Africanised Public Administration Sold Out Public Service Delivery: A Case of South Africa

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Abstract: This paper argues that in as far as service delivery legislation for combating corruption and maladministration is concerned the administration of public services is contaminated with bad practices. Local government is currently viewed as a place where corruption is being decentralised as it is not only in the national government realm where it occurs only. In this article corruption serves as a pipeline of selling out service delivery in the local government. People love the ANC led government, but it keeps on disappointing them with poor service delivery. Lack of complacency to legislation is a major debacle faced by the ruling party. Basic principles and values governing public administration are fulcrum to serve as a panacea. The debacle is that South Africa has many great legislative frameworks lamenting on how services delivery should be carried out. It is extremely shocking to see maladministration perpetuating even when measures and institutions of democracy are put in place. There is a huge gap between policy formulation and implementation. The institutions and bodies of government regulating public service delivery will be critically examined to check its fitting in the current juncture of public administration. Wrongdoings in the public administration practices are perceived to be normal so such conduct is tainting and reducing the capacity of public administration machineries to provide economic, efficient, and effective service delivery that is in line with Batho Pele principles. The paper is purely conceptual, and a desktop study which relied heavily on literature review to underpin the argument. The paper takes cognisance of section 195 of the Constitution of the Republic of South Africa, 1996 to extract and expantiate the argument. The paper argues that Africanised public administration must be indebted to Christian doctrine. It recommends a move from reconciliation to justice taking place by bringing those at the forefront of Africanised public administration to the rule of law, which compromises the quality of public service delivery. The paper further recommends that measures in public administration machineries should be reinforced. Having cases of corruption in local government that are left without justice taking place is signaling that public service delivery has been sold out.

Keywords: Constitution, Dichotomy, Public administration, Protests, Service delivery

1. Introduction

In the social science research, a unit of analysis, using Mouton's (2002:51) words, is the "what of the investigation" or that which is examined (Maserumule, 2005). That which is analysed or examined in this paper is public administration and public service delivery. This paper ponders about the uninterrupted political changes in South Africa with regards to teases about public administration machineries and service delivery legislative frameworks as a point of departure in providing guidance. Fundamentally, Public administration was traditionally concerned about the administrative requirements to give effect to governmental policies (Sebola, 2018:62). Like any African administration after independence, South Africa was not exempted to corruption (Kanyane, 2010). Further argued is that, corruption has baffled the objectives of the democratic government to restructure and improve the country for a better life for all (Kanyane, 2010). Public administration literature posited that South Africa's claim of fair, equitable and objectively practiced public administration free from political persecution of the opposition is a myth (Sebola, 2014a:208), which started with the Mandela's reconciliatory public administration through the Mbeki's depoliticised bureaucracy, which was followed by the politicised bureaucracy of the Zuma administration.

The Constitution of the Republic of South Africa, 1996 stresses that local government must provide democratic and accountable government for local communities; ensure the provision of services to communities in a sustainable manner; promote social and economic development; promote a safe and healthy environment; and encourage the involvement of communities and community organisations in the matters of local government. The Constitution shows that a sole duty of service

delivery is embedded in local government. It is against this background that this paper consists of seven sections which include this introduction. This paper conceptualisese and contextualises Africanised public administration, discusses the nature of service delivery, unpacks the status quo of service delivery, discusses the legislation governing public service and providing for the dichotomy between public administration and politics.

2. Africanised Public Administration

According to Coetzee, (1991:21) Public administration refers to the combination of both theory and practice designed to promote a superior understanding of government and its relationship with the society it governs. Also to encourage public policies to be more responsive to social needs and institute managerial practices on the part of the public bureaucracies that are substantially attuned to effectiveness, efficiency and increasingly, the deeper human requisites of the citizenry. With the latter definition, it is well understood theoretically that the problem comes with the practice hence in the context of public administration, which is when it is imbued with unethical conduct and such conducts become institutionalised. In the context of this paper, Africanised Public administration will be contextualised as being imbued with organisational culture. Organisational culture develops in large part from its leadership while the culture of an organisation can also affect the development of its leadership (Bass & Avolio, 1993).

In relation to the paper, the unethical organisational culture located within Africanised public administration is of maladministration, lack of accountability, corruption, looting of state resources and unethical conduct. Arguably the manifestation of organisational values as including the rules of the game, the way things are done in the public sector in which the failure to achieve the set goals is equivalent to political suicide, which results in job insecurity for public officials (Schein, 1997; Denhardt, Denhardt & Blanc, 2014:307; Kimare & Fourie, 2017:7). It is also characterised by poor compliance with the legislative and regulatory frameworks governing public administration in the country (Ndevu & Muller, 2017). According to Pillay (2017), there is a grand political corruption scandal, fraud and bribery in public procurement. There is a battle of looting of public resources which regulates the success of a specific politician and a public official in the society (Sebola, 2019). It is hotly purported that there is lack of good governance in the politics and administration of the South African public service (Mafunisa & Khalo, 2014).

Subsequently, it is argued that self-enrichment by both politicians and officials' tendencies contribute to public administration being imbued with unethical organisational culture (Ndevu & Muller, 2017). As such, it was seen through a continuous reporting of bribes, fraud and irregular payments to several firms with strong political connections (Pillay, 2017). Corruption is the basic tenant of public administration that is infused with unethical organisational culture (Mantzaris, 2017). There is an obstacle for the administration of procurement practices in the South African public sector which is adverse outcome which destabilises the public's assurance in the procurement environment (Mazibuko & Fourie, 2017). "The countries financial resources are used to promote one ideology of the ruling party to remain in power forever" (Sebola, 2019:7). Surprisingly, citizens are blindfold by mere patronage and clientelistic tendencies during election and vote the very same political organisations that failed service delivery and continued to disappoint them. One may ask whether the voters consciously vote right during elections. This is mainly because critical societal issues are used as electioneering tools. "Plato argued that insofar as those who run for elections for government positions are concerned, there is a need to distinguish between their desire for power and desire to render service" (Lee, 1988; Wienand, 2014; Koenane & Mangena, 2017:64).

Unethical conducts are detrimental to sustainable service delivery in the expense of the poor, marginalised and the most defenseless segments of the society (Mantzaris, 2017). There is a drawback for the administration of procurement practices in the South African public sector, such is a negative side-effect, which undermines the public's confidence in the procurement environment (Mazibuko & Fourie, 2017). Nonetheless, Masenya (2017) argued that corruption remains settled in the South African public administration, even though it has numerous anticorruption laws, commissions, and agencies that seek to fight misconduct, exploitation of state resources, looting and utilising state resources for self-enrichment. Such behavioral problems which characterises new age politicians result in crime, ethnicity, misery, increased poverty (Mulenge & Letsetedi, 1998; Sebola, 2019:7) as well as apathy. Public procurement is vital to public service delivery (Mazibuko & Fourie, 2017).

Corruption, autocracy, maladministration, looting and economic instability are at the center of Africanised public administration (Sebola, 2019). Cox and Haruna (2018), lamented that Public administration and public service delivery are facing a crisis. Politicians and bureaucrats are typically observed to show greater interest in rent-seeking activities than in delivering services wanted by their citizens (Hartle, 1995; Masenya, Mokoele & Makalela, 2018:107). Sebola, (2019) argues that accumulation of wealth became a good character of an African politician and a public official.

3. Nature of Service Delivery

Service delivery is concerned about the provision of products or goods, by a government department to a community that it was promised to (Crous, 2004). As purported by Section 152 of the South African Constitution of 1996, local government is the mechanical assembly of essential service delivery. Local government is charged, with the mandate of ensuring the arrangement of providing services to the public in a sustainable manner, advancing social and economic improvement, and advancing a safe and healthy environment (Republic of South Africa Constitution, 1996).

In this way service delivery in South Africa is viewed as a tool and implicit understanding to make social inclusion and raise expectations for everyday comforts of the poor dejected masses recently discarded by the politically sanctioned racial segregation government (Nkomo, 2017). The idea of service delivery is a famous expression that is utilised to mean the dispersion of essential common needs and services, remarkably housing, water and sanitation, land, power and framework, which communities relying on heavily for daily usage. (Reddy, 2016). The latter alludes to the dispersion of municipal services that are decoded as being noticeable to communities, while the last alludes to services that are viewed as being basic, however not really unmistakable, for example, open waste and sewage systems and open security norms (Ndudula, 2013:10; Reddy, 2016). The delivery of such services to residents is ordinarily the duty of governments that gather taxes from business and the working populace (Ndebele & Lavhelani, 2017).

Public service delivery then again, comprises exercises attempted to control public services (Nambalirwa & Sindane, 2012). The single public

services incorporate different departments at national and local sphere of government that disperse public goods and services for instance, security, wellbeing, social welfare and a scope of different services that either legitimately or in a roundabout way encourage a personal satisfaction as imagined by the goals of the Constitution of the Republic of South Africa 1996 (Draai, 2010). While quantifiable and satisfactory benefits to the customer are ensured by means of service standards, value for money as well as the dissemination of accurate and timely information, as principles underpinning service delivery in the South African context is encapsulated in the White Paper for Transforming Public Service Delivery 1997, popularly known as Batho-Pele Principles (Nambalirwa & Sindane, 2012). Public services delivery incorporates both physical framework and social activities that will empower communities to improve their way of life, to construct manageable occupations and ever succeed (Madue, 2015:96). Given that local government is the sphere of government nearest to the citizens, it has a significant social capacity in giving fundamental services to the communities (Ndevu & Muller, 2017).

In 2001, the South African government acquainted approach purpose which gives free basic services to poor families (Madue, 2015). In that capacity free basic service as per the Department of Cooperative Governance and Traditional affairs (2014), which indicates that the base measure of essential degrees of services, given on an everyday premise, are adequate to cater for the fundamental needs of the poor family households. One of the key intercessions planned for improving the welfare of South African family households has been local government's provision of a basket of free basic services to poor families (Bhorat, Oosthuizen & Van der Westhuizen, 2012). Municipalities in South Africa are mandated with an order to give free fundamental services, and other community services (Madue, 2015). Local government is required to explicitly focus on those individuals inside communities that are frequently minimised or barred, for example, women, the handicapped and poor people (Mazdzivhandila & Asha, 2012).

4. The Status Quo of Services Delivery

The delivery of service to the South African society remains a bone of contestation (Sebola, 2018:58). Further argued that it is not only in South Africa,

where there is a plethora of service delivery conundrums. Kgobe and Makalela (2018:124), also concurred that over and above, service delivery is still an alarming issue affecting almost all South African municipalities. The perpetuation of unethical behavior within the public service appears as if no legislation exists (Sebola, 2018:59). Profoundly, Ndevu and Muller (2017), contend that there is a lack of public trust in the local government as demonstrated by the service delivery protests. Service delivery protests in South Africa were not immune only to poor services yet they were imbued with issues such as lack of democracy and unaccountability of political office bearers (Phutiage, 2014:148; Koma, 2014:45, Ndevu & Muller, 2017). Most communities continue to have insurmountable challenges in accessing water, electricity, sanitation, and housing (Tsheola & Sebola, 2012). According to the Department of Cooperative Governance and Traditional Affairs (2009), and Ndevu and Muller (2017) mentioned the following as several factors contributing to the current status quo of distress that municipalities locates themselves

- Tensions between the political and administrative interface;
- Poor ability of many councilors to deal with the demands of local government in terms of the provision of services;
- Insufficient separation of powers between political parties and the municipalities;
- Inadequate accountability measures and support systems and resources for local democracy; and
- Poor compliance with the legislative and regulatory frameworks for municipalities.

Kgobe and Makalela (2018), lamented that there is a conflictual dichotomy between the traditional leaders and municipal council. It can be argued that the fight between traditional leaders and municipal council will erode an agenda of where proper service should be provided. Public service delivery has not redressed the injustices of the past among the poor largely due to the state-market paralysis of efficiency versus equity under post-apartheid state capitalism (Tsheola & Sebola, 2012). Service delivery is not being addressed at the pace that is

needed in South Africa to redress service backlogs (Naidoo & Kuye, 2005). The latter is attributed by many legislative and regulatory frameworks that guide service delivery. The other noticeable issues that are critical to the potency of service delivery is the mere fact that policy reforms are created to counter other policies in doing so it creates a floor for malfunction of municipalities. Sebola, (2014b) concurs that there is a culture of twisting policy benefits, against the primary intended purpose thus compromising good service delivery. Local government in South Africa is inundated with a variety of challenges including the inability to facilitate and enhance development in the communities under which the municipalities serve (Madumo, 2015). The African National Congress (ANC) led government is confronted with protest action associated with a perceived lack of basic service delivery and systemic corruption at the spheres of local government (Breakfast, Bradshaw & Normarwayi, 2019:107).

5. Legislative and Regulatory Frameworks

This section will thematically unpack the selected legislative framework governing public service delivery with a light of showing what should be happening against the current practice.

5.1 Constitution of the Republic of South Africa of 1996

In terms of the constitution of Republic of South Africa (1996), chapter 7 shows explicitly that service delivery is positioned in the hands of local government through municipalities. Section 152 subsection 1 stipulate the objects of local government and are chronologically:

- a. To provide democratic and accountable government for local communities;
- b. To ensure the provision of services to communities in a sustainable manner;
- c. To promote social and economic development;
- d. To promote a safe and healthy environment; and
- e. To encourage the involvement of communities and community organisations in the matters of local government.

The latter section 152 subsection 1 paragraph (a) to (e) vehemently constitute what service delivery entails and what should be the output of such service. Section 152 subsection 2 enforces a municipality to ensure that such constitutional obligations of service delivery are met in a manner that is efficient, effective and of economic value. Madumo (2015) concurs that for each of these objectives to be achieved, it is important that the municipalities receive the necessary, support and collaboration from the communities they serve. The Constitution of the Republic of South Africa 1996 section 195 states that public administration must be governed by democratic values and principles, amongst others to promote and maintain high standards of professional ethics, efficient, economic and effective utilisation of resources, and the cultivation of good human resource management and career development practices to maximise human potential (Constitution of Republic of South Africa 1996). Public services commission is designed to ensure the promotion of basic values and principles governing public administration.

5.2 The White Paper on Transformation of the Public Service, 1997 (Batho Pele)

The White Paper on Transformation of the Public Service (WPTPS), also known as the Batho Pele policy, was introduced in 1997 to provide a policy framework and practical implementation strategies for transformation of public-service delivery. The White Paper on Transforming Public Service Delivery, 1997 was introduced with the aim of transforming the overall public service institution and service delivery (Maluka, Diale & Moeti, 2014; Zitha, Sebola & Mamabolo, 2016:64). The policy strongly signalled the government's intention to adopt a citizen-oriented approach to service delivery, informed by the eight principles of consultation, service standards, access, courtesy, information, openness and transparency, redress and value for money. In line with constitutional principles, the WPTPS provided a framework that enabled government to develop strategies promoting good public administration. Chapter 11 of the WPTPS required government, among other things, to improve practices that promoted good public administration practise (Republic of South Africa, 1997). The eight Batho Pele principles to be obeyed with targeted at fostering people first, set the framework for the kind of service quality that citizens can anticipate (Zitha, Sebola & Mamabolo, 2016).

5.3 Public Service Regulations of 2001

According to Chapter two of the public service regulations of 2001 specifies the code of conduct, which issues guidelines for the conduct of public officials, which inter alia:- public officials relationship with the legislature and the executive, the public and other employees, as well as their performance of their official duties, and the conduct of their private interest. The code of conduct prohibits an employee from using his or her official position to obtain gifts and benefits for himself or herself during the performance of his or her official duties; obliges an official to report corruption, fraud, nepotism and maladministration to the appropriate authorities; requires an official to avoid any official action or decision-making process that would result in improper personal gain; and requires an official not to favour relatives and friends in workrelated activities and never abuse his or her authority (Republic of South Africa 2001; Munzhedzi, 2016:4). Munzhedzi (2016) argues strongly that these regulations fight anything unethical, improper, criminal, fraudulent and corruption. Chapter three of the Public Service Regulations, 2001 requires senior managers (equivalent of a director) in the public service to declare their personal financial interests in private or public companies, directorships and partnerships, ownership in land and property, and gifts and hospitality received (Public Service Commission, 2013:73; Munzhedzi, 2016:4).

5.4 Public Service Act, 1994

1994 Chapter VI of the Public Service Act, 1994 (Proclamation 103 of 1994) specifically deals with the inefficiency and misconduct in the public service including corruption through public procurement. Section 20 of the Act refers to misconduct as a behavior that could inter alia incorporate acts that are to the prejudice of the administration, discipline and efficiency of a department, the acceptance or demand of any commission, fee or pecuniary or other reward in respect of carrying out or the failure to carry out official duties and any contravention of the prescribed code of conduct or any provision thereof (Republic of South Africa, 1994; Munzhedzi, 2016). Furthermore, Sections 21-26 of the Public Service Act, 1994 (Proclamation 103 of 1994), offers the disciplinary procedure to be followed during a charge of misconduct as well as possible penalties in the event of a successful conviction (Munzhedzi, 2016:4). Section 27 of the Act specifically addresses the handling of misconduct of a head of department who is the accounting officer in terms of the Public Finance Management Act, 1999 (Munzhedzi, 2016).

5.5 Public Finance Management Act, 1999 (Act 1 of 1999)

Section 76 (4) (c) of the Public Finance Management Act, 1999 (Act 1 of 1999) mandates the National Treasury to develop regulations or issue instructions regarding the determination of a framework for an appropriate procurement and provisioning system which is fair, equitable, transparent, competitive and cost effective (Republic of South Africa 1999; Watermeyer 2011:3; Munzhedzi, 2016:3). The latter provision has been derived from Section 217 of the 1996 Constitution of Republic of South Africa. Commonly, the Act creates a regulatory framework for public sector procurement, which involves procurement in the national (Munzhedi, 2016). According to Zitha and Mathebula (2015), and Zitha, Sebola and Mamabolo (2016), compliance to this Act by procurement bureaucrats will look at government procuring goods and services at the quality prices thus optimising the worth of public service delivery in the provincial departments and state-owned enterprises. Section 38 of the Public Finance Management Act, 1999 (Act 1 of 1999) also provides that accounting officers of a state department must inter alia: ensure that the department has and maintains effective, efficient and transparent systems of financial and risk management, and internal control; a system of internal audit under the control and direction of an audit committee; and an appropriate procurement and provisioning system (Republic of South Africa, 1999; Webb, 2010:675; Munzhedzi, 2016:4). The accounting officer must take effective and appropriate steps to prevent unauthorised, irregular fruitless, wasteful expenditure resulting from criminal conduct (Mundzhedzi, 2016).

5.6 Municipal Finance Management Act 56 of 2003

Local government: Municipal Finance Management Act, 2003 (Act 56 of 2003) also provides a regulatory framework for procurement at municipalities and municipal entities in South Africa. Local government sphere of government is often vulnerable to corruption particularly during the procurement process (Munzhedzi, 2016). This framework is therefore aligned to the objectives of the mainstream

preferential procurement policy framework and serves to ensure that economic and social benefits associated with public procurement cascade down to municipal constituencies (Pooe, Mafini & Makhubele, 2015). It is also hypothesised by Munzhedzi (2013:281; 2016), that the South African local government sphere is often characterised by service delivery failures, poor audit outcomes and financial management challenges including corruption. Municipalities in South Africa still find it difficult to achieve their procurement objectives due to four major inundations; namely, the lack of training, the lack of capacity, the lack of transparency and the failure to comply with existing public procurement policies (Pooe *et al.*, 2015).

6. The Dichotomy between Politics and Public Administration

Notwithstanding frequent declarations in the literature of public administration to discard the dichotomy between politics and administration, administrators still find shelter underneath the canopy of a neutral stance (Cox & Haruna, 2018). Public administration practitioners have tried to ignore the moral aspects of their jobs by invoking the ethic of neutrality, which holds that administrators are to give effect to whatever principles are reflected in the orders and policies they are charged with implementing (Thompson, 1985:556; Cox & Haruna, 2018:72). At the center of the practice of public administration, there is a nexus between administrators, on one side, political leaders and the public are on the other side (Svara, 2001). The discipline of public administration has a prolonged struggle with the issue of how much involvement by public managers is merited in the political space (Chohan, 2018). The environment of that association and the appropriate role of administrators in the political process have been the topic of substantial deliberation (Svara, 2001). It is therefore advised that administrators must be excluded from partisan politics (Overeem, 2005). Sebola (2014b) agrees with the latter notion as he stipulates that, bad administrators incubate bad politicians, and both crippled the potency of government to provide equitable service delivery. Complementarity of politics and administration is portrayed by interdependency, vast interaction, divergent, political supremacy, and administrative subordination cohabiting with mutuality of control (Alford, Hartley, Yates & Hughes, 2017). According to Mafunisa (2003:90), and Sebola (2014a), both argued that while it is

critical for both the elected officials and the public servants to appreciate their separation of powers in the real world, the distinction between the two is blurred. Sebola (2014a) postulated it vehemently that the separation between the politics and public administration stays problematic.

7. Conclusion

It can be deuced from the literature perused that there is a lack of compliance with legislative and regulatory frameworks for the pursuit of effective service delivery. Alacrity for Africanised Public administration rests upon the politicised way of operation in the government. The paper strongly believes that there is a serious need for public administration to be baptised with reform as a way of holding bad administrators responsible and accountable not forgetting the politicians. Compliance indicators and performance management and monitoring evaluation measures need to be reinforced so that South Africa can have a hygiene public administration that is not imbued with organisational culture that is unethical.

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