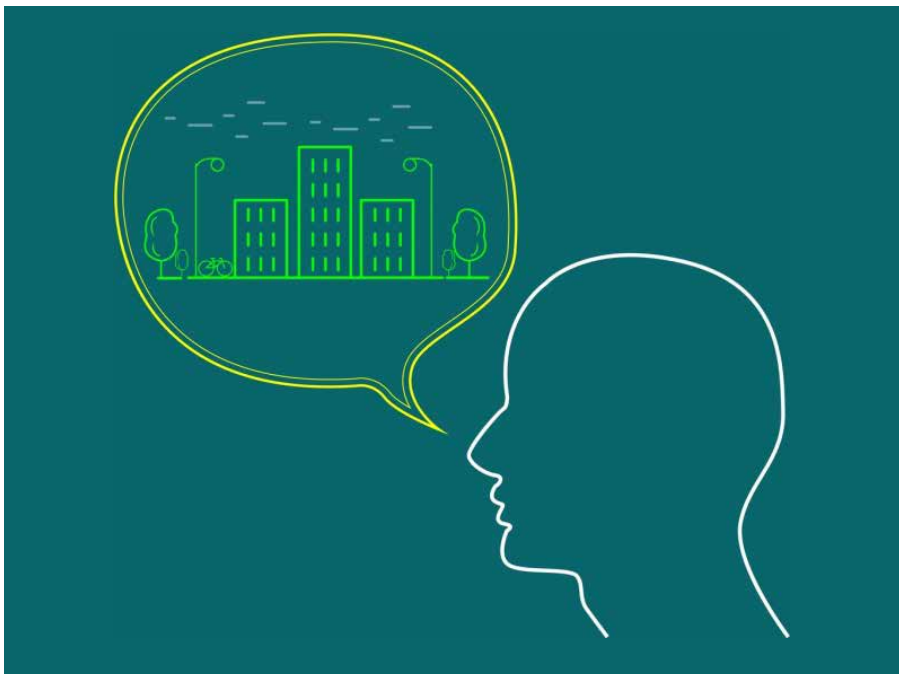

competent bureaucrats are politically astute and can manage the interface well. While there are several examples where relationships have collapsed because of political overreach and administrative power plays, the reality is that these point to the imperatives of both good political leadership and astute bureaucrats.

THE CHALLENGE OF PUBLIC SERVICE STRUCTURE IN SOUTH AFRICA

There have been several attempts at restructuring the public service in South Africa, from the moment when Batho Pele was introduced to the phase that saw the employment of consultants to help with the implementation of various models of performance management systems. In fact, there is a voluminous raft of policies that have been gazetted since 1996, and invariably aimed at:

- Changing the way services are delivered;
- Improving human resource practices;
- Designing better performance management systems;
- Revising labour relations framework;
- Developing a new salary grading system; and
- Combatting corruption (Ncholo, 2000),

There have been various attempts aimed at improving the public service in the past. In 1999, the then Minister of Public Service and Administration, Geraldine Fraser-Moleketi, launched the South African Management Development Institute (SAMDI) as a successor to the Public Service Training Institute to improve efficiencies in the public service. However, institutional weaknesses did not diminish; instead, they increased. Batho Pele is yet to be deeply ingrained in the functioning of public service.

In 2004, President Thabo Mbeki launched another initiative in the form of the Public Administration Leadership and Management Academy (PALAMA). At the unveiling of PALAMA, Mbeki asserted that this new initiative would take government to a 'qualitatively higher trajectory' and will be marked by 'decisive transition in public management development'. Yet, years later, corrupt behaviour in state agencies from national to local government multiplied.

Introducing a new ethos amongst civil servants will do little to achieve results when political principals at national, provincial and local government levels have limited understanding of authority parameters and lack appreciation of professional administrative standards. Real change needs to start at the top with setting new performance standards for appointing parliamentarians and members of the Executive. That would be a robust basis for constructing enduring pillars of a developmental public service that is both ethical and competent. Ministers may not be bureaucrats, but they are public officials and should not be exempt from ethical conduct or measure of competence. Setting an example for an effective public service would also require decisive and harsher action to be taken against members of the Executive who are under-performing, are entangled in conflicts of interest or engage in corrupt activities.

ETHICS AND THE PUBLIC SERVICE

As pointed out in the foregoing, the public sector ought to be a norm-setter in society and create a framework that disciplines wrongdoing and points to a high ethical standard. When the public sector is riddled with corruption, this lowers the ethical bar in society, and makes it easier for individuals and business people to exploit ethical weaknesses in the state. It is government that supplies norms and regulations in society, including regulating the conduct of business and setting the parameters of what is acceptable and not acceptable.

Ethics are not just about acts of theft in government or flouting of corporate governance in the private sector, which is a conservative view of ethics, they also concern neglect by the state of its responsibilities to citizens. When looking at leadership and possibilities for transformative shifts, it is essential that we look at those elements of society that hold formal power and those that possess social and informal power outside the domain of formal institutions. If we are to fix institutional and leadership defects in the public sector, and think about new frames of reference for leadership, we will need to look at the area of ethics and consider ways in which we can champion ethical renewal as a key component in our search for transformative leadership and social renewal. It is not possible to build state capacity in a climate that tolerates unethical conduct.

THE ROAD AHEAD: WHAT WOULD A CAPABLE STATE LOOK LIKE?

To reform the public service at the top, we need to think more in terms of professionalising the public service and making it more efficient and effective. This will require government to empower the directors-general vis-à-vis the minister. In this regard, the director-general would co-determine the department's functions with the minister based on symmetric authority, with the minister responsible for the political mandate. Administrative and operational control should lie solely with the directors-general, who in turn should report to the President or a super director-general located either in the presidency or the Department of Public Services and Administration.

For this model to work, directors-general should be appointed according to a meritocratic selection process rather than the prevailing cadre deployment system that makes them beholden to politicians or political factions. Language plays an important role in framing our conception of the world. The potency of how cadre development as an idea anchors our understanding of how the state is resourced at the higher echelons is perhaps underestimated. If the civil service is renewed and becomes more professional, concepts such as cadre deployment should disappear. There is no consensus of what exactly cadre deployment refers to, and it becomes easier to opportunistically exploit it as a way to deploy individuals from favoured factions or cronies. Formally renouncing this concept will not devalue the importance of political astuteness and related capabilities in the state. If anything, this may signal a meaningful change in the direction of professionalisation.

CONCLUSION

There is a need for a higher ethical bar within the political leadership at the top to create a model public service. This requirement means that performance imperatives should guide the process of appointing members of the Executive such that the best men and women in society should be the ones who lead. Meritocracy in the public service should begin at the top and permeate the entire system. That would be a significant step towards creating a capable developmental state.

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ENDNOTES

1. Quoted in Allison and Blackwill (2013: 112). NA