

## **Response\* to the *State of the public service report 2009*, issued by the Public Service Commission**

What my audience will hear is one voice talking about the *State of the public service report*. It should not be the only voice, as it represents a particular approach among many possible approaches. I therefore hope that it will stimulate other voices to be heard around the table. The report is structured around the nine principles of public administration, as provided for by Section 195 of the Constitution, and then with a focus on the readiness of the public service for the 2010 FIFA World Cup. One aspect we will have to consider is whether the concepts of *readiness*, *impact* and *confirming to principles* sit well with one another. A philosophical distinction that I would like to put on the table is the distinction between evaluating an activity in terms of its conforming to rules or principles, and evaluating an activity in terms of its results. Can we use compliance as an indicator of success?

It is an honour to respond to this report. As an academic working through this report I realised anew that the Public Service Commission (PSC) is an important provider of information and contributor to research on various aspects of the South African public service. I was impressed by the number of research reports produced over the past few years. I was also impressed by the research undergirding the document that we are interrogating. The presentation and style are pleasing as well. The report provides evidence that the public service is, in the main, ready for 2010, although certain things are still to be put in place. As an academic I am not only interested in using the work of the Commission as a source of information and its officers as potential co-researchers, I am also interested in a crazy little thing called *science*. Science – and here we refer to the social sciences in particular – has three aspects we need to focus on today.

First, science is critical. I believe if there were any rationale for getting me to do this first response, it could have been that it leaked out that I am quite a critical person. I am critical enough to say outright that I am not qualified to comment on the accuracy of the report in all its finer details. Others present may contribute from that perspective. The report itself is also critical – an aspect that will be dealt with in more detail later. One example of this the way it deals with public participation. *Public participation* as a concept is used in our discourse today as something that is good without qualification – like apple pie and motherhood. However, the report

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does not shy away from the problems inherent in public participation, for example the tendency for powerful and well-organised groups to drown out other voices (p. 41). One of the advantages of being an academic is that it may be quite acceptable for an academic to say: 'I don't know.' (However, this is a very hard thing for a senior official to say, especially when confronted by a member of cabinet who needs an urgent answer to a specific query.) My critical interrogation of the report in the face of my lack of knowledge must, among others, go to basic assumptions of the report and its context, namely the Public Service Commission, with its powers and functions, as provided for in the current constitution of South Africa.

The second aspect is that science, as a tradition and an enterprise, is not very interested in things that are obvious. Things that you can look up in a few seconds in, say, a telephone directory, would not necessarily excite the scientist. Science is interested in getting hold of knowledge of things that are not obvious. Science is about hard-to-obtain knowledge. That is why many sciences have developed highly sophisticated methods over the centuries to unearth knowledge on difficult topics. That is why many sciences interpose intellectual constructions called *theories* between what they experience and that about which they make pronouncements. I would certainly classify the concept *state of the public service* as complex, and the phenomenon of the state of the public service as so large and intricate, that talking about them in a responsible manner requires many of the values and instruments of science. Although the report does not postulate a theory or operate according to one or other Public Administration theory, the use of the 2010 FIFA World Cup certainly shows strong similarities to theory use in science. The readiness of the public service for 2010, in combination with the principles of section 195 of the Constitution, is used as a conceptual structure to enable the report to grasp the immense complexities of its subject. The truth about the microcosm gives life to the truth about the macrocosm.

This links immediately to the third aspect of science that we need to emphasise, namely that science is objective. This basically means that findings are not determined by our desires, but by the facts – what the case is. This kind of talk is not always fashionable in a postmodern age. Here my simple (if somewhat crude) argument is that anybody who denies the possibility of factual truth is not a candidate to do business with. I believe in the facts and that they can be determined from time to time. Both points about complexity and objectivity bring to the fore a possible dissonance between the world of the official in a democratic state and the world of the scientific researcher. This is caused by the nature of democracy, where the so-called truth is transmitted by 30-second sound bites on the electronic media, and where the appearance of things to the many is more important than the truth. Simplicity is essential when politicians communicate with their voters. Officials are

in an especially difficult situation, because they work for politicians who expect the facts to conform to the party line.

The first question an academic will then ask of this *State of the public service report*, is whether the Public Service Commission was successful in maintaining objectivity and independence from its social environment: in the words of the Constitution, whether the commission was independent and did its work ‘without fear or prejudice’ and whether other organs of state did their best to ‘ensure the independence, impartiality, dignity and effectiveness of the Commission’. As a footnote I would like to add that not interfering with the work of the PSC is one thing, but giving the commission real powers is quite a different matter. A public service commission may be free to criticise a government, but that does not help much if it is unable to block unsuitable appointments.

Be that as it may, a crude but probably quite effective way of testing the objectivity of this report is to determine whether the executive authority and the public service are indeed criticised in the report. This happens in several places. Some of the criticism pertains to the executive authority, but mostly it is the public service that comes under the cosh. The most severe criticism falls under the heading of Principle 1 (The promotion and maintenance of a high standard of professional ethics) and Principle 6 (Public administration must be accountable). In the first case, the report (p. 11 et seq) sharply criticises the public sector for its handling of cases of misconduct, where lenient sanction and lack of urgency in following cases to their logical conclusion seem to be the order of the day. Acts of financial misconduct reported by departments appear to be on the increase. It is also pointed out that senior managers appear to have a greater propensity to commit financial misconduct than the other echelons. This situation points to a serious risk in connection with contracts pertaining to the 2010 FIFA World Cup. It also raises pertinent questions as to the way senior officials have been appointed. A statistic presented by the report in this regard, that amazed me, is the fact that the proportion of officials in the senior management service who had directorships and partnerships that could result in potential conflicts of interest ranged from 45 to 72 per cent over a number of years investigated (p. 15). As a footnote I would like to add that maintaining a high standard of professional ethics is about more than maintaining honesty and probity where money is concerned.

In the second case, namely that of Principle 6 (regarding accountability), the report brings forth criticism of the executive authority’s lack of seriousness with regard to the performance assessment of, for example, heads of departments. It points out that over the years a good percentage of heads of departments have not submitted their performance agreements, and even where these have been submitted their quality could be suspect (p. 46 et seq). So, the report is definitely not a whitewash. It does

exhibit objectivity, but within the box, so to speak. The question arises whether a Public Service Commission should not also criticise the box itself – that is, policies or patterns that seem to be the cause of some of the problems identified. The report seems to proceed from the assumption that government policies and procedures are correct, and the public service is to be evaluated in terms of the degree of compliance to those policies as these are subsumed under the constitutional principles.

Let us look again at the last point, where the report is critical of the status quo in terms of Principle 6, namely the lack of compliance with the policies and procedures regarding the submission of performance agreements by heads of departments. Is it not perhaps possible that some of those heads of departments who did not negotiate and submit their performance agreements were, in fact, so busy managing the production outputs for the public that they did not get around to complying with the procedures? It is a fact of life that complying with a procedure is not the same as achieving success. In fact, the old bureaucratic mindset that we have left behind is purportedly the one that focuses on compliance rather than outputs. The question arises whether there is another possible structure for such a *State of the public service report* that does not work on the basis of compliance or adhering to principle, but rather on real impact or results. In fact, there is. We find this in various provisions of the Public Finance Management Act (PFMA). When a department's budget is submitted to the legislature, it must be accompanied by a list of measurable objectives that will be achieved through the use of the budgeted money. The Act also provides that the accounting officer must report on the achievement of these objectives at the end of the year. The budget documentation at [www.treasury.gov.za](http://www.treasury.gov.za) indeed provides information, among others, under the heading of *performance and operations indicators*. There is also a heading *objectives and measures* for line programmes in the documentation.

My suggestion is that the Commission investigate the possibility of taking the budget documentation available at the Treasury – specifically the Estimates of National Expenditure – as a basis for compiling some of these reports in future. In this way results rather than compliance will determine the evaluation. Ironically, this will be in line with Principle 2 as far as it pertains to the effectiveness of resources.

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## REFERENCE

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