

Enhancing procedural fairness in administrative action of the Administrative Justice Act of South African using web - based Group Support Systems

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Abstract

The Government of the Republic of South Africa is committed to establishing a society grounded on democratic ideals, social fairness and fundamental human rights. For this to happen, any decisions to be taken by the government need to be justified, or that for decisions that have been taken, an explanation is made to the affected people if requested. This fundamental human right, promulgated in the Promotion of the Administrative Justice Act No 3 of 2000 (AJA), is one of the primary policies that the government purposes to apply to achieve greater egalitarian governance with regard to social equality and respect for the people. In this research article, we focus on the potential of using web-based Group Support Systems (GSS) to enhance procedural fairness in administrative action of the AJA. We review the context of the research and important programs by the government, along with its use of information and communication technology to get closer to and empower the people. Considering the social focus of the research, qualitative data was collected over a period of five months using action research, case studies, observations, participant observations, semi-structured interviews and electronic logs. Using hermeneutics, the analysis reveals that web-based GSS have the potential to enhance procedural fairness in administrative action.

Keywords

Group Support Systems, Social Support Development Systems, Administrative Justice Act, Human Rights

1. INTRODUCTION

The Government of the Republic of South Africa is committed to establishing a society grounded on democratic ideals, social fairness and fundamental human rights (South Africa, 1996). Democratic governance means that basic policies regarding social equality and respect for the people need to be maintained. For this to happen, any decision to be taken by the government needs to be justified, or that for decisions that have been taken, an explanation is made to the affected people if requested. These essential social values engraved in the Bill of Rights (South Africa, 1996) were enacted into law as the Administrative Justice Act 3 of 2000 (AJA), expressing the right to just administrative action to everyone in South Africa.

In the Administrative Justice Act (AJA) decisions that have an adverse (negative) effect must be procedurally fair. In undertaking this principle, the AJA stipulates that the decision-making processes must include adequate notice of the nature and purpose of the proposed administrative action, a reasonable opportunity to make representations, a clear statement of the administrative action, adequate notice of any right of review or internal appeal where applicable and adequate notice of the right to request reasons.

Currently, procedural fairness is done manually through a letter sent by post to the affected person.

The decision-making processes in the AJA in fulfilling procedural fairness and the government's resolve to use technology offer excellent opportunities to use technology to reinforce and aid social practice (Phahlamohlaka, 2004: 5). In this research we report on an investigation into the potential of a web-based GSS enhancing procedural fairness.

Following a theoretical synopsis of the AJA and GSS in the literature study, we present the research objectives and approach. Considering the qualitative aspect of the research, we use an interpretive paradigm and describe the sources of the data. The data was collected using action research as the main research method and through observations, participant observation and the electronic logs containing the exchanges during the GSS sessions. The closing stage of the paper discusses the findings, the limitations to the study and areas for further research to be conducted. We end with concluding remarks concerning the research findings.

2. LITERATURE SURVEY: THE BROADER CONTEXT

2.1 The Administrative Justice Act 3 of 2000

The right to just administrative action is legally given effect by the Promotion of Administrative Justice Act 3 of 2000 (AJA). Administrative action is any decision made by an administrator or a failure to make a decision which adversely affects any person or the public. As part of the AJA, people are entitled to procedurally fair administrative action. Procedural fairness designates that any decision reached should be impartial or free from any real or apparent bias.

The AJA, which is similar to the European Code of Good Administrative Behaviour, contains the responsibilities of administrators towards individuals and the public and requires that any decision by an administrator be procedurally fair. Procedural fairness involves listening to likely affected individuals before making decisions and that the decisions that are reached are impartial or free from any real or apparent bias. This basic human right is promulgated in section 33 of the constitution defining everyone's right to administrative action that is lawful, reasonable and procedurally fair, and everyone's right to written reasons if they have been adversely affected by administrative action. The term *adversely* refers to a negative effect on an individual or a group of individuals. An administrator is "any organ of state (or an individual) exercising a public power (or function) in terms of an empowering provision." (South Africa, 2000). Decisions that are favourable are consequently not considered as administrative actions. We subsequently needed to find a Government body where we would find decisions of an administrative nature.

We were attracted to the Grants Programme within the Department of Social Development as it had the distinctions of a Government body being looked for. The Grants Programme is one of many Government initiatives which are targeted to be improved through the use of information and communication technologies. This demonstrates the importance that South Africa attaches to the potential of technology.

Technology has the potential to support improvement efforts if used prudently (De Vreede et al, 2003) and one way governments can serve all of its citizens is by using technology tools such as GSS to allow open communication.

2.2 Group Support Systems

In a bid to strengthen its performance, capabilities and as a medium of communication within itself and with the public (South Africa, 1997), the South African government encourages and extensively uses web-based applications. In this research, we investigate the effect web-based GSS will have on enhancing procedural fairness in administrative action.

There are many different types of GSS (Denis et al, 2001) hence the various definitions. Notwithstanding, all the different definitions have a similar underlying principle. In this paper, a Group Support System (GSS) is defined as a combination of approaches, software and technology constructed to bring together and reinforce the dialogue, deliberations and decision-making of groups (Shen et al, 2003: 209). GSS tools are effective computer-based artefacts for enhancing decision-making processes and in facilitating meetings (Phahlamohlaka and Roode, 2001: 600).

While GSS tools for communication are different from the long-established forms of communication such as the telephone or by post they have significant advantages of cost and speed (Ackerman and Britz, accessed 2004).

Historically, GSS's were used for decision making purposes by supporting the discussions and reviewing of available options especially in the commercial sector (thus the name Group Decision Support Systems - GDSS). Nevertheless, with time, GDSS's have evolved (Khalifa et al, 2002) to possess extra functionality including communication, anonymity to support groups spanning both the time and place dimensions and more recently, the impact of GSS on the process and the outcome of group interaction.

Recognising the differing and contradictory results in GSS research (Benbasat et al., 1993; Bui and Sivasankaran, 1990; Dennis and Gallupe, 1993; Fjermestad and Hiltz, 1999; Kline and MacGrath, 1999), it is important to find a fit between procedural fairness in administrative action (task) and the type of GSS (technology) to be used for consistent results (Dennis et al., 2001). Dennis et al (2001) describe a task-technology fit to exist in context of decision making when a blend of electronic and verbal communication is used along with information processing and appropriation support. Information Processing Support refers to the ways in which information is organised and processed while appropriation support refers to the training and facilitation to enable an easier and systematic usage of the GSS tool. Currently, there are no technology tools for an individual to communicate with the government when a decision has affected them adversely (Lowry et al, 2002). Our investigation into the potential of web-based GSS use in this research emanated from this observation.

Web-based tools create an information space (Bodker, 1997) where ideas are brought together and resolved in their different contexts. (Phahlamohlaka & Roode, 2004: 600). It follows then that web-based GSS tools should enhance decision-making processes and provide for remoteness and access to diverse locations across South Africa. South Africa is a large country involved in development using information technology to reach its greater population including those in rural areas.

De Vreede et al (2003) review the applicability of GSS for groups engaged in development activities in Africa (Tanzania and South Africa). Their findings indicate a notable deficiency in GSS research with a predisposition to an African or developing nations outlook. Most GSS literature has a "Western Euro-American" perspective. They attribute this lack to the possible discovery of GSS in North America, a lack of computerisation and poor political and economic infrastructures in Africa (and in

developing nations). Nevertheless, this perception is changing with the growing efforts by governments in developing countries to computerise their administration and operations.

The web-based GSS chosen was email. Email fulfils all the requirements for it to be labelled as a GSS and its form of communication is over the internet. Additionally, both the authors and the administrator had access to email. Besides, email can be obtained for free from the Internet. Thus email was the most appropriate form of web-based GSS that could be used.

In the next section, we look at the approach we used to conduct the research and how the results of the research were obtained in view of the literature already provided.

3. RESEARCH OBJECTIVES AND APPROACH

3.1 Research Objectives

The objective of the research is to investigate whether web-based GSS tools could support and enhance procedural fairness in administrative action. Currently, the process is manual, the administrator writes a letter which is sent by post to the affected person mentioning the decision that was made and advising the different actions that can be taken.

Specifically, we seek to find an answer to the following research question:

Could web-based GSS enhance and support procedural fairness in administrative action of the AJA?

Given the above scenarios, this research sought to provide answers to how web-based GSS tools could support and enhance procedural fairness in administrative action.

3.2 Research Approach

3.2.1 Research Paradigm

Research can be broken into two separate and unique conceptual philosophies; quantitative and qualitative approaches. Though distinctly different, these approaches can be used in a single study to expand the depth of the research.

Quantitative research, as the name suggests, has its roots in the “natural sciences to study natural phenomena” (Myers, 1997: 241). The approach, which is supported by the positivist school of thought, quantifies social experiences and reaches mathematical values that can be analysed statistically. Examples of quantitative research are Surveys and Laboratory Experiments.

On the other hand, qualitative research was developed in the social sciences to enable researchers to study social and cultural phenomena. Examples of qualitative approaches are action research and case study research. Qualitative research can follow an interpretive, positivist or critical paradigm.

In this study, we follow an interpretive paradigm considering our underlying need to understand social processes. The philosophical foundation of interpretive research is hermeneutics and phenomenology (Boland, 1985). Hermeneutics at the philosophical level provides grounding for interpretivism (Myers, 1997). We used hermeneutics to understand the interaction between the case participants who were affected by administrative action and the administrator and as the method of analysis. Klein & Myers (1999) describe interpretive research as research where “knowledge of reality is gained

only through social constructions, consciousness, shared meanings, documents, tools and other artefacts.”

Interpretive research applies to the research objectives as we seek to understand the context of the administrators and the process by which a web-based GSS would influence the context. Hence, a hermeneutic approach was used to collect and interpret the data.

3.2.2 Research Methodology

The primary data was collected from two main sources, the head of the section that captures and verifies the application forms for grants in the Gauteng Provincial Government of Population and Social Development in Pretoria (administrator) and two individuals who had been affected by administrative action (case participants). Their appeals against the decision had already been rejected. In order to preserve the anonymity of the case participants, pseudonyms were used. They will be referred to as Alex and Grace.

In using the term primary data, we refer to the data that focuses on the research specifically and secondary data as that which falls in the research environment (examined further in the discussions section later). The primary data is presented in the form of a narrative.

Currently, applications for grants are made only at provincial offices in person. Applicants therefore need to travel from their places of residence to the nearest offices, despite the obstacles that they may have in travelling. Once the applications are filled, they are taken to the administrator.

The administrator is responsible for reviewing all the applications for grants and ensuring that they fulfil the necessary requirements. If there is any doubt concerning an application, the doubtful information is investigated or it is put on hold and passed on to the section that posts out the letters to the applicants' asking them to provide more information.

The administrator provided us with information about the two case participants who had been affected by administrative action. The information given by the administrator was that the application for a child support grant by Alex had been rejected on the grounds that the application had some missing information. The application of Grace for a disability grant had also been rejected because the doctors report (a confidentially written report by a doctor recommended by the department) showed that Grace was medically fit to work.

Both of the case participants lived in townships in the suburbs of Pretoria Central. We met them at their houses and this is where all the interaction and data collection with them occurred. “In South Africa, the term township applies to many types of urban areas, however, under Apartheid, the term township commonly came to mean a single-race residential development which confined non-whites (Africans, "coloureds" and Indians) who lived near or worked in white-only communities. Soweto and Alexandra are two of the most well-known of these.” (en.wikipedia.org/wiki/Township [South_Africa], 2005)

Doing the research in their local environment is supposed to be a more comfortable pace where the case participants would be more free to talk about their experiences and also to preserve and understand their social and cultural environments.

This data from the interactions was collected over a period of five months using open-ended interviews, observations, and because Alex and Grace had never used computers, we communicated on their behalf with the administrator using the web-based GSS (email). We also raised the awareness of the AJA to the individuals thereby becoming process facilitators (Clawson et al, 1993; Yoong, 1998 in de Vreede, 2003) and participant-observers as in action research.

The electronic logs, emails, which were exchanged with the administrator, were additionally used as a data source.

3.2.3 Research Methods

3.2.3.1 Action Research

Action Research (AR) has been defined as “a specific research approach in which the researcher generates new knowledge about a social system, while at the same time attempting to change it in a quasi-experimental fashion... with the goal of improving the social system”. (Lewin, 1946 in Kock, 2003: 105). Action research, which comprises of a five stage cycle (Susman & Evered, 1978), is appropriate for computer-mediated studies of groups (Kock, 2003). The five stage cycle consists of diagnosing, action planning, action taking, evaluating, and specifying learning as shown below (Figure 1).

Given the dual social and technology focus of the research in understanding social processes and trying to improve them using technology (Kock, 2003: 106 and Walsham, 2003) action research is the most appropriate research approach for this study.

In action research the researchers are both participants and observers. (Whyte, 1991).

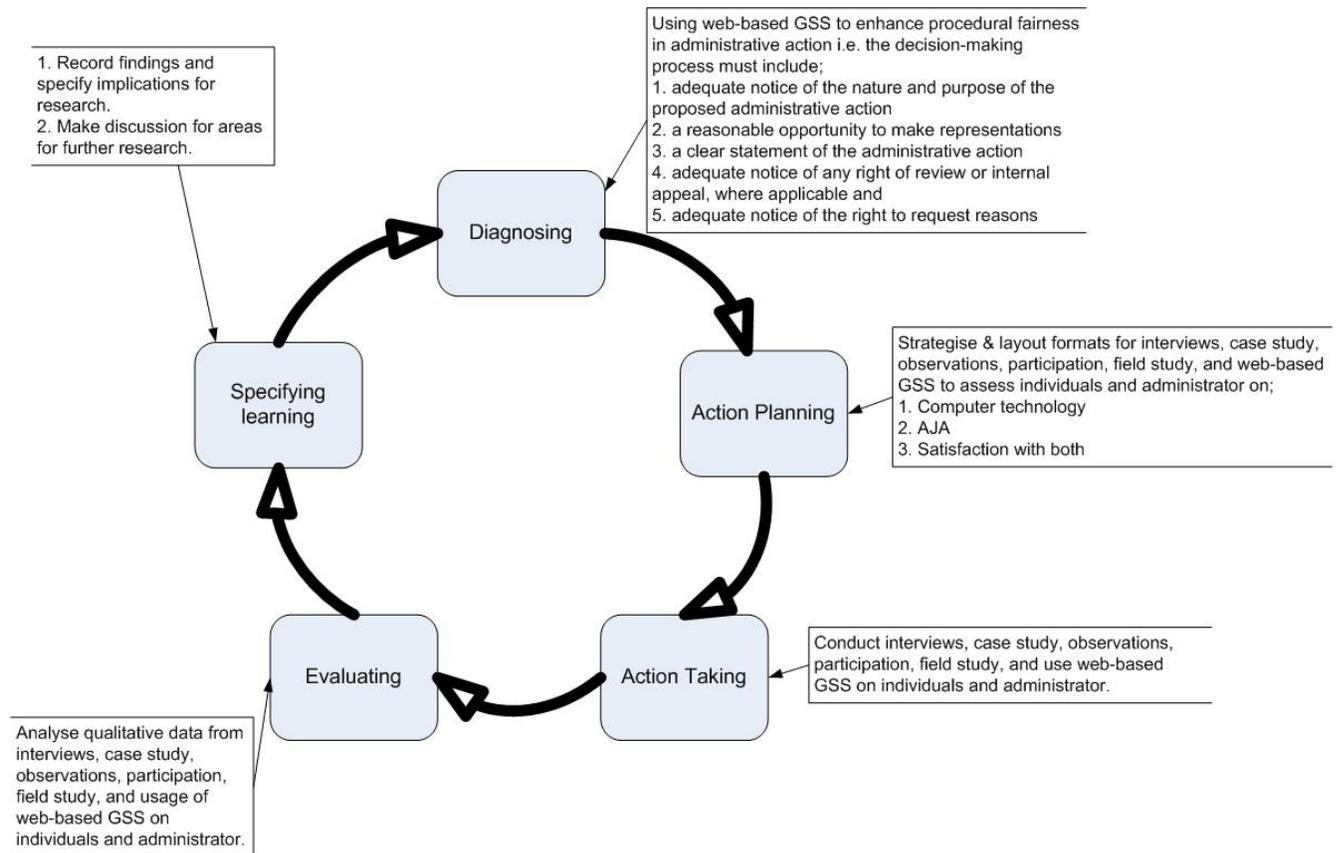


Figure 1. Action Research Cycle adapted from Susman & Evered (1999)

3.2.3.2 Observations

Over the same period of time, the individuals and the administrator were observed with regards their attitude about the AJA, their adeptness with computer technology before, and their satisfaction with us using the technology on their behalf. To eliminate bias from an administrator factor, all the individuals interacted with the same administrator.

3.2.3.4 Open-Structured Interviews

Before starting and after the research, the case participants and the administrator were interviewed as to their understanding of the AJA and their use of computer technology using open-structured interviews. We also asked the case participants how they felt about the process of appeal.

Open ended interviews are particularly helpful in letting the case participants open up and interact freely. The notes from these interviews were jotted down and written up the same day to prevent forgetting the texts.

Grace said, *"I am scared to investigate my application because I am afraid. I applied for a grant but it was rejected. I appealed it once and after that I gave up."* She further explained that she *"fear(s) for the lives of my family."*

Alex on the other hand felt that *"the process of appeal is tiring. I have gone to their offices more than three times. This time if the appeal process fails, I will give up. I have given them (administrators) all the information that they need, but they keep asking for it. I think it has not reached them or it is being hidden by someone."*

3.2.3.5 Electronic Logs

The interactions between us on behalf of the case participants and the administrator were saved to be used as electronic logs for a better understanding to the use of the web-based GSS. They are reproduced below .

Alex sent this email below to the administrator.

"Dear (administrator), I would like to bring to your attention the application I made for a child disability grant on the grounds that I had last been a work in July 2004. My reference number is (123456789). I am incapable of work because of the chronic illness I suffer and yet my son is disabled. I received the rejection letter application from you in October. Although the letter noted that I had a right to appeal, it was not clearly stated. I only discovered this right when I went to the Provincial Government to lodge a complaint.

My husband left me and is not paying for any maintenance and my son is 4 years of age not 9 years as your rejection letter suggested. The information from my work file is no longer relevant.

Please review my application again correctly. I attached all the required documents and let me know what is happening by reply email."

Grace sent this email below to the administrator.

"Dear (administrator), I would like to bring to your attention the application I made for a child disability grant on the grounds that I had last been a work in July 2004. My reference number is (987654321). I was last employed in 1988 and was laid off work because of the chronic illnesses I have suffered since before then. I used

to work in Pretoria at Pressig. I applied for a pension because of this illness. All the jobs I have applied for have been turned down because I am very old and sickly. Your rejection letter claimed that I am fit to work and that I will soon qualify for the old age pension. I perceived those two reasons as the reason for my application was rejected.

Since I am very old, I am unable to walk to your offices and it is too expensive for me to travel by taxi. My family and I of six along with other relatives are all depending on my mothers pension.

Please review my application and approve it. I attached the Doctor's report showing that I am unfit to work. Please tell me if you have it. ”

As there is a concern to understand social processes at an individual level in order to apply technology (du Plooy *et al*, 1994, Phahlamohlaka, 2001: 2) the qualitative data collected was interpretively analysed using hermeneutics. The hermeneutic iterative process that is involved in interpretation and understanding is referred to as the Hermeneutic Circle, an adapted descriptive diagram of which is shown below.

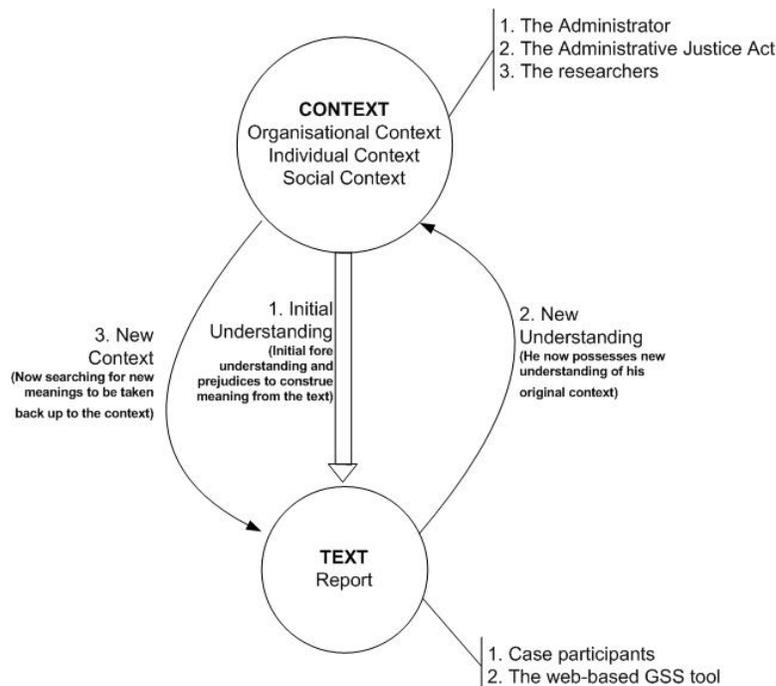


Figure 2: The Hermeneutic Circle as used in the Data Analysis

The text consists of the case participants and the use of the web-based GSS on their behalf as they are the phenomenon that we are trying to understand that form the focus of this study. The context consists of the administrative action, the administrative justice act and the research. The text gains real existence when there is a dialogue between the context and the text. In the dialogue, the context gains new understanding of the text and with this new understanding develops an updated view of the context. With this new fore understanding of the context, new meanings are sought from the text about other parts of the context.

4. DATA AND INTERPRETATION

Open coding, was used manually to identify primary patterns in the data. The interpretation of the data came about through the constant moving back and forth,

constantly looking at all the collected data and our own perspectives or understanding, until significant patterns or topics emerged which were then labelled. The patterns were then turned into meaningful categories.

The regularities in the data revealed patterns in the data that could be sorted into categories. These categories were then sorted along two criteria, internal homogeneity and external heterogeneity (Patton, 2002). Internal homogeneity refers to the extent to which data in the category hold together while external heterogeneity means the extent to which the differences in the categories are bold and clear.

4.1 Data from the Text

The data from the text refers to the use of the web-based GSS and the case participants' reactions as seen in Figure 2.

4.1.1 Technical issues

In the townships, there is no access to computers although in Eesterus there is a civic centre which had computers but required people to pay R20.00 to use them. This is a colossal fee in a township.

Both the case participants had never used computers. However, for Grace, computers had only been "heard about ... but ... (I do not) know what they look like." Alex had seen computers before and theorised that they "might be able to make the application process for grants much better and (would) provide information that ... (we) do not even know of."

Consequently, we communicated with the administrator using the web-based GSS on behalf of Alex and Grace.

A response to the email that was sent to the administrator was immediate saying that "there was a window period of ninety days during which I should have made a decision." This is a requirement of the AJA.

4.1.2 Social Aspects

None of the case participants had heard about the AJA. They were not aware that they had a right to request reasons for the administrative action or to appeal the decision. In both cases, they appealed against the action because they were surprised by the decision and not because of their knowledge of the AJA.

Both case participants expected that our intervention in the matter and the fact that computers would be used, would mean that the decision from the administrative action would become favourable. This was despite informing them of the research objectives and how only the process was targeted as an enhancement investigation. We thus advised them that we would notify them as soon as we had further information.

One of the case participants wrongly interpreted the rejection letter. In the letter, after informing the case participant of the negative decision, it further went on to state that she would be due for an old age grant. Grace wrongly understood this to mean that the negative decision was because she would soon, in ten months, qualify for an old age grant. She had therefore given up trying to pursue the grant and wait for the old age pension.

All the same, we observed that it was possible that Grace did not know how to read and this letter was interpreted to her by someone else. Hence we proceeded to explain to her

the contents of the letter based on our understanding of the AJA and the requirements of it to the case participants.

4.2 Data from the Context

4.2.1 Administration of Grants

There are defined rules that describe clearly what an application must fulfil for it to be accepted. When one parameter fails then the whole application is assumed failed. In other cases, the application may be complete but because there was a query by someone saying the application is fraudulent, then it is investigated and in some cases is rejected.

This procedure is made clear from the beginning and is followed strictly to the letter.

Not all the information as required by the AJA was put into both rejection letters to the case participants. For example, both the letters only stated the right to appeal the decision but did not give adequate information about the procedure to do so.

Having clearly interpreted the data, we proceeded to interpretively analyse the data using the hermeneutic analysis framework on figure 2. The purpose of the interpretive analysis is to combine personal comments, comments from interviews, participant observations, observations and the electronic logs in order to cognitively understand the process holistically (Trauth & Jessup, 2000).

4.3 Analysis using Hermeneutics

To analyse the data, we used the hermeneutic analysis as shown in Figure 2. The steps 2 and 3 of figure 2 when done continually, that is to say when there is continuous movement back and forth between the text and the context, possibilities for understanding are created, if the interpreter persists and opens himself to the text. The movement of understanding "is constantly from the whole to the part and back to the whole" (Phahlamohlaka, 2003: 117). As Gadamer (1994) explains, "It is a circular relationship. . . the anticipation of meaning in which the whole is envisaged becomes explicit understanding in that the parts, that are determined by the whole, themselves also determine this whole."

Hermeneutics as the method of analysis unfolded from the theoretical foundation of the research in the literature study and the research objectives using Pekova's (1999) triad for the justification of the research method. Consequently, the researchers' fore understanding, interests and prejudice as in the hermeneutic tradition was considered.

Hermeneutics is primarily concerned with the meaning of a text or text-analogue (an example of a text-analogue is an organization, which the researcher comes to understand through oral or written text). The basic question in hermeneutics is, "what is the meaning of this text?" (Radnitzky 1970: 20). Taylor says that: "Interpretation, in the sense relevant to hermeneutics, is an attempt to make clear, to make sense of an object of study. This object must, therefore, be a text, or a text-analogue, which in some way is confused, incomplete, cloudy, seemingly contradictory - in one way or another, unclear. The analysis aims to bring to light an underlying coherence or sense" (Taylor 1976: 153).

Kleining and Witt, (2001) remark about "the inherent subjectivity of interpretations one of the profound problems of hermeneutics." Notwithstanding, subjectivity is an important part of the hermeneutic process. It is the interpreter's responsibility to use it creatively and to

struggle beyond towards the never ending possibility of further interpretation (Phahlamohlaka, 2003).

In hermeneutics there is bias. Bias in this case means the fore understanding the interpreter has before any context or dialogue. This is not to mean anything negative, however, it might become negative if there is no dialogue (Gadamer, 1994). This approach by Gadamer is not subjective neither is it relativist, on the other hand it goes to mean pre-judgement. They are not substantiated by any other experiences. In cases of misunderstanding, when we understand the meaning of another, then we need to be aware of our own prejudices.

We now proceed to take the interpreted data through the hermeneutic analysis as laid out above. Below are the findings that came out of the iterative process.

5. FINDINGS

Using web-based GSS resulted in lower costs by eliminating some expenses involved in appealing against adverse decisions in administrative action such as the postage fees and the travel costs. The web-based GSS also resulted in a lower time in the appeal process because the case participants did not have to wait in the lines to be attended to.

Before using the web based GSS none of the participants had ever known what was happening with their application until they received a letter from administrator. With the web based GSS, they now knew the progress and felt that if there was any problem they would know about it and respond to it appropriately.

We noted that in both the townships, there was a dire lack of technology infrastructure and initiatives. This translates to two issues, the first is that when attempting to use a technology tool, one must be ready to offer training in using computers and then in the GSS tool particularly and the second to facilitate on behalf of the case participants on using the technology tool.

Both the participants had never heard of the AJA. We then raised their awareness of the AJA to the case participants at which Grace told us that before we explained to her the right, she thought that pursuing for just administrative action was like “putting her finger in termites and hoping they will not bite.” For her, pursuing the adverse decision equated to putting her life and family in harms way.

The case participants expressed gratitude about being chosen for the research and were as such more than willing to provide any information that was needed. Alex said, “please tell me if there is any more information you need.” Grace gave us her personal number insisting that she would like to be kept informed through the whole process. Both Alex and Grace accepted the offer to be helped the first time we approached them.

Grace misinterpreted the rejection letter. We conceive that the misinterpretation was due to the fact that the letter was in a language which she was not able to communicate in and / or she was not able to read. The rejection letters are designed to be sent out in any of the 11 official languages of South Africa. It is possible that the language preference was not communicated in the application.

The rejection letters, because they do not have all the information that should accompany it as required by the AJA does not give the full picture to the affected person. This could

probably be because system that prints the letters has not been programmed to add this information.

Another important finding of the research was the development of the analysis framework that combines the hermeneutic approach and the action research method. This framework is shown in the figure below in figure 3.

5.1 The Analysis Framework

The analysis framework builds on the circular relationships of the hermeneutic circle and defines the understanding of the text by passing it through the action research lens. The new understanding is shaped by the new information that is acquired while passing through the action research lens.

We refer to figure 1 showing the action research cycle and how it would be used to collect data. In the analysis framework we use the action research cycle to ground the understanding from the text before it passes to the context in figure 3. Codes were used for the different stages of the analysis within a grid in table 1. The understanding from the text is the interpreted data INT, the diagnosis is D, the action planning is AP, the action taking is AT, the evaluation code is EV while the specify learning stage is SL. It is this new understanding that is passed to the context in the framework.

Table 1: Action research – hermeneutic analysis framework grid

Understanding from text (INT)	Diagnosis (D)	Action Planning (AP)	Action Taking (AT)	Evaluating (EV)	Specify learning	New understanding (CO)
INT1	D1	AP1	AT1	EV1	SL1	CO1
INT2	D2	AP2	AT2	EV2	SL2	CO2
INT3	D3	AP3	AT3	EV3	SL3	CO3
INT4	D4	AP4	AT4	EV4	SL4	CO4
INT5	D5	AP5	AT5	EV5	SL5	CO5

We take for example, the lack of computers in the townships INT1. When taken through an action research lens, new understanding is gained at each of the five stages of the action research cycle. At the diagnosis stage (D) we realise that even if the people had computers, they would not be able to use them because of the lack of computer training. When taken through action planning (AP), we grasp that awareness for the use of computers will need to be raised before computers can be introduced. At the action taking stage (AT) the people responsible would begin enacting the plans considered at the AP stage such as making proposals to address the problem (AT). Such action would then need to be evaluated (EV) against the current programs and a level of priority given to this project. By such we would specify (SL) that we now know that there are no computers in the townships because the government initiatives concerning computer usage in every municipality has not reached that particular area. This would be the new understanding that the administrator receives different from the simple understanding that would have come from the text.

Similarly from the grid we noticed that the people lack awareness concerning the AJA as a result of the inability of government to reach the townships and raise the awareness of the AJA to the people there, INT 2. This awareness could be raised using the community development workers (CDW) that the government plans to rollout in one of its computer initiatives discussed later in the context and that the townships should to request that they receive a CDW before the initiative is in that area.

The case participant also believed that our intervention would result in a positive result. This is also an issue of an over expectation of what computers are able to do. Awareness would need to be raised

When the letter was interpreted wrongly, we understood it to mean that the CDW would also need to explain the people what the letter means and what to do about it. The CDW's would need to be trained to correctly give the true meaning of the text and later on, ensure that the people understand what is being explained. This would also apply to the people who are illiterate.

5.1 The Context

The government of South African has two particular initiatives called the Batho Pele and the Multi-Purpose Community Centre which will, in the future, positively influence the ability to use the web based GSS tools to enhance procedural fairness in administrative action.

“Batho Pele” is a South African Government white paper on transforming the Public Service. It sets out a procedural structure and a functional approach to transforming Public Service Delivery (South Africa, 1997). Batho Pele, a Se-Sotho term meaning “People First”, is based on eight national standards of consulting users of service, setting service standards, increasing access, ensuring courtesy, providing more and better information, increasing openness and transparency, remedying mistakes and failures and getting the best possible value for money.

These values bear a relationship with procedural fairness in just administrative action. Batho Pele tasks administrators at the national and provincial level with a fast response to the people of South Africa. In consulting citizens and providing more and better information with a view to transparency and openness, procedural fairness is fulfilled. The ideals of Batho Pele are designed to take government closer to the people and are available online on the Batho Pele Gateway portal (<http://www.gov.za>).

The Batho Pele standards and governments involvement in development activities are envisaged to be delivered to the people through Multi Purpose Community Centres (MPCCs).

Multi-Purpose Community Centres are community service centres which are and will be based in each district and metropolitan council. At these centres each government department will be represented to provide all government services such as grants, social security pension, health, education, passports, identity documents and government products (<http://www.gcis.gov.za/mpcc/initiative/whymppcc.htm>).

The MPCC concept was initially started in 1998 but slowly fell silent as the years progressed. By 2000 there was almost no mention of it. At the first launch of the MPCC information technology was not used extensively to support the structures. However, as at April 2004 government renewed its commitment to implement the concept using a hybrid of information and communication technology.

At each MPCC there is a Batho Pele Gateway Portal office where people coming to the MPCC first report. It is at this office that the visit and inquiry are recorded and the person checked for all required documentation before being assigned to the relevant government representative.

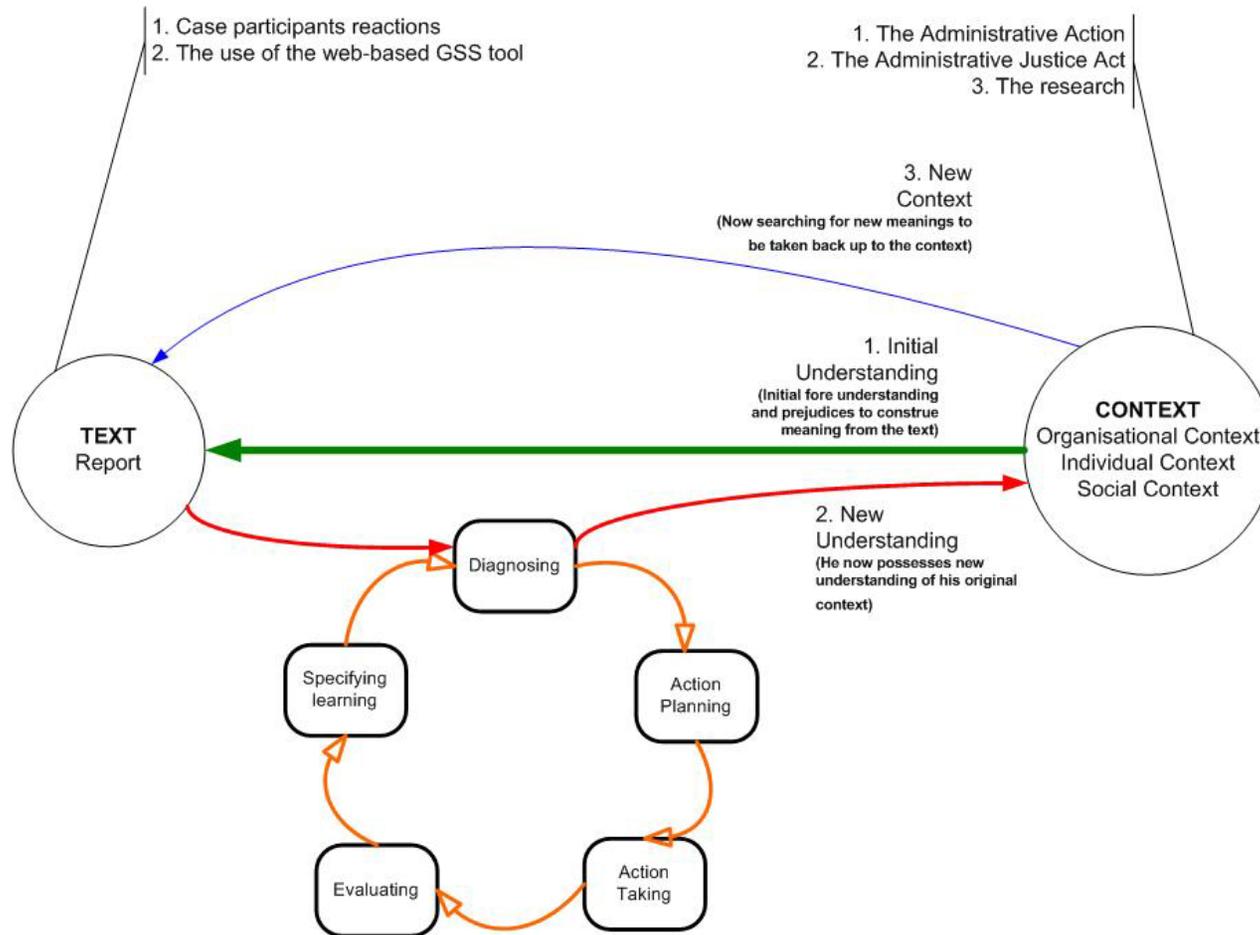


Figure 3: The Action Research-Hermeneutic Analysis Framework

MPCCs fall under the Government Chief Information Services section of the Department of Public Service and Administration (DPSA). At the time of this report, there were only 11 MPCCs located in each Province. Notwithstanding the GCIS has a vision to have 10 MPCC's rolled out in each of the 28 municipalities, a total of 280 MPCCs.

5.1.2 Limitations of the Study

The research was limited in its scope. A greater sample space in terms of demography and gender would have generated a better representation of the potential web based GSS could have in enhancing procedural fairness in administrative action. Only two women participants were used in the study. Although this is acceptable in a study of this nature, more participants would have enhanced the lessons learned from the study.

Additionally, we did not use a formal traditional GSS tool such as Group Systems. Using such a system would have created better opportunities to understand the interaction between the administrator and the case participants. However, this would have meant training both the administrator and the case participants on how to use the tool to achieve specific purposes.

6. CONCLUSIONS

To conclude, we take a look at the research objectives and the research question and review the findings and find if the focus of the research was achieved. The objective of the research was to investigate whether web-based GSS tools could support and enhance procedural fairness in administrative action. Specifically an answer to the research question: Could web-based GSS enhance and support procedural fairness in administrative action of the AJA?

To enhance procedural fairness, we needed to find if the following decision making processes were improved: adequate notice of the nature and purpose of the proposed administrative action, a reasonable opportunity to make representations, a clear statement of the administrative action, adequate notice of any right of review or internal appeal, where applicable and adequate notice of the right to request reasons.

According to the findings, all the processes were improved. The nature and notice of the proposed administrative action was received in the same period of time but in a less costly method. The case participants were able to make representations immediately by responding to the emails. Similarly to the traditional methods, the case participants received a clear statement of the administrative action noting their right to review the action. They were also informed of their right to request reasons for the administrative action which was received previously from before when.

Previously, they case participants had not received notification that their application had been received. This is a significant enhancement of the traditional methods that were being used. We were able to respond to and resolves time to receive the notice of the administrative action reduced significantly from ninety days to 2 days.

Considering the above achievements, we conclude that web based GSS's have the potential to enhance procedural fairness in administrative action.

Areas for further research include the use of a wider demographic sample space, the use of an online GSS and to ground the proposed analysis framework in theory.

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