

**AN ANALYSIS OF THE THEORY AND PRACTICE OF
GOVERNANCE IN THE KWAZULU-NATAL
PROVINCIAL AUTHORITY**

by

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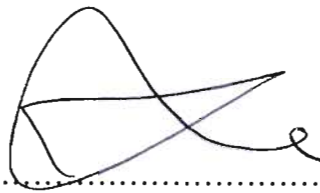
DEDICATION

This thesis is dedicated to my parents, my mother **SIPHIWE NZIMAKWE** and my late father **DECEMBER LELELE NZIMAKWE**. May this work be a source of inspiration to my family and a blessing to my parents for their unconditional love and hard work which created the person I am today.

DECLARATION

I, **THOKOZANI IAN NZIMAKWE**, do hereby declare that this thesis, which is submitted to the University of KwaZulu-Natal for the degree of Doctor of Administration, has not previously been submitted by me for a degree at any other university. This thesis represents my own work in conception and execution and all sources which I have quoted have been acknowledged by means of a complete reference.

Signed by me on.....11 MARCH 2005

Signature.....

ABSTRACT

South Africa's negotiated settlement and its transition to a democratically elected government has often been referred to as a small miracle. Despite that, the country faces major governance challenges, i.e. it has to embark on a comprehensive governance programme. The main aim of this study is to discuss and review the state of governance in the province of KwaZulu-Natal.

The concept of governance has a broader relevance than the narrow and traditional term of government. The latter refers conventionally to the actions of a narrow set of government institutions. On the other hand, however, governance encompasses a wider range of issues and actors and the interactions among them. The interest in and importance of governance has followed a longer interest in the concept of civil society.

With the advent of democracy, the South African government, together with its nine provincial administrations, has committed itself to maintaining and working with civil society structures. The design and implementation of public sector projects increasingly reflect a partnership approach between government at all levels, the private sector and civil society.

One aspect of governance in South Africa, which this study has also paid some attention to, is what is called good governance. One hallmark of the new Constitution is that a decentralised political system has been created which allows opportunities for wider consultation and participation by civil society, public sector, and the private sector in promoting good governance.

This research is motivated by theoretical and practical concerns. It has attempted to cast light on governance issues of KwaZulu-Natal Provincial Authority by identifying some important and common dynamics of governance processes within this province. Further it has attempted to show how general principles of good governance can guide legislators, public officials, the private sector and civil society as they continue to grapple with governance challenges.

The study has revealed that essentially there are four suggested properties of governance:

Firstly, it is the degree of trust that exists between classes, clans and political elites about the nature, purpose and the rules of socio-political interactions and practices. Without trust, individuals and organised interest groups will see no reason to actively engage in public life.

The second element is the extent to which there are effective relations of reciprocity in the public realm. Reciprocity exists if associations and parties are allowed to form, to defend and promote stakeholder interests within the public realm via political competition, pressure, negotiations and conflict resolution.

The third element is the degree of accountability, i.e. whether the governors can be held accountable by the governed via institutionalised procedures and processes. This cannot be sustained over time without the eventual implementation of structures of accountability and trust across society.

Fourthly, the nature of authority, i.e. how political leaders make policies and implement them in a way that resolves the problems of ordinary citizens and promotes the legitimacy of the public realm – what many in South Africa refer to as the capacity to govern.

The conclusion drawn from this study is that if a government wants to promote and practise good governance, it must try to involve all stakeholders, namely civil society, public officials and the business sector, when making decisions concerning the delivery of services. This requires consultation with these stakeholders or their representatives. Leaders in politics, government institutions, private sector and civil society should announce good governance as the only option. Given that governance involves a number of new challenges for everyone, the researcher examined how each segment can contribute to the practice of good governance in the province.

The study has identified the quest for good governance as the most formidable challenge, not only facing the KwaZulu-Natal Provincial Authority, but also the country as a whole. All concerned are urged to find ways and means of reversing the trend towards declining governability and institutional decay.

In the final analysis the following recommendations were made:

- Good governance must result in better delivery of services;
- Good governance programmes must change society for the better;
- To promote good governance, the KwaZulu-Natal Provincial Authority must consistently implement growth-oriented and market-friendly economic policies;
- Legislators must ensure that there are mechanisms for enforcing accountability and transparency; and
- Government must encourage citizen participation, and governance must be undertaken to improve the general welfare of a society.

LIST OF ACRONYMS

AAPAM	African Association for Public Administration and Management
ACDP	African Christian Democratic Party
ANC	African National Congress
Constitution	Constitution of the Republic of South Africa, 1996 (Act 108 of 1996)
DA	Democratic Alliance
ECA	Economic Commission for Africa
EU	European Union
IFP	Inkatha Freedom Party
KZN	KwaZulu-Natal province
MF	Minority Front
NGOs	Non Government Organisations
NEPAD	New Partnership for Africa's Development
NNP	New National Party
NPM	New Public Management
OECD	Organisation for Economic Co-operation and Economic Development
PFMA	Public Finance Management Act (Act 1 of 1999)
PRC	Presidential Review Commission
PSC	Public Service Commission
RDP	Reconstruction and Development Programme
RSA	Republic of South Africa
SAMDI	South African Management Development Institute
SANGOCO	South African Non Governmental Organisations Coalition
UDM	United Democratic Movement
UNDP	United Nations Development Programme
UNECA	United Nations Economic Commission for Africa

UNESCAP	United Nations Economic and Social Commission for Asia and the Pacific
WTO	World Trade Organisation

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CHAPTER 1

INTRODUCTION AND OVERVIEW OF THE STUDY

1.1 INTRODUCTION

People want good government and good government means that the government must satisfy the public's needs optimally. Effective and efficient government demands good governance and good governance must be based on sound principles.

Governance is aimed at promoting efficiency and effectiveness in the administration and management of the government machinery. Therefore there must be adherence to administrative and service standards.

Since governance is the process of decision-making and the process by which decisions are implemented, an analysis of governance focuses on the formal and informal actors involved in decision-making and implementing the decisions made and the formal and informal structures that have been set in place to arrive at and implement the decision.

Government is one of the participants in governance. Other actors involved in governance vary depending on the level of government that is under discussion. In rural areas, for example, other actors may include influential landlords, associations of peasant farmers, co-operatives, non-governmental organisations, religious and traditional leaders.

This research study focused on governance and examined all aspects of governance. Good or successful practices will be highlighted.

The aim of this chapter is to provide the background and overview of this study. The chapter also looks at the aims and objectives of the study, the hypothesis, the framework of the chapters and the research approach and methods used.

1.2 BACKGROUND OF THE STUDY

The growing literature on governance is attempting to capture the shift in thinking that is taking place across the globe about the nature of the state and its relationship with society.

If **government** refers to regulating society and administering services on a small scale, **governance** refers to working with and listening to citizens as individuals, interest groups and society as a whole. Governance involves active co-operation and ongoing engagement in the process of policy formulation and implementation between politicians, senior management, frontline workers, and citizens. Such engagement serves to ensure that:

- Institutional structures enable the public to exercise a meaningful say;
- The workforce responds to citizen needs;
- Politicians are not reduced to rubber stamping proposals written by technical experts.

The policy process is the practical mechanism through which this concept of governance is realised. Governance is about forging relationships and listening to all groupings, while government is

about a mandate to make decisions on a range of issues with the focus on the public.

Government is an institution made up of individuals elected for a specific period to guide and administer the various affairs of state. Its administrative arm assists the political component of government. If government wants to administer effectively, it will recognise that the manner in which it exercises its mandate or authority is as important as the mandate itself.

The essence of governance is how a segment of government relates to its constituency. Government will need to deal with civil society as a whole in pursuit of good governance and broader delivery and developmental goals. Government not only interacts with the organisations of civil society, but must also mediate conflict, which might arise between these organisations over claims on public resources.

1.3 HYPOTHESIS

The study has generated the following **hypotheses** which are relevant to this research:

- People of KwaZulu-Natal are skeptical about the practice of governance in the province as practiced by legislators.
- The KwaZulu-Natal Provincial Authority has undertaken a substantial clean-up of its administration as a way of improving governance.
- The theory of good governance is not being practiced in the KwaZulu-Natal Provincial Authority.

The three hypotheses that were generated by the study were tested through research that was conducted in the KwaZulu-Natal province and the findings are presented in chapter 6 of this study. The study was aimed at investigating whether these three hypotheses could be substantiated or not.

1.4 OBJECTIVES OF THE STUDY

The broad objective of this study is to review and discuss the state of governance in the KwaZulu-Natal Provincial Authority. This includes pointing out its indicators and benefits, and to make recommendations on strategies for promoting and safeguarding good governance.

The **objectives** of this study which will help achieve the research goal are:

- To analyse the theoretical and practical foundations of governance;
- To identify and analyse the positive and negative aspects of governance;
- To determine what roles legislators, public officials, the private sector, and civil society can play in promoting good governance;
- To recommend practices that can be taken by the KwaZulu-Natal Provincial Authority to implement a programme of good governance.

Emanating from the above objectives, the study will aim to answer the following **key questions** pertaining to this research:

- To what extent are the principles and foundations of governance understood and applied in the KwaZulu-Natal Provincial Authority?
- What policies and management approaches have been developed to promote governance?
- What factors promote and hinder good governance?
- How do South African principles of governance and practice compare and contrast with other African states?

1.5 FRAMEWORK OF CHAPTERS

This research is divided into 3 sections made up of 7 chapters.

Section A deals with the theoretical perspectives of governance

Section B deals with the historical perspective.

Section C deals with the empirical study.

SECTION A

Chapter 1 deals with the introductory background and overview, objectives of the study, the hypotheses, research approach and methods used, the framework of the chapters and the definition of key concepts.

Chapter 2 explores the concept of governance in relation to public administration. It looks at the characteristics, core indicators of governance, the role and rationale of governance, citizen participation in governance and the role of transparency in governance.

The nature and characteristics of good governance is the leading theme of **Chapter 3**. The chapter highlights the meaning of good governance, objectives, principles, characteristics, and indicators of good governance. There is also a discussion on measures to enhance good governance, the relationship between *Batho Pele* principles and good governance and a discussion on institutions developed to enhance good governance.

SECTION B

Chapter 4 deals with the historical development of national, provincial and local authorities in South Africa. Governance and good governance is practiced at these levels of government.

Chapter 5 describes the objectives of the study, the research design and the research methodology used in this research study, questionnaire structure and design, research instruments used to collect data and the sampling procedure.

SECTION C

Chapter 6 deals with the empirical study, data analysis and the interpretation of results. All the data collected is analysed

Chapter 7 concludes this research study by making recommendations for improving and promoting good governance in the KwaZulu-Natal Provincial Authority. There are general and specific recommendations proposed.

1.6 RESEARCH APPROACH AND METHODS

Two research methods were used in this study, namely qualitative and quantitative research methods.

Methodology, according to Frankfort-Nachmias & Nachmias (1992: 554), is a system of explicit rules and procedures on which research is based and against which claims of knowledge are evaluated.

Qualitative research is used to answer questions about the complex nature of phenomena, often with the purpose of describing and understanding the phenomena from the participants' point of view (Leedy & Ormrod, 2001: 101).

Quantitative research is typically used to answer questions about relationships among measured variables with the purpose of explaining, predicting, and controlling phenomena (Leedy & Ormrod, 2001: 101).

1.7 DEFINITION OF KEY TERMS

The glossary of terms is provided to clarify some of the terminology used in governance in South Africa.

BATHO PELE and UMPHAKATHI PHAMBILI

The White Paper on Transforming Public Service Delivery is also known as the *Batho Pele* White Paper of 1995. "*Batho Pele*" is *Sesotho* for "people first". In KwaZulu-Natal with its predominantly Zulu speaking population, *Batho Pele* is often referred to as "*Umphakathi Phambili*" meaning "community first".

PRINCIPLES OF SERVICE DELIVERY (*BATHO PELE* PRINCIPLES)

The *Batho Pele* White Paper contains eight principles of service delivery which describe the way in which services need to be provided to the community. The eight principles cover consultation, service standards, access, courtesy, information, openness and transparency, redress and value for money.

PROVINCIAL GROWTH AND DEVELOPMENT STRATEGY (PGDS)

This strategy was compiled jointly by all stakeholders, including government, business, labour and the communities. The Strategy articulates the KwaZulu-Natal 2020 Vision and focuses on the following areas: trade and tourism, local economic development, advancing the industrial sector, enhancing human resources, formulation of an appropriate spatial framework, addressing the needs of the poor and ensuring that the three tiers of government facilitate the implementation of this strategy.

PRICEWATERHOUSECOOPERS PREMIER'S GOOD GOVERNANCE AWARDS

This is a prestigious non-monetary awards scheme introduced in the KwaZulu-Natal Provincial Administration and is aimed at recognising service excellence. These awards are based on the achievement of certain minimum standards in service delivery. The minimum standards are, in turn, based on the *Batho Pele* principles as contained in the White Paper of 1995.

PROGRAMME FOR GOOD GOVERNANCE

This Programme was launched in 1995 under the leadership of the Premier and Cabinet of KwaZulu-Natal as the vehicle through which transformation of the Provincial Administration would be achieved. As the Chief Executive of the Provincial Administration, the Director-General is responsible for driving the transformation programme. The Programme for Good Governance has become the overarching programme under which all the various transformation initiatives in the Province are carried out and is completely aligned with all aspects of the public service regulatory framework.

1.8 SCOPE AND LIMITATIONS OF THE STUDY

There will always be limitations in any research undertaken. In this study the difficulties were experienced during the empirical study. The sensitive nature of the study resulted in difficulty with getting information/ responses from the respondents.

Personal interviews and questionnaires were administered to different samples. The following problems were encountered:

- Some of the legislators did not co-operate during the administration of questionnaires.
- Some of the public officials did not fully understand the concept of governance as is practiced in this province.
- People in the private sector were reluctant to answer questions as they thought governance matters were only the concern of legislators (politicians).

1.9 SUMMARY

Governance has emerged as a key focus worldwide. Governing and governance are not considered by public administration scholars as a relation or process between a governing actor (the state) on the one hand and a to-be governed object (society) on the other. This is rather considered as a relation or interaction between two or more acting subjects.

The issue of governance deserves to be debated rigorously. This is because it relates to the institutions of political power and raises the whole matter of the political condition for environmentally sustainable economic development. If the government machinery is not commanded by competent people, it is not going to be easy to ensure good governance. Competent people and an incentive framework should be recognised as important elements of governance.

The South African government has committed itself to participatory democracy. This allows for the maximum degree of citizen participation in the governance and administration of the country. Such an arrangement affords inhabitants a say in South Africa's governance and administration. An important feature of this is what is known as co-operative governance. Co-operative governance seeks to establish new ways in which institutions and structures of government at all tiers deal with, and relate to, one another and to the citizens they serve. This is intended to be a means of enhancing governance. This also enhances the efficiency of government structures in the context of the political, social and economic realities.

The aim of this chapter was to discuss the aims and objectives of the study, background of the study, hypothesis and the framework of chapters. The next chapter discusses the concept of governance, looking at the nature, meaning and characteristics of governance.

CHAPTER 2

THE CONCEPT OF GOVERNANCE

2.1 INTRODUCTION

Public administration is recognised as a distinctive field of work because of the requirement that those who practise public administration (political office-bearers and public officials) in a democratic state have to respect specific guidelines (sometimes referred to as tenets or principles) that govern their conduct when carrying out their work.

Cloete (1998: 91) is of the view that these guidelines are derived from the body politic of the state and prevailing values of society, and therefore are the foundations of public administration. As such, the guidelines should indeed provide the content values for the ethos and culture of government and public administration in a democratic state.

Such values will enhance governance in a democratic state and will ensure that the concerns of those who are governed are always upheld. Observance of the guidelines should keep the legislatures from passing questionable enactments, the governmental office-bearers from practicing misgovernment, and the officials from committing maladministration.

Embedded in the *Constitution of the Republic of South Africa*, 1996 (Act 108 of 1996) are the principles and foundations of Public Administration, which include governance. In terms of the

Constitution all spheres of government and all organs of state within each sphere must secure the well-being of the Republic, and implement effective, transparent, accountable and coherent governance for the Republic as a whole.

The initial part of this chapter discusses the relationship between governance and public administration and management. An exposition of various terms, concepts, dimensions and processes that underpin governance follows. The chapter also looks at the core indicators of governance, role and rationale of governance, capacity for sustainable governance, and the role of citizen participation in governance. The last section of this chapter examines statutory guidelines regulating transparency in governance and the issue of governance in the context of Africa.

2.2 GOVERNANCE AND PUBLIC ADMINISTRATION

It can be argued that over the years the study of Public Administration has seen many trends come and go. Public Administration currently focuses on the fashionable notion of 'governance'. Rhodes (*in* Pierre, 2000: 54) asks what governance tells us about the challenges facing the study and practice of Public Administration.

Governance is therefore part of the fight back. Governance literature grapples with the changing role of the state after the varied public sector reforms of the 1980s and 1990s. "Long concerned with the design of public institutions, especially with creating efficient and democratically controlled bureaucracies, public administration found its prescriptions roundly rejected for private sector management skills and marketisation" (Rhodes *in* Pierre, 2000: 54).

2.2.1 Public administration system

The active role played by political, business, government and civil organisations in the social, political and economic spheres, has significant consequences for the functioning of the public administration systems and governance (Adamolekun, 1999:6). Nurturing and deepening partnerships between various organisations to promote governance is one of the main challenges that public administration will face in the next decade and beyond.

Governance, and good governance in particular, can contribute to the development and strengthening of public administration capacity. The main elements of governance, namely rule of law, freedom of expression and association, electoral legitimacy, accountability and transparency and development-oriented leadership, also contribute to such development. The dynamics of these governance elements contribute to an environment where current public administration radically differs from that of the unaccountable, opaque and unresponsive environment of the past era. Adjusting to this new governance context is one of the major challenges for the public administration in African countries in the 21st century and beyond (Adamolekun, 1999:11).

Adamolekun (1999:11) argues that... “it would be reasonable to expect that a public administration system that functions in an environment of transparency, with officials fully aware that they would be held accountable for their actions, is likely to perform more efficiently and effectively than one that operates in opaque environment and where the governors are not accountable to the governed.”

The public administration system as an instrument of governance is critical to any country's future challenges. According to Adamolekun (1999:194) two distinctive features of this system have recurred in the literature: *liberal democracy* and *pragmatism*. The first (*liberal democracy*) has helped to ensure an environment conducive to the effective performance of the administrative system. The other (*pragmatism*) defines a country's economic orientation, which is one of a tactical but firm dedication to the principle that ends should be dictated by realistic means.

The electoral legitimacy of a government and its accountability to parliament constitute two key elements of the governance environment within which the public administration system operates.

2.2.2 Five versions of 'Governance'

According to Hirst (*in* Pierre, 2000: 14-19) there are at least five versions of governance that are relevant to the study of Public Administration. The term governance is used in five main areas:

Firstly, governance seems to have gained currency in the field of economic development, with the widespread advocacy by international developmental agencies and western governments of 'good governance' as a necessary component of effective economic modernisation. The World Bank, for example, has been a leading advocate of promoting good governance by attaching various compliance conditions to its loans.

According to Hirst (*in* Pierre, 2000: 14) good governance, therefore, means creating an effective political framework conducive to private economic actions, stable regimes, the rule of law, efficient state administration adapted to the roles that governments can actually

perform and strong civil society independent of the state. Democracy is valuable in this context if it provides legitimation for good governance. Multi-party competition and free elections are valuable in preventing cronyism and corruption and in building public support for development strategies. This is possible only if parties avoid extremism and play the political game by the appropriate liberal rules. Government is thus good provided that the state limits the scope of its action to what it has the capacity to accomplish.

The good governance strategy is based on creating in non-western developing countries a clear separation between a limited state and a largely self-regulating civil society and market economy.

The **second** main use of the concept of governance is in the field of international institutions and regimes. It is widely recognised that certain important problems cannot be controlled or contained by action at the level of national states alone.

The use of governance is further explained thus... “the recognition of the possibility of ‘governance without government’, of international regimes and the growth of private governmental practices and the ‘retreat of the state’ has led to extensive discussion of the role of international agencies and inter-state agreements and common commercial governmental practices (like arbitration) as methods of governance” Hirst (*in* Pierre, 2000: 15).

Some scholars have sought to highlight the consequences of the internationalisation of social and economic life for democracy. They have pointed out that democracy is threatened with being confined to the national level where it is no longer effective in controlling the full agenda of issues that ought to be within the scope of democratic decisions.

The **third** usage of the concept of governance is that of 'corporate governance'. '*Corporate governance*' is the watchword of those who wish to improve the accountability and transparency of the actions of management, but without fundamentally altering the basic structure of firms in which indifferent shareholders are the principal beneficiaries of the company. Management claims to make policy on their behalf, whilst not being subject to the constraint of the active voice of investors or any other affected interest (Hirst *in* Pierre, 2000: 17).

The fact that there is a large and growing legitimacy crisis for companies is a problem with the conventional view that corporate governance can be remedied by some modest tinkering. The argument about corporate governance as it is presently conducted has no way of either accommodating or protecting politically, the interests of stakeholders, other than shareholders.

The **fourth** usage of the concept of governance relates to the growth of new public management strategies since the early 1980s. These raise issues of governance in respect of the two main strands of policy toward public administration and the public sector generally.

The first issue arises from the privatisation of publicly owned industries and public services, and the consequent need for regulating service providers to ensure service quality and compliance with contractual terms. The second results from the introduction of commercial practices and management styles within the public sector, devolving services to agencies that are self-managing within overall policy guidelines and service targets. This generates a new model of public services, distinct from that of public administration under hierarchical control and directly answerable to elected officials (Hirst *in* Pierre, 2000:18).

The **fifth** usage of governance relates to the new practices of co-ordinating activities through networks, partnerships, and deliberative forums that have grown up on the ruins of the more centralised and hierarchical corporatist representation of the period up to the 1970s. Such negotiated social governance is growing in salience; typically it is to be found at micro-level in cities, regions and industrial sectors. Hirst's view (*in* Pierre, 2000: 19) is that it embraces a diverse range of stakeholders: labour unions, trade associations, firms, NGOs, local authority representatives, social entrepreneurs and community groups.

2.3 MEANING AND CHARACTERISTICS OF GOVERNANCE

Currently the terms 'governance' and 'good governance' are being increasingly used in development literature. Bad governance is being increasingly regarded as one of the root causes of evil that is within our societies. Major donors and international financial institutions are increasingly basing their aid and loans on the condition that reforms that ensure 'good governance' are undertaken.

The concept of 'governance' is not new. It is as old as human civilisation. Simply put, 'governance' means: **the process of decision-making and the process by which decisions are implemented (or not implemented)**. Governance can be used in several contexts such as corporate governance, international governance, national governance and local governance (UNESCAP, 2002: Online).

Before exploring the concept of governance, it is advisable to provide the definitions and meaning of governance.

2.3.1 Definitions of governance

Governance is the mode/manner or style of governing. For example, governance in a democratic state should be characterised by integration of the roles of the public institutions and the civil society institutions (Cloete, 1995: 34).

Fitzgerald *et al* (1997: 491) describe governance as “working and listening to citizens in order to manage the public’s resources and respond to the needs and expectations of citizens as individuals, interest groups, and society as a whole”.

Governance means “administering in a political context” and directing competence toward the “broadest possible public interest.” This includes competence in sustaining “the agency perspective” and “the constitutional governance process” (Green & Hubbell, 1996: 38).

By governance means “the exercise of political power to manage a nation’s affairs” (Adamolekun, 1999: 3).

Governance refers to the activity, process or quality of governing and to the process of making collective decisions, a task in which government may not play a leading role (Kooiman *quoted by* Sing, 1999: 92).

Governance, according to the African Association of Public Administration and Management (AAPAM), is the totality of how people organise and manage the way they co-exist with one another in a mutually beneficial way. It is about institutionalising appropriate combinations of culture, structures and mode of behaviour that society needs for effective co-existence (AAPAM Report, 2000: 12).

According to the Economic Commission for Africa (ECA) Report, governance is generally defined as the use of political, economic and administrative authority and resources to manage a nation's affairs (ECA Report, 1999: 1).

Vil-Nkomo (*in* Wessels and Pauw, 1999: 97) maintains that the United Nations Development Programme (UNDP) in its policy document suggests governance as a vehicle to advance citizen participation in the public service and public sector reform and transformation. It defines governance as

“the exercise of political, economic and administrative authority in the management of a country's affairs at all levels. Governance comprises the complex mechanisms, processes and institutions through which citizens and groups articulate their interests, mediate their differences and exercise their legal rights and obligations.”

Governance points not to the structures of government, but to the policies that are made and to the effectiveness with which they are carried out (Kooiman *in* Auriacombe, 1999: 135). There are many different ways in which governance is defined and applied. Auriacombe (1999: 135) maintains that the common elements in governance are the emphasis on rules and qualities of systems, co-operation to enhance legitimacy and effectiveness and the attention on new processes and public-private arrangements

The Commission on Global Governance asserted in 1995 that governance “is the sum of the many ways individuals and institutions, public and private, manage their common affairs. It is a continuing process through which conflict or diverse interests may be accommodated and co-operative action may be taken. It includes formal institutions and regimes empowered to enforce compliance, as

well as informal arrangements that people and institutions either have agreed to or perceive to be in their interests.” (Nossal, 1999: 1).

According to Fox and Meyer (1996: 55) governance in broad terms refers to the ordering of a group, community or society by a public authority. The purposes of governance include the maintenance of law and order, the defence of society against external enemies and the advancement of what is thought to be the welfare of the group, community or state itself. Governance is possible only as long as governments manage to enforce their will.

The Chambers Dictionary (1993: 724) says governance is ...government; control; direction; behaviour.

Governance means *government, control, or authority; is the action, manner, or system of governing* (Collins Dictionary, 1989: 534).

The Concise Oxford Dictionary (1990: 511) says governance ...is the act or manner of governing; the office or function of governing; sway or control. Reference is also made to governance being defined as how people are ruled and how the affairs of a state are administered and regulated (Streeten *quoted by* Sing, 1999: 90).

Du Toit *et al* (2002:64) define governance can be defined as the connections and interactions between national, provincial and local authorities and the public they serve. Good, stable and regular connections and interactions between authorities on all levels of government and the publics they serve are good examples of governance. They promote responsiveness and are indicative of proactive decisions and actions. The notion of a variety of forums involved in various aspects of community affairs is a good example of innovative governance in South Africa.

Kruiter (1996: 4) says the term governance is used as referring to ‘the process’ of accountable government as set within particular historical conditions.

Baral (*quoted by* Sing 1999: 91) asserts that governance is a process of political management that aims at maintaining order, ensuring popular legitimacy and responding to problems through appropriate mechanisms and strategies. Sing (1999: 91) is of the view that this explanation is further enhanced by a United Nations Development Programme (UNDP) discussion paper, which states that governance is the exercise of political, economic and administrative authority to manage a nation’s affairs. It is further stated that governance is the complex mechanisms, processes, relationships and institutions through which citizens and groups articulate their interests, exercise their rights and obligations and mediate their differences.

The concept of governance refers to the role of the state in society. Frischtak (*quoted by* Cloete 1999a: 8) says “like other social sciences concepts, it can and has at different times been used either descriptively or in a prescriptive way. It is a relatively new concept, which has evolved only over the past few years out of the traditional public administration concept of governing.”

According to Cloete (1999a: 8) governance developed out of the descriptive, positivist public management school of thought which originally sought to give new meaning to the traditional role of government in society by focusing on the effectiveness and efficiency of the outputs and outcomes of governmental decisions and actions. It can then be stated that governance implies the actions that are undertaken to improve the general welfare of a society by means of the services delivered.

From the above descriptions of the meaning of the word 'governance', Du Toit *et al* (2002:64) say it can be deduced that governance implies the actions undertaken to improve the general welfare of a society by means of the services delivered. This deduction further implies that priorities have been determined. The different departments that are created in a state reflect these priorities, for example, a department responsible for the provision of housing to the poor, health and welfare services, or a department responsible for the provision of education services.

2.3.2 Seven definitions of governance

According to Rhodes (*in* Pierre, 2000: 55) the word governance can be used as a blanket term to signify a change in the meaning of government, often focusing on the extent and form of public intervention and the use of markets to deliver 'public' services. According to him there are seven definitions of governance:

2.3.2.1 Governance as Corporate Governance

This use refers to the way in which business corporations are directed and controlled. Recently it has been 'translated' for the public sector by some private sector institutions, which want to see more efficient governance in the public sector. Their reports argue for 'a more commercial style of management' to bring about 'a different culture and climate'.

This 'departure from the traditional public service "ethos"' means the public service must exercise 'extra vigilance and care to ensure that sound systems of corporate governance are both set in place and work in practice'. They recommend

openness or the disclosure of information; integrity or straightforward dealing and completeness; and accountability or holding individuals responsible for their actions by a clear allocation of responsibilities and clearly defined roles (Rhodes *in* Pierre, 2000: 56).

2.3.2.2 Governance as the New Public Management

Initially the 'new public management' (NPM) had two meanings: corporate management and marketisation. Corporate management refers to the introduction of private sector management methods to the public sector through performance measures, managing by results, value for money, and closeness to the customer. Marketisation refers to the introduction of incentive structures into the public service provision through contracting-out, quasi-markets, and consumer choice (Rhodes *in* Pierre, 2000: 56).

According to Rhodes (*in* Pierre, 2000: 57-58) NPM is relevant to this discussion of governance because steering is central to the analysis of public management and steering is a synonym for governance. Governance signals both the importance of several variants – the market, participatory, temporary, and regulatory states – and their concern with the new public management.

2.3.2.3 Governance as 'Good Governance'

Government reform is a worldwide trend and 'good governance' is the latest flavour of the month for the international agencies such as the World Bank shaping its lending policy towards third world countries. Three ideas to good governance have been identified: *systemic*, *political*, and *administrative*. The *systemic* use of governance is broader than government covering the 'distribution of both internal and external political

and economic power'. The *political* use of governance refers to 'a state enjoying both legitimacy and authority, derived from a democratic mandate'. The *administrative* use refers to 'an efficient, open accountable and audited public service' (Rhodes *in* Pierre, 2000: 57).

To achieve efficiency in the public services, the World Bank seeks to: encourage competition and markets; privatise public enterprise; reform the civil service by reducing over-staffing; introduce budgetary discipline; decentralise administration; and make greater use of non-governmental organisations (Rhodes *in* Pierre, 2000: 57).

2.3.2.4 Governance as International Interdependence

There is a growing literature on governance in the fields of international relations and international political economy. But, according to Rhodes (*in* Pierre, 2000: 57), two ideas of this literature are directly relevant to the study of Public Administration: hollowing-out; and multilevel governance.

The hollowing-out thesis argues that international interdependencies erode the authority of the state. There are four processes which limit the autonomy of nation states: the internationalisation of production and financial transactions; international organisations; international law; and hegemonic powers and power blocs. Multilevel governance suggests links between the national ministries and local and regional authorities. It is a specific example of the impact of international interdependencies on the state.

2.3.2.5 Governance as a Socio-Cybernetic System

The socio-cybernetic approach highlights the limits to governing by a central actor, claiming there is no longer a single sovereign authority. In its place there is a great variety of role-players specific to each policy area; interdependence among these social-political-administrative role-players; shared goals; blurred boundaries between public, private and voluntary sectors; and multiplying and new forms of action, intervention and control. Governance is the result of interactive social-political forms of governing (Rhodes *in* Pierre, 2000: 58).

2.3.2.6 Governance as the New Political Economy

The new political economy approach to governance re-examines the government of the economy and the interrelationships between civil society, state, and the market economy as these boundaries become blurred.

For others governance refers to ‘the political and economic processes that coordinate activity among economic actors’. They explore the ‘transformation of the institutions that govern economic activity’ by focusing on the ‘emergence and rearrangement’ of several institutional forms of governance. They identify six ideal mechanisms of governance, namely: markets, obligational networks, hierarchy, monitoring, promotional networks, and associations (Rhodes *in* Pierre, 2000: 59).

2.3.2.7 Governance as Networks

In Rhodes’s assessment (*in* Pierre, 2000: 60) networks are the analytical heart of the nation of governance in the study of

Public Administration. Other key characteristics which define governance include diplomacy, reciprocity and interdependence. More important, however, is that this use of governance also suggests that networks are *self-organising*. At its simplest, self-organising means a network is autonomous and self-governing.

2.3.3 The meaning of governance

Governance as a concept and phenomenon continues to permeate the context and environment of public administration. Scholars and researchers will continue to grapple with the challenges emanating from this concept.

Governance is not about 'means' and 'ends' that can be divided into parts that people easily agree upon. Rather, according to AAPAM (2000: 12) it is "the intricate process whereby the way things are done are as important as their outcome, and one in which human beings are caught in constant disagreement over what is good or not good in the context of prevailing realities."

The concept of governance comprises two distinct but inextricably intertwined dimensions. One is political, and relates to the commitment of the system to participation, equity and legitimacy. The other is technical, and relates to issues of efficiency of the public management system (ECA, 1999: 2).

Sing's view (1999: 90) is that governance is both an illusive and multi-faceted concept. Its broad and sometimes vague nature has generated controversy among scholars, researchers, public representatives and public officials, and ideas about and definitions of governance appear in a wide range of contexts.

Governance, according to Van Niekerk *et al* (2002: 305-306), means the connections and interactions between central, provincial, and local authorities and their publics. Several contributors reinforce the importance of this new term. They argue that connections and interactions between local authorities and their publics are of interest, and are the best examples of governance, as opposed to the static analysis that has been conventionally applied when studying local government.

The concept of governance is an innovation of the new South Africa (Van Niekerk *et al*, 2002: 306). The notion of forums is a good example of innovative governance in South Africa. Forums have been accorded a critical role in the process of change, initially at national level and then locally through the provision of a transitional act now being implemented and amended.

Local governance, in essence, follows a pattern established in other fields where forums provided a framework for negotiation in the absence of other channels accepted as legitimate by all parties. The result is that a framework now exists for consultation with stakeholders on an institutional basis (Van Niekerk *et al*, 2002: 306).

A wider meaning of governance is that it relates to the capacity of a nation to provide its citizens with the choice of representation and unhindered participation in decision-making. It is stated that the governing process includes factors such as improvement for the weaker sections of society in order to participate fully in socio-economic issues affecting them, accessibility to centers of power and opportunity to fulfill basic needs, equity and justice (Sing, 1999: 91).

The democratic values of participation, accessibility, equity and justice are regarded as supplementing governance as an endogenous

capacity for self-government, empowerment and problem-solving and involves citizen's participation in the management of their own affairs, respect for life and recognition of human dignity (Dwivedi in Sing, 1999: 91). This meaning of governance relates to the three aspects of governance determined by the World Bank. These aspects are:

- (i) The form of the political regime;
- (ii) The process by which authority is exercised in the management of a country's economic and social resources for development;
- (iii) The capacity of governments to design, formulate and implement policies and discharge functions (Sing, 1999: 91).

According to Jonker *in* Van Niekerk *et al* (2002: 64) governance implies the establishment of government structures within the context of a state, to ensure that services are rendered to communities to ensure that their general welfare and quality of life are promoted.

A more detailed explanation of governance is that it is the sum of many ways that individuals and institutions, public and private, manage their common affairs. It is a continuing process through which conflicting and diverse interests may be accommodated and co-operative action may be taken (Sing, 1999: 92).

Individuals on their own are unable to provide the quantity and quality of services that a government representing the people can provide collectively to the community. In order for government to comply with its purposes and objectives, it is essential that structures be created to give effect to the needs, wants and desires of the people (Jonker *in* Van Niekerk *et al*, 2002: 65).

It is for this reason that the Constitution was drawn up and adopted in South Africa. The Constitution is the supreme or highest law of the country and must be adhered to by all the people of South Africa. A constitution establishes structures of government and specifies the powers the government has in the process of executing its activities. These structures and powers can ensure governance.

2.3.4 Core characteristics of governance

Numerous characteristics of governance, including good governance, can be identified. These can contribute towards achieving a system of improved governance in all spheres of government in South Africa. These include, *inter alia*:

- **Openness and transparency.** This refers to community involvement and consultation regarding the manner in which the people will be governed. According to Van der Waldt (*in* Van Niekerk *et al*, 2002: 119) openness and transparency concern the extent to which the functioning of government institutions is open to public scrutiny. This requires mechanisms to ensure that all public processes and programmes are open to the public.
- **Adherence to the principles contained in the Bill of Rights.** This specifically refers to the principles contained in Chapter 2 of the Constitution of the Republic of South Africa (Act 108 of 1996). In terms of Section 7 the Bill of Rights enshrines the rights of all people in our country and affirms the democratic values of human dignity, equality and freedom. The state must respect, protect, promote and fulfil these rights.

- **Deliberation and consultation.** The foundations of a democracy are based on the ability of politically elected office-bearers to deliberate and consult with the electorate on the issues that affect their daily lives. The need exists to continuously review the manner in which government executes its activities in the best interest of the communities it serves. Deliberation and consultation can assist in ensuring that the true needs, wants, and desires of the people are identified and correctly prioritised.
- **Capacity to act and deliver.** It is imperative that the structures of government are established to ensure that it is able to deliver services in terms of the expectations of the people. Its capacity to act will depend on the structures created to ensure that such delivery takes place. There is a need, therefore, to ensure that all government structures are geared towards achieving the efficient and effective rendering of public services.
- **Efficiency and effectiveness.** Limited resources dictate that government needs to identify, as accurately as possible, the needs of people and to deliver services in an efficient and effective manner in relation to the numerous needs that exist. Continuous review of the manner in which government renders its services is necessary to ensure efficiency and effectiveness.
- **Answerability and accountability.** There is a definite need to ensure that answerability and accountability structures are created in terms of the Constitution. These will ensure that communities are able to call upon their elected representatives to answer and account for the manner in which they perform

their duties. Accountability, according to Cloete (1995: 3), is the duty to answer and report to a higher authority, functionary or institution about the results obtained with the performance of one or more specific functions. Accountability should be seen as a process whereby the subordinates report to their superiors on what they did or failed to do to give effect to responsibilities or orders given to them.

- **Co-operative governance.** Chapter 3 of the Constitution states that in the Republic of South Africa the national, provincial, and local spheres of government are distinctive, interdependent and interrelated. Co-operative governance ensures that duplication is avoided and that co-ordination between the various spheres of government takes place to ensure the optimal use of resources.
- **Distribution of state authority and autonomy.** Autonomy, according to Fox and Meyer (1996: 11), is the degree to which decision-making or a job provides substantial freedom, independence and discretion to the individual or group in scheduling activities and the determination of the operational policies and procedures to be used.

The devolution of power and authority to the lowest spheres of government in ensuring the execution of activities and implementation of policies is essential. It is for this reason that each sphere of government should be in a position to pass legislation that will best serve the interests of communities it represents. In turn, the various organs of civil society have an obligation to identify problems common to the community and to mobilise the community around these issues.

- **Constructively response to the resolution of these problems by engaging the government and business through various forms of action.** Communities need to be capacitated to embark on a process of reconstruction. This will ensure that relationships between civil society and the government are mutually supportive in achieving the common objective of promoting the quality of life of the citizens. The business sector can be required as well to help government respond and solve problems through any form of action.
- **Influence on the manner in which politicians address their basic needs.** This can be achieved through interest groups, pressure groups, non-governmental organisations and community-based organisations.
- **Monitoring of government activities to ensure continuous answerability and accountability.** Numerous independent statutory institutions have been created in terms of Chapter 9 of the Constitution to assist in ensuring answerability and accountability, for example the Auditor-General, the Public Protector, the Human Rights Commission, and the Electoral Commission (Jonker *in* Van Niekerk *et al*, 2002: 65-66). These institutions are discussed broadly in section 2.9.3 of this chapter.

2.3.5 Governance and capability of government

Governance has a lot to do with the capability of a government to govern. Not all governments are effective in performing their functions. Even those that are said to be effective vary in their degree of effectiveness. By the same token, the ineffective ones vary in the degree of their ineffectiveness.

In general, however, the following factors, according to Nnoli (1986:163-164), clearly affect the ability of a government to perform:

- The solidarity of the ruling class: the greater the degree of consensus within the ruling class regarding what is to be done and how it is to be done the greater the effectiveness of the government. Under such conditions the government can devote most of its attention and energy to the task in question and approach it with greater self-confidence. Co-operation among members of the ruling class will also be more forthcoming than otherwise.
- The degree of governmental control over national resources: unless the government has significant control over the resources that it wishes to mobilise to perform a function it becomes difficult for it to perform. It will lack the flexibility to shift the resources around as may be demanded by the task in question.

This is partly the reason for governmental ineffectiveness in Africa; foreign companies, whose orientations are first and foremost toward solving foreign problems and satisfying foreign needs, own most of the resources required by African governments to improve the material conditions of their people.

- The level of mass support of the government: it is an important element in the capability of a government. It affects the positive attention, which the people devote to governmental activity, and the amount of creative energy, which they are willing to put into it. All these in turn affect worker morale and, therefore, the labour productivity of enterprises in the society.

The poor work habit of the Nigerian public servant, for example, is closely connected to the history of low-level mass support for colonial governments, which has been carried over to the present day.

- The level of available local resources is important: of interest here are the quantity and variety of these resources. The more the labour and material resources available to a government, and the greater their variety, the more effective the government is likely to be.
- Level of skills available to a government: this is associated with the level of human resources including organisational and managerial skills. The higher the level of labour, industrial, entrepreneurial, organisational, managerial and technical skills available in the society the greater the effectiveness of its government. Such skills provide flexibility, efficiency, speed, and competence in the performance of the complex modern tasks of society.
- Alliance potential: the ability of a government to win friends and influence people particularly in the international community enhances its capability. It enables it to obtain more external resources than otherwise. Foreign friends can help it to retain power off external threats to its territory and people, and help it to execute its development programme. Of course, excessive reliance on external help is detrimental to the government in the long run.
- The level of resoluteness of the leaders of government: a government that constantly equivocates, temporises and

changes its mind is not likely to be effective in carrying out its functions. The more determined the leaders of a government in executing their programmes the more successful the government will be.

- Level of good judgement: a government, which can quickly and correctly assesses issues and events, and correctly identify their implications, is likely to be effective.
- The morale of government officials: it critically affects governmental performance. Such morale is usually adversely affected by very poor conditions of service, nepotism, bribery and corruption and inter-ethnic antagonisms. These immoral behaviours tend to immobilise governmental machinery and consequently make the government ineffective.
- Governmental effectiveness: this is affected by the government's capacity to sell its programmes to the population. A good public relations posture is useful to a government. Through it the people can understand the intentions of government, and the ways in which they can contribute to and benefit from governmental activities. At least they will not inadvertently obstruct government business.

2.4 CORE INDICATORS OF GOVERNANCE

It is helpful to identify a number of generally agreed upon signposts or indicators that define the core elements of the governance issue.

The Economic Commission for Africa (ECA) has identified the following core indicators of governance (ECA, 1999: 2):

- The extent to which the state engages in minimising the incidence, containing the spread of and mitigating the impact of civil strife and communal violence and how its institutes mechanisms for promoting peace, political stability and security. Among the preventive measures are equitable access to political power and economic opportunities to all citizens; fair and equitable treatment to all regions and population groups in matters of public concern and the degree of decentralisation of authority and devolution of power in the system;
- Establishing and strengthening the legal and institutional foundations of the rule of law and constitutionalism. The extent to which the key governance institutions of the judiciary, legislative and executive are functioning effectively and the exercise of institutional checks and balances;
- Effectiveness, equity and responsiveness of public agencies to the needs of all citizens. This indicator assesses the extent to which the public management system is perceived to be effective, accountable, transparent and have integrity;
- Popular participation in the political, economic and social processes of society. This includes freedom of association and expression; the existence of conduciveness and an enabling environment for citizens' initiatives and activities, and to encourage the development of viable civil society organisations;
- The availability and free flow of information to encourage informed public discussions on national issues and policies. This will enable accountability to be practiced, laws to be fairly

and correctly applied and watchdog institutions to function freely (ECA, 1999: 2).

2.4.1 Meaning of democracy for the purpose of governance

The basic ideology underlying democracy is the creation of conditions whereby and according to which the individual will be able to achieve the greatest degree of individual well-being, provided that he/she abides by the law, including the common law. According to Botes *et al* (1996: 11-25) there is no consensus about what is understood by the basic principles of democracy. However, the following democratic principles can be used for the purpose of governance:

2.4.1.1 Guarantee of basic rights and freedoms of the individual

People need certain basic rights and freedoms, such as the freedom of choice, freedom of movement, freedom of speech and association. To guarantee the rights or freedoms of each individual, each citizen must accept the accompanying obligation to recognize and acknowledge the rights and freedoms of others.

The public has the right to demand that affairs of the state and governance take place publicly. Botes *et al* (1996: 13) assert that an individual must have the right to criticise the government and administration without fear of victimisation or arrest, and to insist that his/her needs, desires and demands be met.

2.4.1.2 The rule of law principle

Rule of law means equality before the law and freedom from arbitrary government (Fox & Meyer, 1996: 115).

The rule of law implies that the law is supreme in authority and, translated into practical terms, this means that people in a

democratic state are not subjected to being governed by the arbitrary judgment and personal whims of public officials (Botes, 1995: 22). There are laws and rules (statutory and common law), which act as criteria against which misdemeanours and offences can be judged and a verdict sought in accordance with legal requirements.

When there are no legislative provisions the courts will assume that certain additional principles have to be observed. But there are limits to the role, which the law can and should play in presenting the limits of administrative action.

2.4.1.3 Government by the people, for the people

A prominent characteristic of a democracy is the principle of free general elections without coercion. Periodically, registered voters have the opportunity to indicate their preference for a government, legislative body or head of state, by means of the ballot box. The government or cabinet is authorised to appoint public officials to implement the aims, objectives and policy directives of the party in power after an election.

Public officials must therefore understand and realise that they are servants of the public and that they are not the rulers of the public. They are the servants of society and should thus serve society. Democracy is a system of government in which ultimate political power rests with the public at large (Fox & Meyer, 1996: 35).

2.4.1.4 The distribution of government power

According to Botes *et al* (1996: 24), it is believed that the traditional tripartite division of state authority into legislative, executive and judicial functions endorses the generally accepted principles of democracy by preventing all despotic power from being vested in a single body or set of rules.

Government institutions and governmental functions must, for the purpose of governance, be separated. Even though functions should actually be divided or even separated, the institutions responsible for the execution of the functions need not be physically or geographically separated. Sufficient control measures should be in place to prevent the abuse of power.

2.4.1.5 Order and welfare functions of the state

According to Gildenhuys (1997:5) the main objective or goal of the economic welfare of the state is the creation, by government, of circumstances where individuals are free and left to develop their personal economic welfare according to their own physical and mental financial abilities.

Some scholars regard the state as a means of combining forces and obtaining instruments to enhance welfare and create order (Botes *et al*, 1996: 25). Institutions, such as government departments, divisions, sections and various other public entities are established to perform those functions necessary for the population's continued existence.

In view of welfare, the government is expected to act as an entrepreneur, a promoter and a regulator with regard to new ideas and methods for serving society better (Du Toit & Van der Waldt, 1999:33).

2.5 ROLES AND RATIONALE OF GOVERNANCE

To understand governance one needs to look at the role of governance in a democratic society, role of the state in governance, and investigate the principles or reasons which explain governance.

2.5.1 Role of Governance

The role of governance is to create an enabling environment for its citizens, to establish law and order, to manage macro economic stability, build physical and financial infrastructures, deliver essential services and protect the vulnerable. This is critically important for peace, stability and economic prosperity.

In fact, according to the ECA Report (ECA, 1999: 1) the need for a capable, effective and efficient system of governance has never been stronger than today especially in a world characterised by increasing economic globalisation and a highly complex and competitive environment.

Green and Hubbell (1996: 41) argue that when they talk about governance they are addressing an essentially new form of governance. Their arguments are organised around ten principles upon which their new model of governance is founded. Briefly, these principles involve:

- Steering others rather than rowing;
- Empowering customers rather than serving them;
- Injecting competition into service delivery;
- Organising by mission rather than by rules;
- Funding results, not inputs;
- Intense customer orientation;
- Encouraging entrepreneurial earning rather than bureaucratic;
- Focusing on prevention rather than cure;
- Decentralising organisations and fostering teamwork;
- Leveraging change through market-based incentives.

Linked to this new form of governance is what Kibasomba (*in* Theron & Schwella, 2000: 95) call **constitutional governance**. According to him constitutional governance capitalises on:

- Parliament and Constitution;
- Election, voting systems, adverts, selection interviews;
- The rule of law and organisation;
- Representation and participation;
- Concern for the majority;
- Exclusiveness (the victor runs, the losers await the next election outside the public system);
- Institutionalism, elite mobilisation and participation;
- Economic liberalism and legalism as the key support to politics;
- Restricted and limited time in office (period and mandate); and
- Sovereignty and legitimacy vested in citizenship and individual rights (Kibasomba *in* Theron & Schwella, 2000: 95).

2.5.2 Rationale for Governance

According to Sing (1999: 88-89), the rationale and challenges for governance in general, and good governance in particular, emanates from the following:

- Recognition that government is for citizens, by citizens and often by or through the involvement of citizens, as opposed to an older notion that saw government doing things for people;
- Highly centralised, rule bound and flexible government institutions that emphasise procedures rather than results and thereby impeding effective performance;
- Globalisation and the weakening of traditional sovereignty;
- New polities and ethnic and cultural resurgence;

- Issue of viability of some states, post-colonial stress and the phenomenon of failed states;
- Information and communication revolution;
- Size and reach of multinational organisations;
- Trade and economic integration;
- Increasing number of issues whose ultimate solutions depend on the active involvement of citizens and which demand changes in attitudes, behaviour and lifestyles;
- Large government debt and fiscal imbalances, exacerbated by recession, all of which place limits on the size of the state and require governments to pursue greater cost-effectiveness in the allocation and management of public resources.

The apparent success of the concept of governance seems to be that it reflects the social need for new initiatives based upon the realisation of growing social interdependencies.

In recent times, and at the level of debate and policy formulation, governance according to Botchwey (1995: 2), has come to raise a number of specific issues going beyond the mere conduct of democratic elections in a country. They include the following (Botchwey, 1995: 2-6):

Firstly, a *redefinition of the role or the changing role of the state*. Here the legitimate sphere of state intervention has tended to be seen more in the minimalist terms involving a “downsizing” of government through redeployment and retrenchment in the public service, and a withdrawal of the state from commercial activity, especially through privatisation and investment of state shares in commercial enterprises.

According to Botchwey (1995: 2) the idea is to redefine the role of the state in the light of the reform experience. There must be a genuine quest for a redefined role for the state and a way of conducting state business that responds to and facilitates the reform agenda as a whole. In practice this should include the creation and maintenance of a stable macroeconomic environment, the maintenance of law and order in the framework of constitutional arrangements, and the provision of basic economic and social infrastructure. The strengthening of the fiscal integrity of the state, the enhancement of the state's capacity for policy formulations, and analysis and competent monitoring of the working of a liberalised economy are also important.

Improved governance thus requires a redefinition of the state in ways that respond to the requirements of sound economic management.

Secondly, an *assurance of accountability of government and greater transparency* in the entire governmental process. According to Botchwey (1995: 2) the area of governance which is receiving a new focus, and which straddles both the economic and the political spheres, is the area of accountability and transparency in government. It is accepted that market-oriented economic strategies that realign relative prices in favour of production are an important anchor for good governance.

Transparency and accountability lie at the very core of good governance and open economic strategies, entailing the liberalisation of the exchange trade and payments system. These provide an important foundation for good governance by severely limiting the space for political and administrative discretion in the allocation of resources.

Lastly, *the role of non-governmental organisations (NGOs)*. The political reforms taking place along with economic reform in many African countries today are indeed creating a culture of pluralism that opens up great possibilities for grassroots and professional organisations and business associations (Botchwey, 1995: 5).

NGOs can play a particularly useful complementary role in mobilising popular participation in community-based activities. There is a need, however, for self-regulation and co-ordination of NGO-activity by the NGOs themselves.

2.5.3 Role of the state in governance

The debate on the role of the state in society and in governance has been propelled by several different developments (Pierre, 2000: 4-5).

Firstly for some time now governments have been believed to be 'overloaded'. This means that they have been unable to resolve all the tasks and demands placed upon them by society. In the 1980s and 1990s these problems were made worse by another serious challenge to state authority. Most advanced western democracies were hit by a severe fiscal crisis which meant that governments could not use financial incentives to ensure compliance among societal actors. The economic plight also forced the states to cut back on their services. This in turn prompted a search for new strategies of public service production and delivery (Pierre, 2000: 4).

Secondly, an additional development, which has driven the growing interest in governance, has been the increasing problems of co-ordination. Government has to ensure that public and private projects share the same objectives to some degree (Pierre 2000: 4).

Thirdly, another development which has helped increase the interest in government is the globalisation of the economy and the growing importance of transnational political institutions like the European Union (EU) and World Trade Organisation (WTO). The deregulation of capital in the 1980s set in motion a massive restructuring of both domestic economies and the international economic system (Pierre, 2000: 4 -5).

Finally, governance has also gained ground as a result of the 'failure' of the state (Pierre, 2000: 5). The state-centric view on political processes has contributed to unrealistic expectations on the state's capabilities. The traditional 'tax-and-spend' model of public service delivery has been questioned because of the alleged inefficiency of the public sector compared to the corporate sector.

These issues emphasise the need to develop conceptual frameworks and theories, which will help structure ways of thinking about governance and the future of the state in society.

2.6 CAPACITY FOR SUSTAINABLE GOVERNANCE

Sustainable governance, according to Cloete (1999a: 13), refers to durability of service of a required quantity and at a required level of quality over an extended period. It therefore implies a thorough assessment of all resource implications of service delivery, the incorporation of the results of such assessments into the design of service delivery strategies, and continuous access to the resources needed for sustainable service delivery.

Linked to sustainable governance is what Swilling (1999: 35) calls the strategic governance model. This governance approach focuses on

democratising internal work procedures, devolution of decision-making power, and incorporating civil society bodies into governance.

In Swilling's view (1999: 36) this governance model creates a strong policy-making and planning group at the centre, which facilitates joint work between politicians and administrators. It advocates a strong front-line organisation with devolved decision-making power and decentralised operations.

There must be a strong emphasis on strategic governance via an integrated political and managerial centre, where decision-making systems are built on trust rather than competition between the elected political leadership and senior managers (Swilling, 1999:37).

An assessment of the experiences of the South-East Asian Tiger clubs (Malaysia, Thailand, the Philippines and Indonesia) in creating the capacity for sustainable governance highlighted the following requisites for success (Cloete, 1999b: 91):

- Committed, strong, competent and honest political and administrative leadership and direction;
- Existence of and consensus on a clear, national vision and attainable action plans in strategic policy sectors;
- The availability of and the optimal creative, pragmatic, co-ordinated use of resources (people, money, supplies and information) in the public, private and voluntary sectors of society;
- Effective strategic and operational management (design, implementation, monitoring, evaluation and policy review);
- A developmental social and organisational culture with a strong work ethic;
- Amenable democratic and economic environments; and

- A substantial measure of good luck.

2.6.1 Impact of 'New Public Management' on governance

The traditional public management system has expanded into the more prescriptive new public management (NPM) school of thought, which has coined the phrase governance to describe what is regarded as a new way of governing in order to be more effective (Toonen *in* Cloete, 1999a: 8).

According to Cloete (1999a: 8-9) the NPM transplanted 'generic and liberal free-market-oriented business management principles' to the public sector, and created the idea of the 'minimalist state in different guises' as an attempt to improve the outputs and outcomes of governments.

The concept of 'governance', Reddel (2002: 58), has been promoted as a policy template to promote innovative and multi-sector institutional arrangements. The governance literature covers a number of themes, including: distinguishing between 'governance' as the processes and structures of strategic guidance and management and 'government' as concerned with the institutions and agents charged with governing.

New public management is the theory of the most recent paradigm change in how the public sector is to be governed (Lane, 2000:3). Initiated in the United Kingdom, it spread, first and foremost to the United States, Australia and especially New Zealand, and then on to Scandinavia and Continental Europe. NPM is part of the managerial revolution that has spread around the world, affecting all countries, although to considerably different degrees.

Lane's view (2000:3) is that NPM does not replace older frameworks but adds a new approach to public sector governance. The theory of public sector management needs to integrate the positive contribution in NPM, while at the same time stating clearly the limits of NPM.

Recent reflection on the national and international experience of public sector reform has highlighted the need for a new form of governance based around interactions of the socio-political system involving the public, private and civil sectors. This new governance, Reddel (2002: 58) maintains, is based on management by negotiation and networks rather than traditional methods of hierarchical control or market models.

Cloete (1999a: 10) says the World Bank openly supports the NPM model. It defines governance descriptively as "the manner in which power is exercised in the management of a country's economic and social resources for development". It distinguishes between political and economic dimensions of the concept.

"The 'new public management' of the mid- to late 1980s argued that the challenge was not about how to deliver public services more *effectively* via better management, but rather the objective was *efficiency* via the complete re-organisation of the state in order to get rid of economic responsibilities and jettison the obligation to render social services directly." (Swilling, 1999: 30).

Rhodes *quoted by* Reddel (2002: 58) lists a number of characteristics of the new governance, and they include the following:

- Reconfiguring the boundaries of the state that promotes interdependence between public, private and civil sectors;

- On-going interactions between network members based on trust, the resource exchange, and negotiated processes and shared outcomes;
- Autonomy from connection to the state reflected in the self-organising nature of networks and the capacity of the state to steer and manage.

Reddel (2002: 58) has also highlighted some key methodologies relevant to the development of a 'new' governance framework, including: innovation, negotiation and transformative partnerships, and the re-invention of government around terms such as system-wide information exchange, knowledge transfer, democratisation and decentralisation of decision-making, inter-institutional dialogue and the shift of the state towards relations of reciprocity and trust within governance institutions.

2.6.2 Principles and values of new public management

The key organisational principles of the "new public management" as drawn from the governance context are as follows (Swilling, 1999: 30):

- The government should only be involved in those activities that cannot be more efficiently and effectively carried out by non-departmental bodies;
- Any commercial enterprises retained within the public sector should be structured along the lines of private sector companies;
- The goals of governments, departments, parastatals and individual public servants should be stated as precisely and clearly as possible;

- Potentially conflicting responsibilities should, wherever possible, be placed in separate institutions;
- There should be a clear separation of the responsibilities of ministers and department heads;
- Wherever possible, publicly funded services, including the purchase of policy advice, should be made contestable and subject to competitive tendering;
- Institutional arrangements should be designed to minimise the scope of service providers;
- Preference should be given to governance structures that minimise agency costs and transaction costs; and
- In the interests of administrative efficiency and consumer responsiveness, decision-making powers should be located as close as possible to the place of implementation.

These organisational principles stem from a set of values and notions of organisational behaviour that have been inspired by public choice theory.

These values are as follows (Swilling, 1999: 30-31):

- A belief that, at least from the standpoint of management, there is a great deal of common ground between public and private sectors, hence public and private organisations can, and should, be managed on more or less the same basis;
- A shift in emphasis from process accountability to accountability for results;
- A renewed emphasis on developing management skills throughout the public sector, and not just in the service delivery agencies – this applies equally to the policy ministries;

- The devolution of management control coupled with the development of improved reporting, monitoring, and accountability mechanisms;
- A preference for private ownership, contestable provision, and the contracting out of most publicly funded services;
- The imitation of certain private sector management practices such as the development of strategic plans, performance agreements, and mission statements, the introduction of performance-linked remuneration systems, the development of new management information systems, and a greater concern for corporate image.

This body of principles and values, when implemented as an integrated model backed by a powerful political centre, has led to a fundamental revolution in the way state institutions are organised and managed.

The following diagram, Figure 2.1, presents some of the key themes of the new governance framework relative to the 'New Public Management' perspective.

Figure 2.1 From 'New Public Management' to 'New Governance'

	New Public Management	New Governance
Problem Focus	Technical: Focus on Outcomes and Outputs	Political: Focus on shared ownership with vision driving strategic change
Culture	Public Interest is 'owned' by Executive and Bureaucracy based on consumer choice	Build <i>ad hoc</i> coalitions for change complexity of policy issues; and open process with adequate closure
Implementation	Confrontation, Agreement and Compromise based on the 'Contract'	Coalition building but confrontation when appropriate
Skills	Technical Expertise based on Performance Assessment and the Monitoring of Contracts	Stakeholder analysis, diplomacy and communication strategies based on dialogue, deliberation and association
Infrastructure	Bureaucratic and Expert Structures with representation of directly affected interests	'Place' based on more centralised arrangements involving elected/community representation and <i>ad hoc</i> coalitions

Source: Reddel T (2002: 59)

New public management is the most visible sign of the rapid changes in perspectives upon how government should run the public sector. But in Lane's thinking (2000:3) it is only one of several 'scientific revolutions' that have occurred in the twentieth century concerning the proper governance mechanisms in the public sector. Public sector governance theory started with public administration and moved to the public policy framework over the management approach.

2.7 PUBLIC SECTOR GOVERNANCE

Public sector governance is aimed at improving the level of governance especially in the public sector and public institutions where public officials and political office-bearers operate. To obtain a better understanding of this concept, it is appropriate to compare traditional and modern public sector governance.

2.7.1 Traditional and modern public sector governance

Public sector governance theory is a set of theories about how government can get things done. It is not primarily a framework for the analysis of how government makes decisions in political arenas, because it theorises how government arranges for the provision of services in a society (Lane, 2000: 4).

In traditional public governance, government takes on several roles in order to allocate a number of goods and services to its population. Modern public governance, on the other hand, Lane (200:4) maintains, separates these roles from each other, based upon a much more refined analysis of how government can fulfil a variety of roles in the economy.

Providing society with a number of goods and services involves different tasks, which need not be handled by one stake-holder, i.e. government. Thus modern governance includes several alternatives for the public provision of goods and services as well as regulation depending upon how the following tasks are handled (Lane, 2000: 4-5):

- (i) Financing, or the payment for the services could be done by government or the user;
- (ii) Production, or the supply of services could be done *inhouse* or *outhouse*, i. e. government could use a bureau or an enterprise of its own or it may buy the service from a private operator;
- (iii) Arrangement, or the method of acquiring the services from an operator, public or private, where the critical distinction is competition. The methods of competition include: tendering/bidding, tournaments and auctions, whereas traditional governance used budgetary appropriations and administrative law for in-house provision and licences for outhouse production;
- (iv) Ownership, or who has property rights to the organisation which supplies the goods and services. Whereas tradition governance favoured the employment of organisations that were closely linked to the state, modern governance displays a preference for the use of *the joint-stock company*, whether it is government who owns the stock or whether it is a private operator;
- (v) Regulation, or whether government has set up a regulatory regime which covers the provision of goods and services.

According to Lane (2000: 5) government does not act directly in public governance, whatever the forms that the public provision of goods and services, and regulation may take. Government relies upon agents, who handle public sector management for it. In modern public management, government is the principal, and the bureau chiefs or chief executive officers (CEOs) are the agents. An elementary understanding of principal-agent theory is essential for the understanding of modern governance.

Modern public governance, in Lane's view (2000: 5), involves four major parties:

- (i) Government;
- (ii) The CEOs;
- (iii) The players in the economy; and
- (iv) The citizens and the population.

The interaction between these four sets takes place within a heavily institutionalised environment. The new institutional setting includes rules about the levelling of the playing field, about how to conduct tendering/bidding, and how to arrange tournaments and auctions, given a basic public law framework, contained primarily in constitutional law but also in administrative law to some extent.

In traditional public governance there is an emphasis upon politics as well as distinctness of public sector management in relation to the private sector management. However, in modern public governance accomplishing objectives is in principle no different in the public sector than in the private sector. This results from contracting where the providers may be public or private organisations (Lane, 2000: 37).

Figure 2.2 presents an overview of the differences between traditional and modern public governance:

Figure 2.2 Traditional and modern public governance

Traditional public Governance	Modern public governance
(i) Emphasis upon politics	(i) Emphasis upon getting the job done
(ii) Use of public law mechanisms: bureau and/or public enterprise	(ii) Use of private law instruments: the contract and/or tendering/bidding
(iii) Separation between public and private players	(iii) Levelling the playing field
(iv) Separation between allocation and regulation	(iv) Integration of allocation and regulation

Source: Lane J (2000:37)

Traditional public governance has lost much in relevance, both theoretically and practically. Institutional reforms in various countries and in the European Union (EU) and within the World Trade Organisation (WTO) push for the introduction of modern governance in as many countries as possible.

2.7.2 Public sector reform and modern public governance

Public sector reform has now advanced so much in several countries that one can speak of a system or regime shift (Lane, 2000: 191).

Modern public governance is replacing traditional public governance. Although the new governance model is not yet fully in sight, some major elements may be based on observations in the United Kingdom, the United States, Australia, New Zealand and the Nordic countries.

Traditional public governance had certain characteristics: (1) it underlined the role of politics in directing the public sector, (2) it employed - almost exclusively - public law to direct its employees, (3) it made a sharp separation between the public and the private sector, and (4) it separated the tasks of government in allocation from its tasks in regulation. The new emerging model of public governance does not simply involve minor reform of these key features of traditional public governance. It replaces them with an entirely different model of how the public sector should be governed (Lane, 2000: 191-192).

According to Lane (2000: 192) modern public governance is the governance by means of contracting, which requires a complicated web of different kinds of contracts. By means of contracting regimes, one wishes to: (1) get the job done; (2) use private law; (3) level the playing field; and (4) integrate allocation and integration. To put these features in place, modern public government conceives of government contracting with managers, CEOs and regulators, as well as managers contracting with players - public or private.

2.8 CITIZEN PARTICIPATION IN GOVERNANCE

Participation is an active process in which participants take the initiative and action stimulated by their own thinking and deliberation and over which they can exert effective control.

Citizen participation could be described as the involvement of citizens in a wide range of administrative policy-making activities, including the determination of levels of service, budget priorities, and the acceptability of physical construction projects, in order to orient government programmes towards community needs, build public support, and encourage a sense of cohesiveness within society (Fox & Meyer, 1996: 20).

2.8.1 Participation in governance

Since the inception of a democratic dispensation in South Africa in 1994, the new government has set out in earnest to ensure that South African citizens have the opportunity of contributing input into the policy-making and decision-making processes (Hilliard & Kemp, 1999: 41).

Cloete (*quoted by* Hilliard and Kemp, 1999: 42) states that the citizens have an indispensable role to play in exacting accountability. This implies that public functionaries have to provide explanations to justify positive or negative results obtained in their performance of their daily activities. The citizen thus has a surveillance role to play to ensure that public functionaries comply with the mandate granted to them.

2.8.1.1 Public access to governing bodies

One of the most significant constitutional provisions in the **central sphere of governance** is public access to, and involvement in, the National Assembly. Section 59(1) of the Constitution states that the National Assembly must:

- (i) Facilitate public involvement in the legislative and other processes of the Assembly; and
- (ii) Conduct its business in an open manner, and hold its sittings and those of its committees, in public, where as Section 72 (1) prescribes that the National Council of Provinces in the central governmental sphere must:
 - (i) Facilitate public involvement in the legislative and other processes of the Council and its committees; and
 - (ii) Conduct its business in an open manner, and hold its sittings, and those of its committees, in public.

With regard to the **provincial sphere of governance**, section 118 of the Constitution provides for public access to, and involvement in, the provincial legislatures in South Africa.

A provincial legislature must:

- (i) Facilitate public involvement in the legislative and other processes of the legislature and its committees; and
- (ii) Conduct its business in an open manner, and hold its sittings, and those of its committees, in public.

Section 118(2) explicitly states that a provincial legislature may not exclude the public, including the media, from a sitting of a committee.

Even in the **local sphere of governance** community involvement is encouraged in South Africa. For example, section 152(e) of the Constitution encourages the involvement of communities and community organisations in local government matters.

From this expose, Hilliard and Kemp (1999: 43) maintain it is clear that the current South African government is serious about involving citizens in all spheres in the governance of the country.

2.8.1.2 Public accountability

For purposes of governance another significant aspect of the Constitution [section 92(2)] is that members of the Cabinet are accountable collectively and individually to Parliament for the exercise of their powers and the performance of their functions. Public accountability has thus become an integral part of parliamentary processes in South Africa, and according to Coetzee (1991: 23) public accountability (and public scrutiny) is one of the most important characteristics of public administration.

Public accountability is the obligation resting on each public functionary to act in the public interest and in accordance with his conscience, with solutions for every matter based on professionalism and participation, and divulgement as a safety measure (Fox & Meyer, 1996: 105).

According to Hilliard and Kemp (1999: 43) some of the ways in which ministerial accountability can be exacted are through debates, questions, interpolations and enquiries. Matters can nowadays be debated intensively in the central legislature. This helps the public at large and opposition political parties to hold the ruling party accountable for any action, inaction or wrongdoing.

2.8.2 Rules and strategies for citizen participation in governance

According to Kroukamp (2002: 50) the participation of citizens in government activities and governance structures should always be well organised. Endeavours to establish sound relationships between the various participants should be preceded by negotiations to

determine the rules that are to be followed in the process of participation.

Mathur (*quoted by* Kroukamp, 2002: 50-51) suggests the following six guiding rules when participation takes place:

- Participation must begin at the lowest level within the community. People at grassroots level must be aware of the opportunities to participate and they must understand what the advantages of such participation are.
- Participation must take place at all stages of a particular project. From the earliest pre-preparing exercises, to the development of plans, the design of mechanisms for implementation and the final stage of implementation, participants from the community must be taken on board.
- Participation is much more than casting a vote or an isolated activity. It requires from the concerned community members to 'get right into the middle of the fight', to care about matters of concern and not to allow others to take all the decisions.
- Participative processes must deal with the allocation and control of goods and services needed to achieve the goals.
- Participation must deal with existing loyalties. It should not focus exclusively on the strengthening of leadership.
- Participants must be cautioned about the possibility of conflict in some form. In communities where citizens participate in activities of government, decisions may favour one group at the cost of another. All the participants involved, and not only the

relevant government institution, must deal with what flows from a situation.

Once the 'rules of the game' have been set, a strategy or plan of action should be developed in order to ensure that the process of participation proceeds efficiently. Kisby and Kisby (*quoted by* Kroukamp, 2002:51-52) are of the opinion that such a process involves the following seven basic steps:

- Form a group of interested people. Identify other people in the community who might be interested in becoming involved in the planning and development processes of the organisation. Individuals and groups who ultimately want to become actively involved in the future activities of such an organisation will be valuable participants here. A planning group should then be formed to prepare the rest of the action plan.
- Get to know and involve the targeted community or part of a community. Here it is of importance to learn about the nature of the community with regard to aspects such as size, economics, existing organisations and major current issues. Get an understanding of the needs of the community and have them identify the challenges to be overcome. Identify the existing resources available in the community such as leaders, facilities and financial support that may exist.
- Choose initial activities or programmes that have a large appeal and a reasonable chance of success.

- Develop a plan of action. Establish goals that meet the ‘SMART’ requirements, that are goals that are specific, measurable, agreed upon, realistic and trackable.
- Evaluate the proposed components with potential support to make sure they agree with planned actions.
- Implement the plan of action. First, identify problems during implementation and adjust or create strategies to correct them. Publicise successes as soon and as much as possible. Acknowledge and thank volunteers frequently.
- Evaluate on an ongoing basis. Regularly monitor what is being achieved. Determine how close the organisation is to accomplishing its original objectives. Note areas with poor successes and determine why things went wrong. Finally, built on this experience and evaluation, develop new plans of action.

2.8.3 Preconditions for citizen participation and effective governance

In the process of participation in governance, citizens should be sensitised about the factors that may affect the efficiency of government activities. These factors should be understood and serve as guiding principles for citizens in order to ensure that the concept of governance will succeed. These factors, according to Kroukamp (2002: 54-55), are *inter alia* the:

- Determination of goals. The effects of economic, social, constitutional and other factors on the identification and prioritisation of goals for service delivery is well known. Before

useful input by citizens can be made, an understanding of the complexities caused by these factors is required. Contributions by the public cannot be made in isolation. Therefore, it is essential for citizens to have access to relevant information so as to broaden their vision.

- Misconception that the central and provincial spheres of governance have unlimited financial resources that only has to be reallocated for addressing the basic needs of the people. Based on this fallacy, uninformed citizens often contend that the so-called non-delivery of services is attributed to ineffectiveness, when in reality, it is a result of insufficient funds. What citizens must understand is the fact that government is continuously under pressure to do more with less. If they show an awareness of and sensitivity for this situation, it is more likely that their participation will be focused on the quality of service delivery than on unreasonable demands.
- Human factor. The differences in opinion of individuals could become so serious that it may negatively affect effective service delivery. It is possible that within the tripartite alliance of the concept of governance, the needs in a specific area that may be in conflict with the general interest could be a cause for the weakening of the relationships. Of importance here, is that the participants in governance should promote common goals rather than to impose their personal value consideration⁹ or minority views on others (Bekker *quoted by* Kroukamp, 2002: 55).

Apart from the citizens, public managers should also take cognisance of the following issues (Kroukamp, 2002: 56):

- Cultural diversities should be acknowledged as public administration and management, specifically in South Africa, requires knowledge of and sensitivity to intercultural relations pertaining to the diversity of cultures that exist. In adopting this approach, changing attitudes and behaviour of public managers are priorities for success. No one is able to respect the value systems, cultures and other unique characteristics of others, unless such a person is personally committed to being sensitive to such characteristics. The immediate challenge therefore lies in orientating and re-orientating public managers, not only to let them understand their fellow citizens, but primarily to understand themselves.
- The introduction of a participative style of management as a new style of management may imply deliberate interventions to change the structures and procedures of bureaucracy. It may even lead to the changing of goals of administrative institutions. The accessibility to the management system may result in administrative delays. Public managers should be innovative in inventing acceptable and workable ways by which government structures can be made accessible for citizen participation without lowering the quality of service delivery. The question, however, is whether and to what extent, public managers will be able, prepared and willing to bring about these changes.
- To equalise the divergent approaches to citizen participation in the more affluent and disadvantaged groups in South Africa, education can be used as a mechanism to facilitate this process. Public managers can also be expected to play a crucial role in educating the members of a community for their role in the post election era. This, however, is not the task of public

managers alone. In itself such a task needs the participation of leaders in the community as well as community-based and other non-governmental organisations.

2.8.3.1 Citizen participation and change

According to Vil-Nkomo (*in* Wessels & Pauw, 1999: 96) in the field of governance, one of the areas which is least understood is the impact of citizens on public service and public sector reform.

After the end of the Cold War, most nations purport to be democratic and encourage citizens to operationalise their citizenship in all aspects of society. The traditional democratic approaches to citizen participation continue to dominate. These approaches include the following:

- Individuals exercising their right to vote;
- Establishing pressure and interest groups;
- Using mechanisms such as recall and referenda to ensure the accountability of elected officials; and
- The use of exit (i.e. voting with your feet) and voice (i.e. protest and mass action) (Vil-Nkomo *in* Wessels & Pauw, 1999: 97).

Other modes of communication intended to express operational citizenship include uprisings and riots as well as revolutions that last over a period of time.

2.8.3.2 Rationale for citizen participation in governance

A variety of authors, mainly from development studies, politics and philosophy have motivated a rationale for citizen participation in

governance. The following rationale, according to Meyer *et al* (in Van der Molen *et al*, 2002:62-63), act as examples:

- Participation is a way of receiving information about local issues, needs and attitudes;
- Participation provides affected communities an opportunity to express their views before policy decisions are taken;
- Public participation is a powerful tool to inform and educate citizens;
- Participation enhances the democratisation process;
- Participation promotes equality, fairness and reasonableness in the allocation and distribution of public resources;
- Participation balances the tension between democracy and bureaucracy.

The Ohio State University Fact Sheet (Meyer *et al* in Van der Molen *et al*, 2002: 62) cites the following advantages flowing from participation in community affairs:

- The citizen can bring about desired changes by expressing individual or collective views on issues of public interest;
- It promotes citizenship and teaches citizens to understand the needs and desires of other citizen groups in society;
- It teaches citizens how to resolve conflict and how to promote collective welfare;
- Citizens begin to understand group dynamics; and
- It provides checks and balances for the political machinery of the state.

The following are additional reasons for citizen participation in governance (Meyer *et al* in Van der Molen *et al*, 2002: 63):

- Citizen participation promotes dignity and self-sufficiency within the individual;

- It taps the energy of resources of individual citizens within the community;
- Citizen participation provides a source of special insight, information and knowledge that adds to the soundness of government policies;
- Participation ensures that citizens have access to the tools of democracy;
- It creates national dialogue on issues, particularly for previously disadvantaged citizens.

Meyer *et al* (in Van der Molen *et al*, 2002: 63) reason that from the above-mentioned motivations it can be argued that citizen participation:

- Is a tool to promote democracy;
- Empowers citizens and builds citizenship;
- Balances the power of the elite and the poor; and
- Facilitates local, regional, national, subnational, continental and global dialogue on issues of concern.

2.8.4 Positive spin-offs of participatory democracy

Participatory democracy, according to Fox and Meyer (1996: 93), is an ideal of democratic government which emphasises the importance of maximum direct participation in governmental affairs and decision-making by individual citizens.

As in any democracy, citizen participation may have some shortcomings. But it is always necessary to look at the positive spin-offs as opposed to shortcomings.

Public participation in the governance and administration of a country is indispensable if the nation is to function effectively, for the following reasons (Hilliard & Kemp, 1999: 44):

- It prevents the abuse and/or misuse of administrative authority and political power;
- It stops the government from domineering its subjects;
- It allows a diversity of viewpoints to be aired;
- It permits citizens to challenge, refute and oppose unsubstantiated claims made by particular parties or groups;
- It serves as a check on the activities of the administrators and rulers;
- It helps ordinary citizens to grasp the nuts and bolts of government and administration;
- It generates a sense of civic pride when citizens eventually see that their inputs have been implemented;
- It creates a sense of 'ownership' when citizens are afforded the opportunity to have their say.

Clearly, citizens develop a sense of patriotism and purpose when they are allowed to make a contribution to civic affairs, no matter how insignificant their inputs may seem. In other words, citizen participation is crucial not only to promoting but also to sustaining democracy.

2.8.4.1 Goals of citizen participation

The fundamental question here, according to Meyer *et al* (*in* Van der Molen *et al*, 2002: 63-64), is: “ Why do citizens participate?” They maintain that different authors have, over the years, tried to answer this question in the following manner:

- Some argue that participation is at the expense of the poor and they will invest their participation as a free good, desirable in unlimited quantities. The citizen will invest in it when they believe it will secure them valuable benefits, not otherwise available at comparable cost, time and risk;
- Citizen participation can be used as a strategy to reform governments;
- It is a worldwide movement away from centralised state control to regional and local governance;
- It provides information to citizens;
- It improves the public-policy process;
- It supplements public-sector work;
- It refocuses political power and community dynamics;
- It refines the societal context in which policies are formulated;
- It increases but cannot guarantee, the chances that programmes and projects will receive acceptability;
- It brings about disequilibrium in the way bureaucrats think and act. It disturbs bureaucratic incrementalism and linear problem-solving strategies, thus introducing a lateral approach to problem-solving;
- It interferes with the function of government.

2.8.4.2 Enhancing efficiency and effectiveness through increased co-operative governance

Co-operative governance is a unique and bold concept developed by South Africa's constitutional negotiators to establish a new framework for governance in a democratic South Africa. Its uniqueness lies in the fact that few constitutions in the world, if any, explicitly place moral, operational or political obligations to co-

operate on different governing organs in their interactions with each other (Gordhan *in* Maharaj, 1999: 199).

Co-operative governance assumes the integrity of each sphere of government. But it also recognises the complex nature of government in modern society. No country today, in Gordhan's view (*in* Maharaj, 1999: 204-205), can effectively meet its challenges unless the various parts of the government:

- Co-ordinate their activities to avoid wasteful competition and costly duplication;
- Develop a multi-sectoral perspective on the interests of the country as a whole, and respect the discipline of national goals, policies and operating principles;
- Settle disputes constructively without resorting to costly and time-consuming litigation;
- Collectively harness all public resources within a framework of mutual support;
- Rationally and clearly divide among themselves the roles and responsibilities of government, to minimise confusion and maximise effectivity.

According to Doyle *in* Van der Waldt *et al* (2002:197) *effectiveness* refers to whether a given alternative results in the achievement of a valued outcome; in other words, objective achieved.

Efficiency refers to the amount of effort required to achieve a specific level of effectiveness. Policies in the public sector are considered efficient if they are, amongst other things, cost-effective (Doyle *in* Van der Waldt *et al*, 2002: 197).

Vil-Nkomo (*in* Hilliard & Kemp, 1999: 50) envisages the role of the citizen in terms of a system of interlocking co-operative governance in the three spheres of government. While the three spheres are interlocked, the role of each must be clearly identifiable in the whole system of governance.

The entire process of citizen participation is usually facilitated, strengthened and supported by co-operative government. In terms of Chapter 3 of the Constitution all spheres of government are compelled to co-operate on both vertical and horizontal levels.

Any large organisation must promote co-operative governance if it is to function with few impediments. Prerequisites for 'healthy' co-operative governance include the following (Hilliard & Kemp, 1999: 50-51):

- Clear, concise and unambiguous communication channels traversing structures and persons;
- Mutual trust, respect and cordial human relations right from the organisational apex down to grassroots level;
- Adequate devolution, delegation and decentralization to public functionaries to submit completed work;
- Unity of purpose and command throughout the organisational set-up;
- A genuine desire to uphold the work ethic and do a fair day's work.

It is the duty of the citizens to report to the authorities any breakdowns in communication in the public service. According to Hilliard and Kemp (1999: 51) covering up problems in the public service will not promote the ideals of co-operative governance.

Furthermore, all the organs of state should synchronise their activities for co-operative governance to work properly.

If co-operative governance does not occur, misgovernance could become commonplace. Interaction, networking and exchanging information to maintain public service efficiency should eventually ensure that public functionaries first and foremost serve the general welfare of the population. The governmental machinery must remain well-lubricated and public institutions must act in unison to attain their governmental and administrative goals. In other words, good co-operative governance ensures efficiency, effectiveness and economy.

2.8.5 The value of citizen participation in governance

King (*quoted by* Kroukamp, 2002: 52-54) says citizen participation is costly, time consuming and frustrating, but we cannot dispense with it due to the following reasons:

Firstly, participation, in and of itself, constitutes affirmative activity – an exercise of the very initiative, the creativity, the self-reliance, the faith that specific programmes such as education and others seek to instil. Participation is, in fact, the necessary concomitant of our faith in the dignity and worth of the individual. It implies that citizens wrestle with the meaning of such normative and practical concerns as social equity, citizenship, social conflict, co-operation, democratic theory and the public interest. The denial of effective participation, including the opportunity to choose, to be heard, to discuss, to criticise, to protest and to challenge decisions regarding the most fundamental conditions of existence is a denial of the worth of the individual.

Secondly, citizen participation, properly utilised, is a means of mobilising the resources and energies of the poor. In the South African situation, those in squatter settlements surrounding many cities and towns are living example of passive consumers of the services to producers of those services. Citizen participation thus exerts pressure to increase mass production for mass consumption.

Thirdly, citizen participation constitutes a source of special insight, of information, of knowledge and experience that cannot be ignored by those concerned; their efforts should fulfill their aims. Comprehensive action programmes, devised by professionals and accepted by the dominant social, political, education, and economic institutions represent consensus of the majority on how to solve social problems.

Fourthly, vigorous, continued participation is indispensable to consolidating democracy. When the future of the very regime espousing democracy is at stake because it is a new and uncertain experience, the basic objective is to ensure that democracy survives. The value of democracy is ensured through experiencing it at first hand. This might be in a procedural, formal sense when participation for many is confined to electing their representatives periodically and regularly.

Finally, citizen participation in governance has an instrumental purpose too. If by participating, citizens are able to satisfy their needs, and even their demands, by observing the rules of the game of democracy, then there is all the more reason to support the game, and indeed nurture it. Lawrence and Stanton (*quoted by* Kroukamp, 2002: 54) say the emphasis in this instance falls on tangible opportunities and resources – having recourse to the former and acquiring the latter.

Citizen participation is essential to sustaining democracy and promoting good governance. If citizen participation is widespread, it will help keep the rulers accountable to the people, and will prevent politicians from making policies which are detrimental to the general welfare of society. Put differently, citizen participation is crucial to ensure that the 'voice' of the people is heard and the needs and wishes of the citizens duly acted upon (Hilliard & Kemp, 1999:57).

2.9 TRANSPARENCY IN GOVERNANCE

Issues of governance and good governance go hand in hand with transparency. Transparency concerns the extent to which the functioning of government institutions is open to public scrutiny. It requires mechanisms to ensure that all processes and programmes are open to the public.

The public has a right to know how public institutions apply the power and resources entrusted to them. Transparent and democratic processes should facilitate public scrutiny, overseen by the legislature, and access to public information. Transparency should be further enhanced by measures such as disclosure systems and recognition of the role of an active and independent media.

2.9.1 Statutory guidelines regulating transparency in governance

Ensuring the integrity, fairness, effectiveness and accountability of administrative decision-making through the democratic process and representative political institutions is the fundamental basis for good ethical governance and in many cases an effective instrument to deal with corruption.

Every major country has a constitution – the basic set of laws by which the people are governed. But the force and meaning of the constitution may vary widely among the various countries (The World Book Encyclopedia, 1992: 271).

2.9.1.1 The Constitution

The South African Constitution has many references to accountability and openness. A constitution is a fundamental law that prescribes the framework of government and the nature and extent of governmental authority (Fox & Meyer, 1996: 26). A constitution can be seen as the frame of reference of a government. It consists of laws, customs and understandings that govern the actions of government.

The Constitution provides the basis for transparency in government. It provides, *inter alia*, for basic principles of governance and intergovernmental relations, for access to information, for just administrative action, and for the conduct of various political bodies on national, provincial and local levels.

The foundation of any system of government is its constitution of fundamental law. Almost all government types have some sort of constitution, although the constitution in a democracy assumes special importance. Constitutions in most democracies also have priority over any other law (Van Niekerk *in* Van Niekerk *et al*, 2002: 59).

Chapter 10 of the Constitution contains specific provisions pertaining to public administration. In this regard, a number of fundamental ethical or normative guidelines, which should be considered and

upheld by all public officials in the provisioning of services to society, are found in section 195 of the constitution.

2.9.1.2 Public Service Act, 1994

The Public Service Act, Act 103 of 1994, according to Van Der Walddt (*in Van Der Walddt et al* 2002: 48), is one of the most significant statutes regulating the employment of public employees. This Act was established “to provide for the organisation and administration of the public service of the Republic, the regulation of the conditions of employment, terms of office, discipline, retirement and discharge of members of the public service and matters connected therewith”.

In terms of the Public Service Act, an officer shall be guilty of misconduct and may be dealt with in accordance with section 21 of the Act, if he or she ‘publicly comments to the prejudice of the administration of any department’, and ‘without first having obtained the permission of his or her head of department, discloses, other than in carrying out his or her official duties, information gained by or conveyed to him or her through his or her employment in the public service, or uses that information for any purpose other than for carrying out his or her official duties, whether or not he or she discloses that information’ (Du Toit *et al*, 1998: 152).

2.9.1.3 White Paper on Reconstruction and Development

In terms of section 2.5.9 of the White Paper on Reconstruction and Development (RDP) (Notice no. 1954 of 1994), the aim of the communication strategy will be to ‘effectively communicate the objectives of and progress with implementing the RDP to allow the public to be fully informed and to participate’. The communication strategy will also ‘seek to inform the nation through the effective use

of the mass media and through co-operation with existing organisations’.

2.9.1.4 Labour Relations Act, 1995

The Labour Relations Act, Act 66 of 1995, makes provision for openness in the relationship between the employer (the state) and the employees (public officials) to ensure fair labour practices.

The Labour Relations Act was the first attempt to level the human resource playing field between the public and private sector. According to Section 1, the purpose of the Act is to advance economic development, social justice, labour, peace and the democratisation of the workplace. The act regulates the relations between trade unions and employers and forms part of a broader process of labour law reform (Van der Waldt *in* Van der Waldt *et al*, 2002: 48).

In terms of section 16(3) of the Act, ‘whenever an employer is consulting or bargaining with a representative trade union, the employer must disclose to the representative trade union all relevant information that will allow the representative trade union to engage in consultation or collective bargaining’.

2.9.1.5 White Paper on Transforming Public Service Delivery

The White Paper on Transforming Public Service Delivery (section 6 of chapter 3) lays down a set of moral guidelines in terms of which public servants must do their work to provide services to the satisfaction of their customers.

A White Paper on transforming public service delivery was drafted by the Department of Public Service and Administration to address the

many challenges facing the public service in its efforts to become a truly representative, competent and democratic instrument.

To fulfil this role effectively, the public service is being transformed to implement government policies according to the policy framework contained in the White Paper on the Transformation of the Public Service (No. 16838 of 1995) (Du Toit *et al*, 1998: 153). In terms of section 31 of the White Paper openness and transparency are the hallmarks of democratic governments and are fundamental to the public service transformation process.

2.9.2 Consequences of a lack of transparency in governance

There are often negative consequences in governance if things are not dealt with in a transparent manner.

2.9.2.1 Misgovernment and maladministration

It is absolutely necessary to maintain a high level of integrity in the public sector. The success or failure of democracy is determined by the ability and the preparedness of the people to interact constructively with their rulers. If information is withheld, voters are incapable of constantly keeping their leaders under observation and control. This situation could lead to misgovernment and maladministration.

According to Du Toit *et al* (1998: 154) misgovernment and maladministration cannot be described in simple terms, but the following could serve as examples thereof:

- Giving misleading statements to citizens about their legal position;

- Giving incomplete or ambiguous instructions to the officer who is applying the rule;
- Failing to take facts into account which should have been taken into account;
- Actions which go beyond the powers conferred by law or regulations;
- A failure to carry out a duty imposed by law;
- Discrimination, neglect, arbitrariness and improper conduct;
- The use of delegated authority conferred by law for a purpose for which it was not intended;
- Actions which do not follow a procedure laid down by law, aimed at preventing arbitrary or unreasonable decisions in the application of legal powers.

2.9.2.2 Lack of accountability and lack of responsiveness

Accountability is defined by Isaac-Henry (*quoted by Du Toit et al*, 1998: 155) as 'making those with delegated authority answerable for carrying out agreed tasks according to agreed criteria of performance'. Members of the community have the right to expect that their values and rights be regarded with sympathy, reasonableness and respect. They also expect their affairs to be handled effectively, correctly and with alacrity. Public managers who ignore or suppress individual human rights, values and needs are guilty of a lack of responsiveness.

2.9.2.3 Ignorance and apathy of citizens

The improvement of service delivery by public institutions requires that the citizens be prepared and motivated to know the activities of

public institutions. Citizens should co-operate with public institutions in the provision of public goods and services.

Educated and involved citizens would be better able to:

- Understand public institutions and their functions;
- Understand their democratic role in policy-making;
- Prepare themselves to interact constructively with their rulers;
- Object to autocratic activities;
- Keep their leaders under observation and control;
- Make use of services rendered by public institutions (Du Toit *et al*, 1998: 155-156).

2.9.2.4 Corruption

In public matters there are many temptations. This is so because politicians and public officials deal in power and influence. According to Du Toit *et al* (1998: 156) the question is how to limit corruption and how to order public affairs so that the risk of exposure is greatly increased. The principal weapons for this task are openness and accountability.

Corruption is the unlawful or unethical abuse of authority in order to gain personal or group advantages. As a result of various cultural values in various societies there are no universal norms to determine the nature and extent of corruption (Fox & Meyer, 1996: 29).

Gildenhuys (*quoted by* Du Toit *et al*, 1998: 156) sums up the features of corruption as follows:

- It is a misuse of public trust;
- It involves the misuse of authority and is a violation of public responsibility;

- It sacrifices public benefit for private gain;
- It obstructs law enforcement and the execution of punishment to prevent corruption.

The unethical and corrupt behaviour of some public representatives and public officials affects the public resources of all governments. According to Sing and Ntshangase (*in* Reddy, Sing & Moodley, 2003: 123) citizens, public representatives, civil society and public officials will have to critically review and revise legislative, institutional and administrative measures to enhance ethical behaviour and counter corruption.

2.9.2.5 Low economy, efficiency and effectiveness

The services and the activities of public institutions should always be provided economically, efficiently and effectively.

Economy in this sense means the purchasing of inputs (resources) of a given specification at the lowest possible cost. A lack of economy would occur, for example, when there is overstaffing or when overpriced facilities are used.

Efficiency entails achieving the maximum possible output (services and/or products), from a given level of inputs (resources). It can be measured by the ratio of actual output, or the rate at which actual inputs are converted into outputs.

Effectiveness is concerned with achieving the goals of the institutions, that is, ensuring that policy aims are met. It is concerned with outcomes or impacts, the results obtained or the effects of the service upon clients (community). Effectiveness is achieved when the impacts of a policy meet its policy aims.

2.9.3 Institutions and mechanisms ensuring transparency in governance

Various institutions, which strengthen constitutional democracy and transparency and governance in South Africa, have been established in terms of the Constitution. These institutions are independent, and subject only to the Constitution and to the law. They must be impartial and must exercise their powers and perform their functions without fear, favour or prejudice. No person or organ of state may interfere with the functioning of these institutions. Other organs of state must assist and protect them to ensure their independence, impartiality, dignity and effectiveness. These institutions are discussed below.

2.9.3.1 Public Protector

In terms of section 182 of the Constitution, the Public Protector has the power, as regulated by national legislation to investigate any conduct in state affairs, or in the public administration in any sphere of government, that is alleged or suspected to be improper or to result in any impropriety or prejudice.

Contrary to public perceptions the Public Protector does not deal with criminal corruption. This is handled by the police (Taylor *in* James & Levy, 1998: 34). The Public Protector performs his job in the context of a public service that is perceived to be inefficient.

Chapter 8 of the Constitution makes provision for an independent Public Protector. This public official may, on his/ her own initiative or upon receipt of a complaint, investigates any alleged:

- Maladministration at any level of government;

- Abuse of power or unfair, discourteous or improper conduct by a person performing a public function;
- Improper or dishonest act, or corruption with respect to public money;
- Improper or unlawful enrichment by a person employed by the government at any level;
- Act or omission by an employee of the government at any level which results in unlawful or improper prejudice to any other person (Cameron & Stone, 1995: 14).

The Public Protector may also resolve disputes, refer matters before him/her to the appropriate body, make recommendations regarding actions to be taken, and advise complainants regarding appropriate steps to be taken. The Public Protector shall be independent and impartial and shall report annually to Parliament, and can also play an important role in preventing corruption and the abuse of power.

The Public Protector investigates the behaviour of the political office-bearers and public officials from an ethical, procedural and policy point of view. According to Mafunisa (*in* Kuye, Thornhill & Fourie, 2002: 201) the fear of being exposed to the public is a factor which might discourage public functionaries from behaving unethically, inefficiently and ineffectively.

2.9.3.2 Human Rights Commission

The Bill of Rights serves to stop the government from abusing the rights of the people. In terms of section 184 of the Constitution, the Human Rights Commission must promote transparency in governance by monitoring and assessing the observance of human rights in South Africa (Du Toit *et al*, 1998: 160).

In terms of Section 184 of the Constitution the functions of the Human Rights Commission include:

- Promoting respect for human rights and a culture of human rights;
- Promoting the protection, development and attainment of human rights;
- Monitoring and assessing the observance of human rights in the republic.

The Human Rights Commission also has the powers, as regulated by national legislation, necessary to perform its functions, including the power to:

- Investigate and report on the observance of human rights;
- Take steps to secure appropriate redress where human rights have been violated;
- Carry out research;
- Educate.

Each year the Human Rights Commission must require relevant organs of state to provide the Commission with information on the measures that they have taken towards the realisation of the rights in the Bill of Rights concerning housing, health care, food, water, social security, education and the environment (Jonker *in* Van Niekerk *et al*, 2002: 81). The fundamental task of the South African Human Rights Commission is to promote the observance of human rights as enshrined in the Bill of Rights. All South Africans need to be informed of their human rights and those rights must be protected. The Commission seeks to build a culture of human rights through public awareness and training programmes, special projects, inquiries, hearings and legal interventions.

2.9.3.3 Commission for Gender Equality

The Commission for Gender Equality has the power, in terms of section 187 of the Constitution, to enforce transparency in governance in the sense that it can monitor, investigate, advise and report on issues concerning gender equality. National legislation provides additional powers and functions to this Commission.

The Commission for Gender Equality must promote respect for gender equality and the protection, development and attainment of gender equality. This Commission has the power, as regulated by national legislation, necessary to perform its functions, including the power to monitor, investigate, research, educate, lobby, advise and report on issues concerning gender equality (Jonker *in* Van Niekerk *et al*, 2002: 82).

2.9.3.4 Auditor-General

The President appoints the Auditor-General. In terms of section 3(5)(b)(iii) of the Auditor-General Act, No 12 of 1995, the Auditor-General has the right to investigate and inquire into any matter. According to Van der Waldt *et al* (2002: 273) this includes the efficiency and effectiveness of internal control and management measures relating to expenditure and revenue.

The Auditor-General's primary objective is to provide independent information, assurance and advice to legislatures on how government departments and other public bodies account for and use taxpayers' money. The Office of the Auditor-General audits the books of government and any institution authorised by law to receive money for a public purpose (Taylor *in* James & Levy, 1998: 35).

The Auditor-General's principal functions and responsibilities are set out in section 188 of the Constitution as well as in the Auditor-General Act. To ensure his or her independence, he or she is appointed for a fixed term, which is not renewable. The Auditor-General must audit and report on the accounts, financial statements and financial management of:

- All national and provincial state departments and administrations
- All municipalities
- Any other institution or accounting entity required by national or provincial legislation to be audited by the Auditor-General (Section 188).

According to Du Toit *et al* (1998: 160), to ensure transparency and governance with regard to public finance expenditure, it is his or her duty to audit and report on the accounts of government at all levels, providing that essential, independent link in the whole process of legislative control over the financial activities of the executive arm of government.

The Office of the Auditor-General promotes accountability and good governance. Public officials will try to perform their duties effectively, efficiently and ethically, if they know that their actions might be investigated. They will do so to ensure that effective management principles have been taken into account so that resources are procured economically and used efficiently (Mafunisa *in* Kuye, Thornhill & Fourie, 2002: 202).

2.9.3.5 Independent Communications Authority of South Africa

In terms of section 192 of the Constitution, an independent authority must be established to regulate broadcasting in the public interest. This independent authority must promote transparency by ensuring that there is fairness and a diversity of views broadcast on national broadcasting senders such as radio and television. These views must be broadly representative of South African society.

The Independent Communications Authority, unlike the other institutions, is more a regulator than a watchdog body (Taylor *in* James & Levy, 1998: 38).

2.9.3.6 Courts of law

Public institutions can exist and function properly only when law and order can be maintained. In this regard, the courts of law and supportive institutions are essential. The essential requirement is that the judiciary should be independent in its functional field.

Section 165(2) of the Constitution states that the courts are independent and subject only to the Constitution and the law, which they must apply impartially and without fear, favour or prejudice. The courts of law will always be open to citizens who feel that public institutions and functionaries have treated them unfairly.

The courts are:

- The Constitutional Court (the highest court in all constitutional matters);
- The Supreme Court of Appeal (the highest court of appeal, except in constitutional matters);
- The High courts (decide any constitutional matter);

- The Magistrates' courts (decide any matter determined by an Act of Parliament); and
- Any other court established or recognised in terms of an Act of Parliament (Du Toit *et al*, 1998:161).

2.9.3.7 Independent Electoral Commission

According to Taylor (*in* James & Levy, 1998: 35) the Independent Electoral Commission's role is technical and administrative as well as educative and interpretive. On the one hand, it must compile voters' rolls, demarcate electoral wards and conduct voter education. On the other, its role is to "strengthen constitutional democracy and promote democratic electoral processes" in terms of Section 4 of the Electoral Commission Act of 1996.

Through elections the public opinion of voters is tested (Du Toit *et al*, 1998: 162). If the political party that constitutes the government of the day has acted in an untransparent way, it may be expected that it will be defeated in a general election. Regular elections are therefore in the interest of democracy.

The Independent Electoral Commission must:

- Manage elections of national, provincial and municipal legislative bodies in accordance with national legislation;
- Ensure that those elections being held are free and fair;
- Declare the results of those elections within a period that must be prescribed by national legislation and that is as short as reasonably possible (Jonker *in* Van Niekerk *et al*, 2002: 83).

2.9.3.8 Commission for the Promotion and Protection of the Rights of Cultural, religious and Linguistic Communities

This Commission has, in terms of section 185 of the Constitution, the power to monitor, investigate, research, advise and report on issues concerning the rights of cultural, religious and linguistic communities. If the members of the Commission find any transgression, they may report it to the Human Rights Commission.

In terms of Section 185 of the Constitution the primary objects and functions of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities are to:

- Promote respect for the rights of cultural. Religious and linguistic communities;
- Promote and develop peace, friendship, humanity, tolerance and national unity among cultural, religious and linguistic communities, on the basis of equality, non-discrimination and free association;
- Recommend the establishment or recognition, in accordance with national legislation, of a cultural or other council or councils for a community or communities in South Africa (Jonker *in* Van Niekerk *et al*, 2002: 82).

The Commission has the power, as regulated by national legislation, necessary to achieve its primary objectives, including the power to monitor, investigate, research, educate, lobby, advise and report on issues concerning the rights of cultural, religious and linguistic communities. The Commission may report any matter that falls within its powers and functions to the Human Rights Commission for investigation.

2.9.3.9 Media and pressure groups

The media are institutions of society and play an important role as watchdogs over the actions of politicians and public officials. The media pave the way for the public to debate, to reflect and to make a choice.

Because government is seen as the public's business, individual citizens or groups deemed it their right to know what government does. The media correspondingly consider it their duty to report on virtually every facet of government judged to be news worthy or in the public interest. The decisions of public officials are more likely to receive public scrutiny than is the case for their private sector counterparts (Van der Walldt *in* Van Niekerk *et al*, 2002: 168).

The communication media include television, radio and newspapers. Reports in communication media are used to safeguard accountability and to report on governance by political office-bearers and public officials. They do this by exposing scandals, mismanagement and corruption in the public sector (Mafunisa *in* Kuye, Thornhill & Fourie, 2002: 200).

In South Africa members of the community have created a number of institutions with identical interests. These groups are continually engaged in making representations to various authorities about changes to policy (Du Toit *et al*, 1998: 163).

2.10 GOVERNANCE AND ITS CONTEXT IN AFRICA

The main elements of governance on which there is broad agreement in the literature are rule of law, freedom of expression and

association, electoral legitimacy, accountability and transparency and development-oriented leadership.

2.10.1 Rule of law

The rule of law is constitutional and requires actions in accordance with the constitution. According to Schwella *et al* (1999: 17) the rule of law acts against arbitrariness and demands adherence to legality. It opposes personal or collective prejudices and preferences affecting decisions and actions.

Rule of law, underpinned by an independent court system, implies a predictable legal framework that helps to ensure settlement of conflicts between the state and individuals on the one hand and among individuals or groups on the other (Adamolekun, 1999:3). It also helps to ensure respect for property rights and contracts. In a law-based state, the government will not act irregularly and unpredictably.

A good illustration of this is provided by Guinea after the collapse of the country's one-party government in 1984. The absence of any legal framework hindered the establishment of both new governance structures and new market-oriented economic policies (Adamolekun, 1999:4).

South Africa has had a different experience in this area. At the transition to a democratic government in 1994, the country had a strong legal order, but it was oriented to serve the purposes of apartheid. While maintaining the idea of the rule of law and an independent judiciary, the new democratic government quickly proceeded to radically reorient the legal system and to develop legal

frameworks. This was to ensure respect for the new democratic principles of equality, impartiality and fairness.

According to Adamolekun (1999:5), by the mid-1990s emphasis on a law-based state and respect for the rule of law and the independence of the judiciary had become a salient feature of the emerging democratic governments in a significant number of African countries.

2.10.2 Freedom of Expression and Association

Freedom of expression and association were also enshrined in the constitution of most African countries at independence, but they were not respected in a majority of the countries.

By the mid-1990s, the situation had changed dramatically as the transition to a democratic political order in many African countries provided space for non-governmental and community-based organisations (Adamolekun, 1999:6). In several countries civil society organisations became key players in the transition process, notably religious organisations in Benin and Malawi. In some countries coalitions of civil society organisations have continued to play an active role in the nurturing of the democratic political culture.

The active role played by these organisations in the social, political, and economic spheres has significant consequences for the functioning of the public administration systems and governance structures.

2.10.3 Electoral Legitimacy

According to Nnoli (1986:90) legitimacy is a quality, an attribute, which is often associated with that prong of authority, which leads to

justice. It refers to the positive attitude of the population toward authority positions and those who occupy them. Legitimacy thus makes it easy and cheap for authority to be accepted by people, which enables authority to act with minimum costs.

Electoral legitimacy is derived from periodic open, competitive, free, and fair elections that provide the elected political executive with a mandate to govern. According to Fox and Meyer (1996: 73) legitimacy is the feeling among members of society that the political system and, especially, the regime, the role-players and their actions are legally and morally correct and acceptable.

Perhaps one of the most important tests of democratic government is legitimacy, i.e. the feeling that the government in power has a right to make rules for society and that those rules ought to be binding on all citizens regardless of whether or not they agree with them personally (Mattes *et al* in James & Levy, 1998: 103).

By the end of the 1980s only a few countries, namely Botswana, Gambia, Mauritius, Senegal and Zimbabwe had governments that enjoyed electoral legitimacy. By the mid-1990s, competitive multiparty elections had become the norm. By 1997 more than half of the governments had elected presidents or prime ministers, including Benin, Cape Verde, Comoros, Ethiopia, Madagascar, Malawi, Mali, Namibia, Tanzania, South Africa, and Zambia. The exceptions were countries in which civil war, civil strife, or rebellion made it impossible to organise elections (Republic of Congo, Somalia, and Rwanda) and those with military rule (Nigeria and Sudan). The apprenticeship to democratic governance still requires another decade or so of uninterrupted practice in most of the other states (Adamolekun, 1999:7).

The credibility of policies of governments based on electoral legitimacy helps to ensure capacity as an instrument for achieving results.

Legitimacy is useful to those in authority who must practice governance. Nnoli (1986: 91) stated that legitimacy not only prevents the wastefulness of spending scarce resources on organisation but also uses force to regulate the society when legitimacy is lacking. This enables the regime to tap the energies of its population and mobilise its material resources to accomplish its objectives.

Legitimacy is the acceptance by the people of the government's authority to exercise power. No political system can exist unless its government has such acceptance. The legitimacy of a government depends in part on the *socialisation* of its people. Socialisation, according to The World Book Encyclopedia (1992: 267), is a learning process in which the people come to accept the standards of their society.

2.10.4 Accountability and transparency

A government is accountable when its leaders (both elected and appointed) are responsive to the demands of the governed (Adamolekun, 1999: 8). Respect for the rule of law and an independent judiciary constitute key mechanisms for enforcing accountability. Citizens can seek redress in the courts for acts of omission or commission by a government and its officials.

Mafunisa (*in* Kuye, Thornhill & Fourie, 2002: 210) argues that transparency promotes a customer-focused approach by placing citizens in a position where they can contribute to the improvement

of service delivery by obtaining the correct information to enable them to assess the government's performance.

Another important mechanism for enforcing accountability, Adamolekun (1999:8) maintains, is the role of elected assemblies, legislatures, or parliaments. In contrast to the "rubber stamp" assemblies that characterised most African countries prior to 1990, in several countries the legislative bodies of the 1990s actually try to provide effective overseeing of the executive. A good illustration of legislative overseeing is the scrutiny of annual budgets, both during general debates and within committees.

To function properly it is important that the public have access to government information about the different mechanisms for enforcing accountability.

A widely acknowledged index of weak accountability and a lack of transparency is the hallmark of corruption. The drastic reduction of tolerance for this "cancer" worldwide in the 1990s, especially because of its negative consequences for economic growth, is also noticeable in Africa. Many countries have launched anti-corruption programmes (for example Benin, South Africa, Tanzania and Uganda). Predictably, the anti-corruption measures being implemented include, among others, strengthening the enforcement of accountability and improving transparency and openness in the conduct of government business (Adamolekun, 1999: 9-10).

2.10.5 Development-oriented leadership

It can be argued that the quality of leadership needed in a developing country should be development-oriented. In Adamolekun's words (1999:10) the leader should be committed to the development of the

entire society over which he or she rules, ensuring the formulation and implementation of policies aimed at enhancing the quality of life of all the citizens in that country.

In some African countries the persistent development crisis and the recent phenomenon of failing states are due in large part to poor leadership, i.e. leaders who are not committed to the development of their societies and who lack honesty and a commitment to democracy.

2.11 SUMMARY

Sing (1999: 100) concludes that there is general agreement that governments not taking cognisance of the rationale underlying governance and its concomitant impact on the context and environment of public administration will not be able to survive in the ever-challenging new millennium.

Governance is conceptualised descriptively as the outcomes of governing activities by utilising all available resources effectively. A competent and efficient administration is also an important element of governance on which there is broad agreement in the literature.

It would be reasonable to expect that a public administration system that functions in an environment of transparency, with officials fully aware that they would be held accountable for their actions, is likely to perform more efficiently and effectively. There is likely to be chaos in systems that operate in an opaque environment and where the governors are not accountable to the governed.

This chapter has discussed the relationship between governance and public administration. It has looked at various terms, concepts, dimensions and processes that underpin governance. The chapter also discussed the core indicators of governance, role and rationale of governance, capacity for sustainable governance and the role of citizen participation in governance.

In the debate about governance it should be noted that there must be some form of government to apply it and be called to do the task. In discussing the notion of governance, it must be pointed out that the governance debate has been very much government-oriented, especially central government oriented. Such a notion assumes the presence of a respected government. In some countries however, such a central respected government with authority over all citizen is absent. Thus for governance to prosper, there must be some form of government to apply it.

Governance can also be better understood if one analyses both sides of governance, which is good governance and bad governance. This is an aspect that will be explored further in the following chapter.

CHAPTER 3

NATURE AND CHARACTERISTICS OF GOOD GOVERNANCE

3.1 INTRODUCTION

It has been argued that governance is not a value-free concept. The concept rests on processes, values and institutions. Therefore this cannot be understood without clarifying the normative and framework within which it occurs. As a result, increasing importance is given to good governance.

Good governance is central to political stability and economic empowerment. It necessitates that the democratic process prevails at all times. Respect for fundamental human rights, ethics and principles are central to the pursuance of good governance.

Democracy itself is insufficient to bring about good governance unless a country is prepared to go through a process of meaningful reconciliation, which should aim at securing internal cohesion if there is internal stability.

This chapter essentially focuses on the meaning of good governance, the objectives of good governance, principles of good governance including *Batho Pele* principles, characteristics that underpin good governance, and indicators of good governance. The chapter also highlights measures that can be undertaken to enhance good governance. The latter part of the chapter looks at the challenges of implementing good governance and administration faced by the

South African Public Service Commission. Mention is also made of bad governance. The chapter concludes by looking at state institutions' reform to encourage and strengthen a good governance agenda.

3.2 THE NATURE OF GOOD GOVERNANCE

Good governance, as an element of governance, needs to be analysed and understood in order to have a clear picture of the whole concept of governance.

3.2.1 Definitions of good governance

The AAPAM Conference Report emphasised that there have been various attempts to define the concept of good governance. According to one definition, *...it is the task of running a government or any other appropriate entity, for example an organisation*. Another definition adds that good governance has two sides: democracy and effectiveness (AAPAM, 2000: 13).

The United Nations Development Programme (UNDP) defines good governance as denoting the minimum or acceptable standards, which those who govern must apply in order to satisfy the legitimate aspirations and needs of their people.

According to Cloete (1999a: 12) good governance is defined as “the achievement by a democratic government of the most appropriate developmental policy objectives to sustainably develop its society, by mobilising, applying and co-coordinating all available resources in the public, private and voluntary sectors, domestically and internationally, in the most effective, efficient and democratic way.”

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Good governance is defined as the exercise of political, economic and administrative authority in the management of a country's affairs at all levels (AAPAM, 2000: 24).

Good governance could be taken to refer to the efficient and effective management of public resources and problems in dealing with the critical needs of society. Good governance and sound public sector management constitute the major mechanisms of social transformation and the cornerstones of successful economies (ECA Report, 1999: 1).

According to AAPAM (2000: 48) *good governance* is “the acquisition of the optimum good for an optimum number of any given population while operating within a predetermined financial and judicious budget for the economic well-being of the whole.”

Kruiter (1996: 1) maintains that “good governance” entered the vocabulary of development in the 1980's and, under the influence of powerful institutions like the World Bank and bilateral donor agencies' it is now one of the cornerstones of development co-operation.

Good governance most often appears as conditionalities intended to promote accountable government and democratisation in aid-receiving countries. However, it is still debatable as to whose governance is actually in question, and whose yardsticks are being used to measure its attainment.

Gildenhuis and Knipe (2000: 91) say good governance means the attainment by government of its ultimate goal. Furthermore, they say, governance will be good when government attains its ultimate

goal of creating conditions for a good and satisfactory quality of life for each citizen.

3.2.2 The concept of good governance

According to the AAPAM Report (AAPAM, 2000:11) the concept of good governance, proposed about a decade ago, has since overtaken previous concepts such as structural reforms. The concept developed as a result of current trends in political, social and economic development around the world.

A further assertion on good governance is that... “good governance is not about ‘means’ and ‘ends’ that can be divided into parts that people easily agree upon. Rather, it is the intricate process whereby the way things are done are as important as their outcome, and one in which human beings are caught in constant disagreement over what is good or not good in the context of prevailing realities.” (AAPAM, 2000: 12).

It is generally accepted that there is a symbiotic relationship between good governance and sustainable development, and that the lack of good governance has hampered political, social and economic development in Africa.

The World Bank, however, stated that good governance implies liberal free-market-oriented democracy. Although the World Bank places a strong emphasis on the development of a free-market economy, it sees the political elements of good governance as predictable, open, transparent policy-making processes, a professional bureaucracy, an accountable executive, a strong, participative civil society and a culture of acceptance of the rule of law. The World Bank regards these attributes as positive influences

on sustainable socio-economic development to reduce poverty globally (Cloete, 1999a: 10).

3.3 OBJECTIVES OF GOOD GOVERNANCE

Good governance intricately enhances good policy-making and good policies which in turn enhance good governance (AAPAM, 2000: 48). The reverse is also true, i.e. bad policies result in bad governance and hinder good governance. Well-implemented policies are likely to create an environment in which good governance flourishes.

Good governance has many benefits; for example, it is seen as likely to facilitate the development of liberty and economic growth.

Cloete (1999b: 86-87) is of the view that there is no generally accepted set of objectives for good governance. Public services must be provided to improve the lives of the people and implement the objectives of the government. The policy objectives that must be achieved include the following:

- Representivity and equity in resource control and allocation;
- Developmental growth focus;
- Participatory, responsive, people-centred;
- Democratic rights, stability, legitimacy and transparency;
- Political and financial accountability;
- Professionalism and ethics;
- Flexible, effective, efficient and affordable processes;
- Co-ordination, integration and holism of services;
- Creative, competitive and entrepreneurial practices;
- Sustainability.

In AAPAM's view (2000: 24-25) good governance promotes sustainable development and improvements in the physical and economic environment. For example, under deficient governance, investors tend to seek quick returns on their investments by adopting short-term strategies.

3.3.1 Good governance as a quality of governance

According to Goldin and Heymans (*in* Maharaj 1999: 119-120) at least four conditions will decide whether governance reflects the quality of good governance required in a democratic South Africa.

The **first** is the quality of democratic institutions and practices. Government cannot govern in isolation from those it serves. It cannot drive good governance programmes without broad public support and participation. The electoral support for the state remains its primary source of legitimacy and accountability. The multi-faceted nature of good governance agenda demands, however, that government remain flexible and open to accommodate other forms of participation (Goldin & Heymans *in* Maharaj, 1999: 119). While elected democratic institutions must remain primarily accountable, they could be supplemented by other institutional innovations that strengthen the interface between government and civil society.

Secondly, the different spheres of government should be enabled to play their rightful roles, guided by resources and capacities. The Constitution and other legislation have firmly asserted the developmental roles of provincial and local governments.

Good governance programmes can best be pursued if these spheres are able to plan, budget and implement policies and programmes sensitive to their spheres of influence. Goldin and Heymans (*in*

Maharaj, 1999: 120) argue that the system of intergovernmental relations will be critical to managing development in all spheres. This may require more centrally driven policy-making and management at this stage. Thornhill (*in* Kuye *et al*, 2002: 50) also supports this view. According to him intergovernmental relations are not an event, but should rather be considered as a number of interrelated actions and interactions by politicians and appointed officials involved in the different spheres of government.

Thirdly, a good governance programme should never be a phrase that is repeated again and again. Its dynamism, flexibility and relevance will be secured through rigorous debate, a willingness to change and innovation. A young democracy like South Africa expects its leadership to listen to and engage its citizens while taking the lead to ensure that debates do not stall initiatives (Goldin and Heymans *in* Maharaj, 1999: 120).

Finally, the good governance programmes depend on partnerships. Government is aware of its capacity constraints and faces so many formative challenges that it simply cannot deal with all the country's development needs. Private and community organisations have comparative strengths and capacities ready to be utilised in support of the good governance programmes. The state must ensure that services are accessible, that taxpayers do not get exploited by profiteers and that the public good is served. It must build capacity within all spheres of government to fulfill its political and delivery obligations. But it also has an interest in refining the regulatory frameworks and incentives to enable it to draw on other resources (Goldin and Heymans *in* Maharaj, 1999: 120).

The foremost challenge is to refine and continuously improve frameworks while maintaining and accelerating the momentum of delivery.

3.3.2 Government reorientation and good governance

Changes in the governance context of African countries have had consequences for the entire government administration system, on the structures, functions, and processes for good governance. In practical terms, there has been a reorientation of governments throughout the continent. According to Adamolekun (1999: 12) the governance reorientation has four main features, namely (a) a reduction in the role of the state in national economic management; (b) an enhanced role for subnational governments; (c) a new public-private balance in respect to the production and provision of goods and services; and (d) efforts aimed at achieving improved performance in public management.

3.3.2.1 Role of the state

The economic crisis of the late 1970s and 1980s and the lessons of international experience from the success of market-friendly economies have combined to force a redefinition of the role of the state in good governance.

Adamolekun (1999: 12) maintains that the state should provide an enabling environment for private sector economic activities, by implementing appropriate economic policy reforms and providing the necessary legal and regulatory framework.

3.3.2.2 Subnational governments

After independence, attention was focused on the central government in most African countries. This was consistent with the idea of the commanding role of the state. Subnational and local governments were generally underdeveloped. The governance reorientation of the 1990s is toward enhanced roles for subnational and local governments because of the failure of the centralised states (Adamolekun, 1999: 13).

3.3.2.3 Public-private balance

In most African countries in the 1960s and 1970s the private sector was generally underdeveloped. The domination of the national economy by the state was a necessity under these conditions.

According to Adamolekun (1999: 13-14) the new commitment to a market-friendly economy has moved virtually every African country in the direction of promoting private sector development. This in turn has led to the emergence of a new public-private balance: more involvement of the private sector in national economic management and some reduction of the state's role while emphasising its responsibility to provide a business-friendly policy environment and appropriate legal and regulatory frameworks.

3.3.2.4 Improved performance in public management

An objective of improved performance in public management is often linked to the reduced role of the state in controlling everything. Most countries have launched the 'new public management' movement.

The NPM, according to Adamolekun (1999: 14), seeks to apply market principles to governmental administration, with an emphasis on competition, contracting and customer orientation. It also emphasises merit-based recruitment and promotion and increased autonomy for managers with corresponding responsibility, performance-related pay and continuous skills development and upgrading. There is also an emphasis on performance measurement, with particular attention to the delivery of services.

3.3.3 Role and scope of the state in good governance

There is a serious and genuine concern that African governments have taken over more functions than their resources can handle, resulting in overstraining the limited capacity and impairment of good governance.

The issues of role and scope of the state in good governance seem to be very critical in most countries for three reasons.

Firstly, in most countries, especially African countries, the state has for a long time been the prime mover in socio-economic life. Mutahaba *et al* (1993: 20) maintain that in the dawn of independence, the absence of other forces that could endanger dynamism in the economic and social spheres placed the primary responsibility for initiating, directing, and even performing the main societal functions on the state. By the 1970s, African governments became partially autonomous authority centers taking initiatives and making significant demands of their own in society.

The **second** reason relates to the nature of the environment within which the state in Africa prevails. There are structural constraints which demand that in any given society all sectors and agencies have

to be mobilised and involved, at different levels, in confronting the broader challenges. Within such a symbiosis, the definition of roles and scope for each sector becomes important (Mutahaba *et al*, 1993: 20).

The **third** reason refers to the interface that prevails in the relationship between government and society. Since independence in most African countries the objective conditions were such that governments had to take over all the main functions of economic and social life. The government became the only recognised institution in socio-economic management. The demarcation between the various agencies was vague and sometimes arbitrary. Mutahaba *et al* (1993: 20) say the underlying factor here is the failure to design a proper interface which permits a mutual reinforcement of the role and scope of each factor in governance.

3.4 PRINCIPLES OF GOOD GOVERNANCE

It is a fact that the ultimate goal of any modern government is to create a good quality of life for every citizen. This means that governments must identify specific related objectives, concrete targets, services and strategies through which they can realise this ultimate goal.

Most governments may have the same goals, but their objectives and strategies for realising such goals may differ. Governments may have different priorities for public services. The objectives, strategies and priorities of a government of a democratic free-market state may differ completely from those of an autocratic social state. They will also depend on the ruling political party's own definition of a good quality of life. The attainment of a good quality of life demands an

environment that provides equal opportunities for all individuals to develop, maintain and enjoy a satisfactory quality of life without threats and constraints outside their personal and private environment.

Gildenhuis and Knipe (2000:90-91) maintain that the development of a satisfactory or good quality of life will only be possible where:

- Ample and equal opportunities exist for every individual to subsist, including equal opportunities to do business as producers, manufacturers, traders, contractors and professionals, or to sell their skills and labour in an open and free market.
- Sufficient indispensable public services and amenities of optimum quality and quantity are efficiently and effectively supplied in a sustainable and consistent manner.
- The quality of the physical environment within which the individual lives, works, does business and relaxes, is satisfactory and not fraught with all sorts of dangers threatening his or her life.
- People feel safe and are able to live without fear of social, political and economic disruption.

These are the basic requirements forming the framework for good governance. If government cannot meet these requirements, a good quality of life for all citizens will never be attained. There are basic principles, Gildenhuis and Knipe (2000:91) maintain, with which government must comply in order to meet these requirements. They

are the principles of good governance and can be classified as constitutional, political, economic, social and public management principles.

3.4.1 Constitutional principles

The following, according to Gildenhuis and Knipe (2000:92-108), are the *constitutional* principles with which government should comply to attain good governance:

- The rule of law
- Separation of constitutional powers
- Constitutional checks and balances
- Civil rights, civil liberties and civil obligations
- Civil rights as an end
- Civil rights as a means
- Human source of values
- Primacy of the individual
- Best test of truth
- Individual human rights
- Natural and positive human rights
- Rights and obligations
- Equity
- Equality
- Natural inequality
- Moral and political inequality
- Civil liberties
- Civil obligations and civil obedience
- Devolution and autonomy

3.4.2 Political principles

The *political* principles with which government should comply to attain good governance, according to Gildenhuis and Knipe (2000:112-114), include the following:

- Direct participation and the will of the people
- Participation through representation
- Responsibility and accountability of political representatives
- Government close to the people
- Open-system approach
- Global politics

3.4.3 Economic principles

The following *economic* principles with which government should comply to attain good governance (Gildenhuis and Knipe, 2000:115-118):

- Economic freedom
- Private property ownership
- Free production process
- Privatisation, deregulation and small business
- Less licensing
- International economics

3.4.4 Social principles

According to Gildenhuis and Knipe (2000:118-120) the following are the *social* principles with which government should comply to attain good governance:

- Non-racism and non-sexism
- Nationalism

- Inclusiveness
- Civic pride, civic responsibility and civic obedience

3.4.5 Public management principles

The following, according to Gildenhuis and Knipe (2000:123-130), are the *public management* principles with which government should comply to attain good governance:

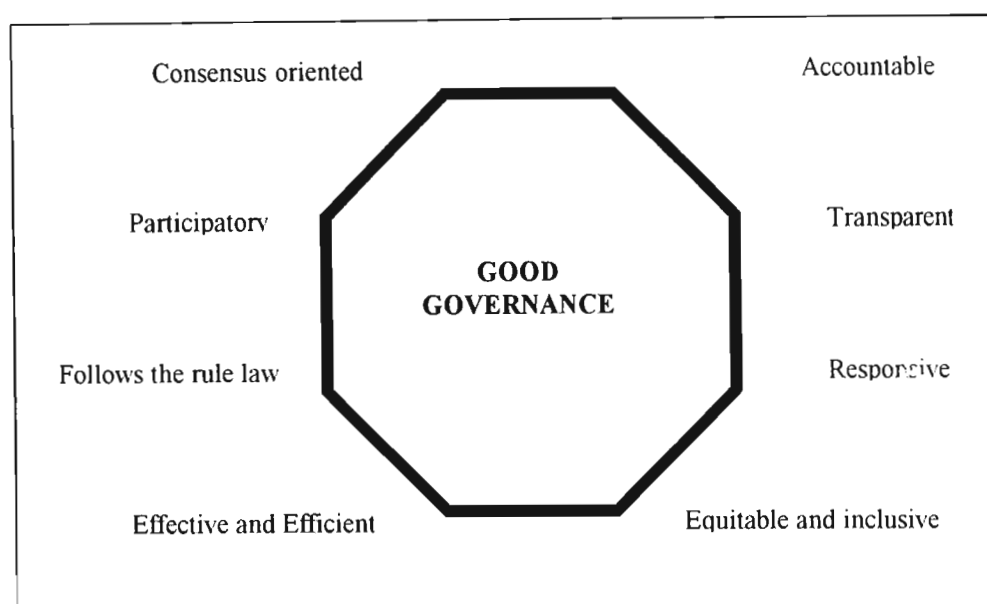
- The basic principle
- Organisational development
- Open-systems approach
- Value-oriented public management approach
- Responsiveness
- Public participation in decision making
- Free choice of public services
- Responsibility for programme effectiveness
- Social equity
- Corporate management
- Economy, efficiency and effectiveness
- Flexibility and management of change
- Sustainability and consistency
- Accountability, responsibility and transparency

3.5 CHARACTERISTICS OF GOOD GOVERNANCE

Good governance has eight (8) major characteristics. It is participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. It assures that corruption is minimised, the views of minorities are taken into account and that the voices of the most

vulnerable in society are heard in decision-making. It is also responsive to the present and future needs of society (UNESCAP, 2002:Online)

Figure 3.1 Characteristics of good governance



Source: (UNESCAP, 2002: Online)

3.5.1 Participation

Participation by both men and women is a key cornerstone of good governance (UNESCAP, 2002:Online). Participation could be either direct or through legitimate intermediate institutions or representatives.

It is important to point out that representative democracy does not necessarily mean that the concerns of the most vulnerable in society would be taken into consideration in decision-making. Participation needs to be informed and organised. This means freedom of association and expression on the one hand and an organised civil society on the other hand.

In Clarke's view (1996: 60) serious attention needs to be given to ways in which representative democracy can be strengthened by bringing a wider range of views, knowledge and judgement into the process and also to ways in which power can be shared, with particular interests or in the management of services and institutions.

3.5.2 Rule of law

Rule of law/supremacy of law signifies a state of government and administration under which the executive institutions and political executive functionaries do not have too wide and unchecked powers allowing them to act arbitrarily against the citizens (Cloete, 1995: 68).

Good governance requires fair legal frameworks that are enforced impartially. It also requires full protection of human rights, particularly those of minorities. Impartial enforcement of laws requires an independent judiciary and an impartial and incorruptible police force.

According to Bayat and Meyer (1994: 37-38) the rule of law concept would allow for the powers of a government to be conditioned by law. All citizens must be equal in the eyes of the law and be subordinate to the law. Courts of law should function separately from both the legislature and the executive. Judges should act as impartial protectors to ensure that the rights and freedom of individuals are guaranteed.

3.5.3 Transparency

Transparency means that decisions taken and their enforcement are done in a manner that follows rules and regulations. It also means that information is freely available and directly accessible to those who will be affected by such decisions and their enforcement. It also means that enough information is provided and that it is provided in easily understandable forms and media (UNESCAP, 2002: Online).

Van der Waldt's assertion in Van Niekerk *et al* (2002: 119) is that transparency concerns the extent to which the functioning of government institutions is open to public scrutiny. This requires mechanisms to ensure that all public processes and programmes are open to the public.

3.5.4 Responsiveness

Good governance requires that institutions and processes aim to serve all stakeholders within a reasonable timeframe.

The responsiveness of public institutions to individual problems, needs and values, as well as those of specific groups, should be increased and secured (Bayat & Meyer, 1994: 38). A new set of norms in the field of public administration is required to provide a satisfactory response to the needs and demands of society, especially in socio-economic fields such as housing, education and urban infrastructure.

3.5.5 Consensus-oriented

There are several actors and as many view points in a given society. Good governance requires mediation of the different interests in

society to reach a broad consensus in society on what is in the best interest of the whole community and how this can be achieved.

It also requires a broad and long-term perspective on what is needed for sustainable human development and how to achieve the goals of such development. This can only result from an understanding of the historical, cultural and social contexts of a given society or community (UNESCAP 2002: Online).

3.5.6 Equity and inclusiveness

A society's well-being depends on ensuring that all its members feel that they have a stake in it and do not feel excluded from the mainstream of society. This requires all groups, but particularly the most vulnerable, to have opportunities to improve or maintain their well-being (UNESCAP 2002: Online).

According to Clarke (1996: 128) equity is about evenness of access and ensuring that there is no discrimination inherently built into service provision. The importance of equity has grown as it has been recognised that there are a number of ways in which discriminatory practice creeps in.

3.5.7 Effectiveness and efficiency

Good governance means that processes and institutions produce results that meet the needs of society while making the best use of the resources at their disposal. The concept of efficiency in the context of good governance also covers the sustainable use of natural resources and the protection of the environment.

Effectiveness, according to Pollitt *et al* (1998:10), is the extent to which the original objectives of a policy, programme or project are achieved. Efficiency is the ratio between inputs and outputs. To be efficient is to maximise output for a given input whilst maintaining a specified output (Pollitt *et al*, 1998: 10).

3.5.8 Accountability

In its broadest sense, accountability is described by Van der Walddt (*in* Van Niekerk *et al* 2002: 119) as an obligation to expose, explain, and justify actions. Public accountability demands that the actions of public institutions be publicised to encourage public debate and criticism.

Accountability is a key requirement of good governance (UNESCAP, 2002: Online). Not only governmental institutions but also the private sector and civil society organisations must be accountable to the public and to their institutional stakeholders. Who is accountable to whom varies depending on whether decisions or actions taken are internal or external to an organisation or institution. In general an organisation or an institution is accountable to those who will be affected by its decisions or actions. Accountability cannot be enforced without transparency and the rule of law.

3.6 INDICATORS OF GOOD GOVERNANCE

According to the AAPAM Report there is no complete consensus on a comprehensive list of indicators of good governance. The following is the agreed compromise list of indicators of good governance, although it is by no means exhaustive (AAPAM, 2000: 49-50):

- Tolerance within diversity;
- Transparency in decision-making and implementation;
- Observation power decentralisation;
- Fair and equitable distribution of national wealth and resources;
- Regularly held free and fair elections;
- Freedom of expression and the press;
- Peaceful transfer of power from one regime to another;
- Equality before the law;
- Equal access to education and information;
- Affirmative action for the disadvantaged vulnerable groups in society;
- Independence and separation of powers of the three arms of government;
- Independence and interdependence of the three arms of government;
- Supremacy of the rule of law;
- Transparency in all transactions;
- Accountability continually;
- Integrity and ethics;
- Basic tenets of democracy;
- Healthy living environment;
- Fair and equitable distribution of resources;
- Observance of human rights;
- Gender balance and empowerment;
- High productivity of goods and services and high level of general happiness;
- Effective and efficient delivery of goods and services;
- Peaceful conflict resolution and management;
- Good employment climate and the availability of employment opportunities;

- Political stability and peaceful existence;
- Management and tolerance of diversity;
- Guaranteed freedom of association, expression and fundamental human rights.

Good governance, according to AAPAM (2000: 14), should:

- Aim at acquiring the optimum good for the optimum number of any given population;
- Be able to operate within fixed financial constraints;
- Equitably distribute available economic and social advantages; and
- Convince the population that the government means well and is fair.

3.6.1 Best practice in good governance

According to Cloete (*in* Theron & Schwella, 2000: 18-19) a relevant discipline should take note of the variety of different recent international experiences with the implementation of governance reforms, which suggest that it is, in principle, to improve the quality and quantity of public service delivery and even to establish public service complying with the principles of sustainable governance. This can be done through a combination of changes to the way in which the public service is structured and operates. These changes are mainly aimed at utilising private markets and other voluntary agencies (civil society) more pragmatically and therefore more effectively in public service delivery. This approach is known as network analysis and integrates some principles of the New Public Management philosophy (NPM), or entrepreneurial government with the concept of the self-organising network.

This approach to service delivery necessitates a series of changes in traditional government focus, structure, functioning and organisational culture in the public sector (Cloete *in* Theron & Schwella, 2000:19-20).

Firstly, a change from attempting to provide as wide a range of services as possible, irrespective of organisational capacity to do so, to explicitly accepting a limited capacity and reducing and redesigning service delivery programmes to match the existing capacity of the public service.

The **second** consequential change is one from big unwieldy public bureaucracies to smaller, more flexible organisations, as selected policy implementation functions are increasingly taken over by organisations outside the public sector.

The **third** change is one from frequently separate and isolated policy and financial planning and implementation traditions to integrated and co-ordinated strategic management practices at all organisational levels, but also a structural separation of strategic policy-making activities from operational implementation activities.

The **fourth** type of change is one from an input, resource-focused administration to an output, results-based management system. The new approach is based on performance contracting and promotion, accompanied by a change from rough, superficial, qualitative assessments of the outcomes of service delivery, to more accurate and precise quantitative measurements of policy outputs and/or outcomes where possible and feasible.

The **fifth** type of change is one from a closed bureaucratically dominated work environment in the public service to a more

transparent, accountable and participatory public policy process. The characteristic of this process is that direct, vertical, regulatory, bureaucratic control of service quality is replaced by indirect, horizontal, *ex post* quality control by empowered customers/consumers, citizens or the partners in a policy network.

The **sixth** and last change is one from simple cash budgeting and accounting methods as well as annual financial planning cycles to more complex accrual budgeting and accounting practices and multi-year financial planning cycles. This is normally accompanied by a rise in influence of economists, accountants, financial and strategic managers with the appropriate economic, financial and accounting skills in the public policy process.

This network model of governance does not propagate a new, minimalist definition of the role of government in society like the NPM school. What it does, according to Cloete (*in* Theron & Schwella, 2000: 20) is to identify, in a way that is consistent with the recent theoretical breakthroughs in governance studies, new delivery mechanisms outside the traditional public bureaucratic framework. This is to ensure the delivery of a desired quantity and quality of public services, still where desired, under overall supervision of government.

In doing this, network analysis adopts a totally new perspective on the nature and role of public bureaucracies in society. It improves on ideas of NPM theorists, not only about how to deliver more effective services to the public, but also what role public bureaucracies should play in this process. Network analysis has contextualised, consolidated and refined the crude NPM paradigm.

The network model of governance is mainly a procedural model that does not specify which policies are better than others. However, if sustainable development is accepted as an integral component of good governance, the proven best policy practices and the network model of governance can be transformed into a **strategic governance** model which suggests practical guidelines for successful policy implementation within a development context (Cloete *in* Theron & Schwella, 2000: 20).

3.6.2 Accountability as an indicator of good governance

Accountability is essential for the efficient functioning of all organisations and especially of governmental organisations in a democratically governed state. According to Adamolekun (1999: 141) this is so because of the following reasons:

Firstly, accountability structures in the public sector are surrogates for market forces in non-market conditions. They help to reflect the preferences of the public as citizens and consumers in the public realm. Accountability also serves as a quality control device. Public accountability is the requirement that those who hold public trust account for the use of that trust to citizens or their representatives. Public accountability underscores the superiority of the public will over private interests for those engaged in the provision and delivery of services to the general public. For this reason, it is often argued that where there is no accountability, the public administration system runs amok.

Secondly, accountability is closely related to the enjoyment of democratic life. Democratic governance implies the supremacy of citizens in the governing process. The requirement that ministers be responsible and public servants be accountable is at the very root of

democracy. A popular axiom of public administration credited to Lord Acton of the United Kingdom is that “power corrupt, and absolute power tends to corrupt absolutely.” The more government expenditures increases relative to gross domestic product (GDP), the more necessary public accountability become.

Thirdly, accountability is one of the five norms of good or better governance, the others being efficiency, transparency, predictability or rule of law and legitimacy.

Fourthly, interest in public sector accountability is also motivated by the widespread public perception that public sector organisations are generally wasteful. Waste is perceived in two senses. One is the inefficient use of public resources in the delivery of public services. A bloated African civil service that lacks the essential facilities or essential skills is one example of waste of public resources: drivers without vehicles, teachers without school supplies and doctors without drugs. In the other sense, waste is the perception that most political executives are corrupt and that many permanent officials collude and in some cases may become a part of the rent-seeking elite.

The demand for accountability and transparency has been aggravated by the sharp decline in resources available to state institutions in the face of rising expectations in the late 1980s and 1990s and has brought tremendous pressure on governments to ensure that they give citizens maximum possible value for their money (Adamolekun, 1999: 141).

Fifthly, particularly in Africa, the growing role of international actors in African governance and development, especially since the

economic crises of the 1980s, has increased the demand for accountability.

3.6.3 Good governance and accountability

According to Brinkerhoff (*in* Van der Molen *et al*, 2002: 298-299) there are various aspects of the good governance enterprise that contain accountability dimensions:

- **Democratic/political accountability**, which is a core feature of democracy itself, where societies select their leaders via periodic elections. This dimension of accountability is a measure of democratic quality, and is necessary for democratic governance systems to be sustainable. Democratic/political accountability extends beyond holding loaders accountable through elections, to touch upon the administrative machinery of government that elected leaders direct to achieve public purposes.
- **Financial accountability**, which deals with the control and monitoring of the resources that fuel the administrative machinery of government. The focus is upon assuring that resources are used for intended purposes according to proper and transparent procedures.
- **Performance accountability**, which connects resource use with the achievement of mandated and/or expected results. This dimension encompasses effectiveness and goal attainment.

3.7 UNDERSTANDING GOOD GOVERNANCE

Sing (1999: 93) says one way of looking at the characteristics of good governance is to contrast it with what can be called bad, poor or malgovernance or misgovernance.

The following characteristics of bad governance can be identified (Sing, 1999: 93-97):

- Failure to establish a predictable framework of law and government behaviour conducive to development, or arbitrariness in the establishment and application of rules and laws. Problems of governance generally emanate from the lack of strong and farsighted decisions and policies of government. Such weaknesses in policy decisions are found in both authoritarian and democratic systems though the reasons for malfunctioning might be different (Barlal *quoted by* Sing, 1999:93). According to Sobhan (*quoted by* Sing 1999: 93) persistent usurpation of democratic opportunities for the public contributes to misgovernance. This failure of governance can in turn weaken the development capacities of the state.
- Absence of a progressive reduction in regulatory, promotional and entrepreneurial role of government in economic and social development. According to Pierre (*quoted by* Sing, 1999: 93) what makes the theory of governance so fruitful is that it treats government and its institutions as a variable rather than as a parameter whose influence and power are treated as given.
- Legitimacy crisis in the political and governmental systems. Legitimacy involves both the performance capacity of the systems and the sentiments of the population towards the systems (Barlal *quoted by* Sing, 1999: 94).

- Failure to develop and promote a culture of ethics. The concern of governments with the public sector transformation and reform has introduced a new era into governance. The implications of this concern are varied and related ultimately to the question of ethical governance. Factors that necessitate the importance of ethical governance include, calls for human rights, the global village syndrome an information glut and new freedoms based upon the citizenry by democracy. Concern about ethical governance is on the increase in all parts of the world (Clapper *quoted by* Sing, 1999).

According to Fox and Meyer (1996: 45) ethics in the context of governance could be regarded as the collection of moral principles, norms, attitudes, values and obligations that serve as conduct and behavioural roles to be observed by public representatives, political office-bearers and public officials. Dwivedi (*quoted by* Sing 1999: 95) asserts that ethical conduct and behaviour also includes those instruments of governance which public representatives, political office-bearers and public officials utilise in order to achieve certain policy objectives. Nothing breeds contempt for and distrust of public representatives, political office bearers and public officials, more than the belief among citizens that public functionaries are taking actions to enrich themselves rather than to advance the interest of the public (Haque *quoted by* Sing, 1999: 94).

- Absence of a democratic ethos. One of the central aspects of good governance is the adoption, promotion and application of democratic principles.
- Absence of transparency in governmental actions. The theme of transparency and information pervade good governance and strengthens public accountability and openness, and reducing

unnecessary secrecy in governmental actions. It also helps reduce unnecessary secrecy in governmental actions. The principle of transparency is critical to the success of efforts at attributing foreign investment and private sector participation in the development process. It seeks to improve communication between the public sector and the public and to build trust and strengthen links with the media (Sing, 1999: 96-97).

- Failure to establish and maintain a culture of public accountability. Accountability according to a World Bank publication is at the heart of the governance process. It is regarded as the driving force that generates the pressure for key actors involved, to be responsible for and to ensure effective outcome based government performance.

According to Nti (*quoted by* Sing, 1999:97) accountability has to do with holding governments responsible for their actions or inactions and at the political level it means making rulers accountable to the ruled, typically through the contestability of political power. At the official governmental level accountability is hierarchical, based on administrative and management structures and reporting is ultimately directed to the political level.

The question of understanding the concept of good governance can be emphasised thus... "it could be stated that a predictable framework of law and government behaviour, lack of legitimacy crises, a culture of ethics, a democratic ethos, transparency, culture of public accountability and a reduced regulatory, promotional and entrepreneurial role of government in economic and social development are characteristics that underpin good governance. It is pointed out that governance problems accumulate from acts of omission and commission on the part of rulers and also result from

the increasing complexities of each political society and the international environment” (Panandiker *quoted by* Sing, 1999: 98).

Barlal *quoted by* Sing (1999: 94) outlines the principal sources of legitimacy that cause problems of governance as follows:

- Breakdown of governmental institutions that occurs because of conflicting or inadequate bases of claiming authority in society. Under this condition the rulers try to expand their power bases but do not find a popularly accepted rationale.
- Excessive and uninstitutionalised competition for competition for power. Under this condition, in the absence of stable political institutions the struggle for power becomes a free for all in which all means available are adopted to justify one’s quest for power.
- Faulty ideology justifications and faulty predictions of future developments. Under this condition there is a crisis of leadership
- Wrong political orientation or socialisation of people lacking in normative political culture. Under this condition a discrepancy between patterns of political orientation within a given society and the internalisation of values derived from outside create problems of governance.

3.7.1 Reasons for good governance

Kruiter (1996: 2) says the notion of “good governance” was introduced to international development co-operation in the late 1980’s following discussions mainly in World Bank circles on the

results of structural adjustment policies. It developed into a somewhat confusing and controversial term. He maintains that unlike reform programmes, good governance concerns more than liberal economic policy.

A further assertion is that good governance came to be used in a much broader sense of referring to the nature and style of political systems including accountability and transparency of decision-making. It came also to be associated with a range of political conditionalities such as democratisation, promotion of multi-party systems and commitment to free elections. Africa was often the object of governance debates and policies (Kruiter 1996: 2).

Good governance assumes that public service delivery is the implementation of public policies aimed at providing concrete services to the citizens. Good governance also requires good citizenship. According to Cloete (1999a: 12) this entails citizens who are:

- Informed about their needs, resources, objectives, procedures and those of others;
- Participants in governmental processes;
- Experienced in governmental matters;
- Dedicated to national interests;
- Responsive to state and communities;
- Pro-active and enforce rights;
- Disciplined and accept and execute duties responsibly;
- Realistic in expectations and demands;
- Tolerant of different views;
- Entrepreneurial with a productive work ethic; and
- Honest.

3.7.2 Good governance and democratic governance

Good governance concerns the promotion of democratic principles. According to Dwivedi (*quoted by* Sing, 1999: 95-96) democratic governance is based on the following principles:

- Fundamental freedoms for all, which means that the human being is the ultimate measure of all human values;
- Equality of all, so that everyone receives the same recognition from others but especially from the state;
- Universal participation in the governing process. It is argued that democratic governance creates equal opportunities for people, guarantees freedom of association and recognises the citizen's fundamental rights. Under a setting of democratic governance the creativity of people can be unleashed and harnessed for the benefit of society at large and of the public sector, specifically (Yahaya *quoted by* Sing, 1999: 95-96).

Guidelines as to how democratic governance can be operationalised by public representatives, political office-bearers and public officials include (Dwivedi *quoted by* Sing, 1999: 96):

- Recognition of the facts that the governing process is a moral endeavour;
- Sustained belief and resolve to serve and care for all citizens,
- Consideration of their role as protectors of the rights of not only human beings but also of others in the environment and as guardians of natural legacy for future generations;
- Realisation of the fact that protecting and enhancing democratic principles requires vision and morality – an essential purpose of serving the public because such an essential purpose ought not and cannot be sacrificed on the alter of administrative nationality or mere political expediency.

Haque *quoted by* Sing (1999: 96) maintains that a democratic mode of governance requires that services be provided to all classes and groups of citizens, especially the underprivileged who are usually left out by the private sector in the market place.

3.7.3 International experience with good governance

According to Cloete (1999b: 87) a variety of recent international experiences with governance reforms suggest that in principle it is possible to improve the quality and quantity of public service delivery and even establish public services through a combination of changes to the way in which the public service is structured and operates. These changes are aimed at utilising private markets and civil society more effectively in public service delivery.

This approach to service delivery necessitates a series of changes in traditional government focus, structure, functioning and organisational culture in the public sector (Cloete, 1999b: 88-90):

First, a change from attempting to provide as wide a range of services as possible, irrespective of organisational capacity to do so, to accepting a limited capacity and reducing and redesigning service delivery programmes to match the existing delivery capacity of the public service.

The **second** change is one from big unwieldy public bureaucracies to smaller, more flexible organisations, as selected policy implementation functions are increasingly taken over by organisations outside the public sector.

The **third** change is from frequently separate and isolated policy and financial planning and implementation traditions to integrated and

co-ordinated strategic management practice at all organisational levels.

The **fourth** change is from an input, resource-focused administration to an output, results-based management system with performance contracting and promotion.

The **fifth** change is from a closed bureaucratic-dominated work environment in the public service to a more transparent, accountable and participatory public policy process.

The **sixth** and last change is from simple cash budgeting and accounting methods, as well as annual financial planning cycles, to more complex accrual budgeting and accounting practices and multi-year financial planning cycles.

3.8 MEASURES TO ENHANCE GOOD GOVERNANCE

Measures to enhance good governance require paying attention to the following (AAPAM, 2000: 27):

- A Citizen's Charter;
- Establishment of a complaint mechanism;
- Code of good administrative practice;
- Introduction of a leadership code;
- Code of practice on access to information;
- Consolidation and strengthening of the role of the Ombudsman.

3.8.1 Good governance and service delivery

According to Molomo and Somolekae (*in* Hope & Somolekae, 1998: 100) the advancement of good governance and service delivery in the world at large, and Africa in particular, is a matter that has been on the agenda of bilateral assistance programmes of Western democracies since the beginning of the 1980s. These bilateral efforts are complemented by the multilateral organisations including the World Bank, the United Nations and the Commonwealth Secretariat.

Regional organisations, such as the European Community and the Organisation of African Unity, have also begun to incorporate a concern for political reform in their agendas. They place greater emphasis on good governance, which they broadly define to include, among other features, transparency and the elimination of corruption. The effort to facilitate good governance and improved service delivery has also been complimented by international non-governmental organisations (Molomo & Somolekae, 1998: 100).

Accountability is an ethical concept that must be addressed seriously in any discussion of good governance and service delivery. It is a very difficult issue that has implications for society as a whole. The debates on corruption and accountability have spread throughout the political discussions in most of the Third World.

3.8.2 Raising level of awareness of good governance

According to the AAPAM Report (2000: 52) raising the level of awareness of good governance can be achieved through:

- Seminars, workshops and conferences;
- Public education, sensitisation, information and communication;

- Civic education;
- Empowering local people and indigenous groups;
- The mass media;
- School education;
- Awareness programmes;
- Gender balance and gender sensitive policy;
- Developing training facilities and programmes for parliament and civil servants;
- Development of the citizens' charters;
- Punishing and publicising crimes.

3.8.3 Strategies for the promotion of good governance

The following strategies, as suggested by the AAPAM Report (AAPAM, 2000: 18-19), are regarded as the main thrusts for promoting good governance:

- Decentralisation – The decentralisation of power must be aimed at promoting service delivery by providing people with a chance to participate at all levels.
- Electoral reforms – These allow for a better representation of other political parties.
- Capacity building – This must be aimed at improving the capacities of ministers and members of Parliament and focussing on improving the relationship between such persons.
- Service delivery – The government must be engaged in the drive to enhance the delivery of basic services such as education, roads and telecommunications.

- Restructuring and organisation of governmental structures – All ministries must be asked to review their structures to ensure that they are relevant to their mandate.
- Administration of justice – Inefficiencies in the administration of justice impact negatively on governance. Therefore steps must be taken to introduce corrective measures, including the setting up of courts, enacting the Anti-corruption Acts and administering the rule of law.
- Financial management – The government must embark on efforts to manage expenditure effectively through, for example, the control of vehicle use, revenue collection and collection of income tax.
- Management and development of human resources – Emphasis must be placed on strengthening human resources management through the professionalisation of the civil service.

3.9 BATHO PELE PRINCIPLES AND GOOD GOVERNANCE

The *Batho Pele* principles serve as a guide to governance and good governance in particular. It is imperative to apply these principles in public services.

3.9.1 Eight principles of *Batho Pele*

The White Paper on the Transforming Public Service Delivery (*Batho Pele*) published on 1 October 1997 emphasises government's

commitment to effective and efficient service delivery. The policy framework contained in *Batho Pele* is required to give effect to the eight transformation priorities identified in the White Paper on the Transformation of the Public Service published on 24 November 1995, amongst which Transforming Service Delivery is the key. This is because a transformed South African public service will be judged by one criterion above all: its effectiveness in delivering services which meet the basic needs of all South African citizens. Therefore improving service delivery is the ultimate goal of the public service transformation programme and good governance.

Figure 3.2 Eight principles of *Batho Pele*

Consultation	Service standards
Access	Courtesy
Information	Value for money
Redress	Openness and transparency

Source: Du Toit *et al* (2002: 107)

The eight principles of *Batho Pele* are:

- (i) Consultation
Citizens should be consulted about the level and quality of the public services they receive and whenever possible, be given a choice about the services that are offered.
- (ii) Service Standards
Citizens should be told what level and quality of public services they will receive so that they are aware of what to expect.

(iii) Access

All citizens should have equal access to the services to which they are entitled.

(iv) Courtesy

Citizens should be treated with courtesy and consideration.

(v) Information

Citizens should be given full, accurate information about services they are entitled to receive.

(vi) Openness and Transparency

Citizens should be told how national and provincial departments are run, how much they cost and who is in charge.

(vii) Redress

If the promised standard of service is not delivered, citizens should be offered an apology, a full explanation and a speedy and effective remedy; and when complaints are made, citizens should receive a sympathetic, positive response.

(viii) Value for money

Public services should be provided economically and efficiently in order to give citizens the best possible value for money.

3.9.2 Putting the *Batho Pele* principles into practice and ensuring good governance

The *Batho Pele* principles were introduced to improve the standard of service delivery in South Africa. Putting these principles into practice

is the challenge now facing the South African public sector. To ensure good governance, such principles must be properly applied and adhered to.

3.9.2.1 Consulting users of services

All national and provincial departments must, regularly and systematically, consult not only about the services currently provided but also about the provision of new basic services to those who lack them.

According to the SAMDI Report (2002: 7) consultation must be conducted intelligently. It should not result in a list of demands that raise unrealistic expectations; rather it should reveal where resources and effort should be focused in future to meet the public's most pressing needs. The outcome should be a balance between what citizens want and what national and provincial departments can realistically afford and have the resources and capacity to deliver.

3.9.2.2 Setting service standards

National and provincial departments must publish standards for the level and quality of services they provide, including the introduction of new services to those who have previously been denied access to them.

Service delivery standards

These are the minimum and measurable customer service requirements set by a team or individuals against services rendered to clients taking into cognisance availability or scarcity of resources. Service delivery standards contain three variables, namely quality,

quantity and timeliness. Standards are set against outputs and must be challenging and achievable for staff; they should also be measurable and or observable.

A service standard is a form of contract or promise that states

- How quickly
- How easily and at
- What quality the service will be delivered

It is guided by customers' needs and expectations and what, realistically, the Department can afford. Service standards must be displayed in public areas so that customers may know what to expect.

Service Standards must be:

- Clear, ie must be precise in meaning
- Concise, ie short and to the point
- Observable, ie be seen or measured
- Realistic, ie practical and attainable (SAMDI, 2002: 10).

3.9.2.3 Increasing access

All national and provincial departments are required to specify and set targets for progressively increasing access to their services for those who have not previously received them. In setting these targets, institutions which promote the interests of previously disadvantaged groups, such as the Gender Commission and groups representing the disabled should be consulted.

3.9.2.4 Ensuring courtesy

National and provincial departments must specify the standards for the way in which customers should be treated. These are to be included in their departmental Codes of Conduct.

To ensure courtesy these standards should cover, among other things (SAMDI, 2002: 13):

- Greeting and addressing customers;
- The identification of staff by name when dealing with customers, whether in person, on the telephone or in writing;
- The style and tone of written communications;
- Simplification and “customer-friendliness” of forms;
- The maximum length of time within which responses must be made to enquiries;
- The conducting of interviews;
- How complaints should be dealt with;
- Dealing with people who have special needs, such as the elderly;
- Language;
- Gender.

3.9.2.5 Providing more and better information

Information is one of the most powerful tools at the customer's disposal in exercising his or her right to good service.

National and provincial departments must provide full, accurate and up-to-date information about the services they provide, and who is entitled to them.

Information must be provided in a variety of media and languages to meet the differing needs of different customers.

There must always be a name and contact number for obtaining further information and advice (SAMDI, 2002: 14).

3.9.2.6 Increasing openness and transparency

Reports to citizens should be publicised as widely as possible and should also be submitted to national and provincial legislatures in order to assist the relevant Portfolio Committees in scrutinising and monitoring departmental activities. The aim is to provide the public with key information, which they are entitled to receive.

According to the SAMDI Report (2002: 15) the mechanism for achieving this will be an Annual Report to Citizens published by each national and provincial department setting out, in plain language:

- Staff numbers employed, and the names and responsibilities of senior officials;
- Performance against targets for improved service delivery, financial savings and increased efficiency;
- Resources consumed, including salaries and other staff costs and other operating expenses;
- Any income, such as fees for services;
- Targets for the following year;
- A name and contact number for further information.

3.9.2.7 Remedying mistakes and failures

The capacity and willingness to take action when things go wrong is the necessary counterpart of the standard setting process.

The *Batho Pele* principle of redress requires a completely new approach to handling complaints. Many departments have no procedures for regularly reviewing complaints in order to identify systematic problems. Staff should be encouraged to welcome complaints as an opportunity to improve service and to report complaints so that weaknesses can be identified and remedied.

National and provincial departments are required to review and improve their complaints system, in line with the following principles (SAMDI, 2002: 15-16):

Accessibility

Complaints system should be well published and easy to use.

Speed

The longer it takes to respond to a complainant, the more dissatisfied customers will become. An immediate and genuine apology together with a full explanation will often be what they want. Where delay is unavoidable, the complainant should be kept informed of progress and told when an outcome can be expected.

Fairness

Complaints should be fully and impartially investigated. Wherever possible, therefore, an independent avenue should be offered if the complainant is dissatisfied with the response they receive the first time around.

Confidentiality

The complainant's confidentiality should be protected, so that the person is not deterred from making complaints because of the feeling that he/she will be treated less sympathetically in future.

Responsiveness

Where a mistake has been made, or the service has fallen below the promised standard, the response should be immediate, starting with an apology and a full explanation. There must be an assurance that the occurrence will not be repeated and whatever remedial action necessary should be explained. Wherever possible, staff who deal with the public directly should be empowered to take action themselves to put things right.

Review

Complaints systems should incorporate mechanisms for review and for feeding back suggestions for change to those who are responsible for providing the service, so that mistakes and failures do not recur.

Training

Complaints handling procedures should be published throughout the organisation and training given to all staff so that they know what action should be taken when a complaint is received.

3.9.2.8 Getting the best possible value for money

The *Batho Pele* initiative must be delivered within departmental resource allocations, and the rate at which services are improved should significantly affect the speed with which national and provincial departments achieve efficiency savings; these savings can be ploughed back into improved services.

Public services should, according to SAMDI (2002: 18), be provided economically and efficiently in order to give the best possible value for money:

- Failure to give a member of the public a simple, satisfactory explanation to an inquiry may result in an incorrectly

completed application form; this costs time and money to put right.

- Failure to use office equipment correctly adds cost.
- Failure to deliver service according to the required standard adds cost.
- Low productivity costs money.

3.10 DEVELOPING INSTITUTIONS FOR ENHANCING GOOD GOVERNANCE

Given the enormity and complexity of the challenge facing public institutions and the public service in South Africa, it has become clear that government cannot meet it alone. Various forms of partnership have become essential. In service delivery, public sector partnerships with the private sector are increasingly important. Civil society and others are playing an important role in promoting good governance. These practices need to be promoted and extended.

3.10.1 Role of the judiciary

The AAPAM Report (AAPAM, 2000: 21) states that a lawyer's perspective of good governance is one that has justice as its central pursuit embodied in the protection of human rights. The emergence of international human rights norms may be seen as the beginning of a universal standard by which good governance can be gauged. Thus, the inclusion of human rights provisions in a country's constitutions becomes a legal and enforceable duty.

The following can be cited as examples of areas in which the legal system has contributed to good governance (AAPAM, 2000:22):

- The right of access by the public to information;
- The right to take part in the conduct of public affairs;
- The right of access of citizens to the enjoyment of the highest attainable standard of physical and mental health;
- The right to work;
- The right to education;
- The rights of the aged and the disabled;
- The right to social security; and
- The right to a safe living and working environment.

The AAPAM Report (AAPAM, 2000:22) also noted that in some countries the judiciary can contribute to bad governance by actively colluding to keep illegal governments in power. For example, the judiciary, an institution that should protect the constitution, swears in military leaders who commit criminal offences against the people, contrary to its duty to maintain law and order and safeguard the rights of every citizen.

It is a fact that the law fundamentally supports the action of the executive in power. This in effect means that it does so regardless of how the government came to power, so long as the leaders who seized power have secured their legitimacy by the overwhelming support of the masses. In any event, according to the AAPAM Report (AAPAM, 2000: 22), even though the judiciary recognises the supremacy of the constitution, it should be noted that in the aftermath of coups, the constitution is suspended and is, therefore, temporarily non-existent.

3.10.2 Role of the private sector

A relatively new trend in the field of governance, and more specifically in the area of service delivery, is the role of the private sector as a partner in government. This brings about a change in corporate culture and public management.

More than a decade of political reform Africa has fostered a new and growing awareness among policy-makers about the merits of increasing private-sector participation in the economy, with a corresponding reduction in the role of the state in the productive sector. According to the ECA Report (1999: 4-5) this recognition – indeed consensus – that the private sector should take a lead role in economic development, with governments providing the enabling environment, has initiated considerable activities in reviving private investment and entrepreneurship in Africa. Many of the countries in Africa have clearly moved away from centrally planned economies towards economic systems based on a free market approach, (Ethiopia, Mozambique and Tanzania are examples).

Recognising the vast potential for private sector activities, some countries have adopted policies designed to expand and diversify private sector activities and stimulate and sustain private investment, both domestic and foreign. Among the more important policy changes are: sound macro-economic policies, efficient economic infrastructure, laws that facilitate creation of private enterprise, effective and efficient capital markets, agile investment promotion agencies, strong partnership between the public and private sector, and a supportive legal and regulatory framework for investment. Examples are Kenya, Uganda and Mauritius (ECA, 1999:5).

In an attempt to create a more market and investor market friendly climate, the ECA Report (1999:5) maintains that countries have substantially changed their investment codes and established investment promotion centres to serve as focal points for the promotion, co-ordination and support system of local and foreign investments. Large-scale state owned enterprises are being increasingly privatised and money-losing parastatals are being restructured and liquidated, examples being Tanzania, Ethiopia and Zambia.

According to the ECA Report (1999:5) the scope of privatisation of state owned enterprises has widened, although unevenly. Some countries have extended privatisation to public infrastructure enterprises. Many are using management contracts, leasing arrangements and various forms of concessions to transfer the management of public enterprises to the private sector.

3.10.2.1 Culture of good corporate governance

The culture of good corporate governance in the private sector can make a significant contribution to good governance in a country. This can also enhance the ability of bureaucrats and politicians to understand the business perspective.

The Johannesburg Securities Exchange's new listing requirements, which came into effect in September 2003, are an attempt to enforce good corporate governance practice among listed companies by adopting King II guidelines. Speaking at a corporate governance conference in Durban, Louis de Koker, the director of the Centre for the Study of Economic Crimes, said it was up to investors to enforce a culture of good corporate governance.

It has been further asserted that... “board of directors should, as a minimum requirement, have an audit committee and remuneration committee, with formally defined roles and written scope of authority. Non-executives have an important role to play in these board committees, which should preferably be chaired by an independent non-executive director.” (Business Report, 5 September 2003: 6).

Shareholders are increasingly demanding better governance of companies, assurances that companies demonstrate high standards of business and behaviour by directors, officers and employees. They also require companies to set and maintain good policies on a range of employee and customer dealings.

The purpose of the King II report is to promote the highest standards of corporate governance in South Africa. Issues to be addressed in an employee code of conduct include relationships to third parties, gifts, anti-bribery provisions and provisions for whistle-blowers. Initiatives that may be considered in implementing the code include:

- Customising the code of conduct to reflect South African values and to obtain employee buy-in;
- Integrating the values into the employee appraisal process;
- Differentiating between hospitality and bribery;
- Raising the level of awareness of the Protected Disclosures Act (more commonly referred to in South Africa as the whistle-blowing legislation) (Business Report, 2 October 2003:4).

3.10.2.2 Good governance and transparency for investment

The Organisation for Economic Co-operation and Economic Development (OECD) claims that good governance and transparency

are as important in attracting foreign direct investment (FDI) as other factors such as macroeconomic policies, market size and risk.

The organisation's business and advisory committee says investors seek markets that are "stable, transparent and predictable to give them the confidence to take the risks inherent in investing capital". The OECD must be taken seriously when it says that for many firms their critical focus when making investment choices centre on "the reliability and clarity of the host government's administration and decision-making process" (Business Report, 19 November 2003: 2).

Transparency reduces the opportunity for bribery and corruption and helps ensure that rules and exemptions do not become a hidden barrier to investment. While aspects of a country's competitiveness – in fields such as labour productivity, infrastructure and technology – cannot be altered dramatically in the short term, public governance may be improved more rapidly if and when they are.

The advisory committee of the OECD says greater transparency helps to level the playing fields among competing firms and promotes democracy by giving the greatest opportunity for the views of the populace to be heard. It also says that if good governance is to be supportive of attracting private sector investment it needs "as minimum" to free the process from administrative measures such as screening and approval requirements for foreign investments (Business Report, 19 November 2003: 2).

Investors ask themselves questions such as:

- How layered and complex is the government decision-making?
- Is someone truly in charge, can they be identified, and will they make a timely and binding decision?
- Are the different levels of government supportive of each other?

If different levels of government are supportive of each other, this creates confidence for the private sector. Investors and the private sector demand a good climate of good governance in a particular country for them to invest.

3.10.3 Role of the non-governmental organisations

This section seeks to determine the extent to which the non-governmental organisation (NGO) sector, in the context of good governance, represents an alternative to the state in service delivery.

According to Du Toit *et al* (1998:264) non-governmental organisations are voluntary organisations promoting development, covering a wide spectrum of development-related activities, and which are responsible to their donors and to the communities for which they work. They are relatively independent, established privately with the objectives of rendering assistance and relief and of transferring resources to promote development at grass-roots level. They are often committed to the idea of popular participation, human development and community education. As such, NGOs can be mediators between donors and recipients and can also be facilitators for development, even for other NGOs.

Molomo and Somolekae (*in* Hope & Somolekae, 1998:97) say within the context of governance, NGOs have come to be perceived as providing alternative structures that can better deliver services and become effective mobilisers of grassroots development. Fowler (*quoted by* Hope & Somolekae, 1998:97) also argues that not only have NGOs been promoted because of their role in service delivery, but they have also come to be equated with good governance.

In fact, by the early 1990s NGOs had acquired a reputation for:

- Being capable of reaching the poor and targeting assistance to chosen groups;
- Obtaining true, meaningful participation of intended beneficiaries;
- Achieving the correct relationship between processes and outcomes;
- Choosing the proper mix of assistance – educational, technical, material;
- Being flexible and responsive in their work;
- Strengthening local level institutions;
- Achieving outcomes at less cost;
- Tailoring interventions to the needs of specific situations;
- Experimenting with alternative ideas and practices;
- Employing long-term, strategic perspectives and time scales;
- Undertaking people-centred problem identification and research;
- Analysing and identifying with the realities of the poor (Molomo and Somolekae *in* Hope & Somolekae, 1998:98).

Although the concept of civil society means many things to many people, it is, according to Kotze (*in* Maharaj, 1999: 173), “a political concept because it is essentially about *power* – the power of non-state actors to participate in making decisions that have an impact on them”. For their part, NGOs are among the only formal organisations to enjoy a degree of autonomy from government and to have a direct presence among mobilised communities at the grassroots level. Governments and NGOs therefore find themselves in a new and challenging juxtaposition that requires leaders on both sides to ponder the potential for conflict or complementarity between their institutions (Kotze *in* Maharaj, 1999: 173).

Recently in South Africa, one major NGO i.e. the Treatment Action Campaign led a successful campaign to get the government to provide anti-retroviral drugs to HIV-positive mothers to prevent mother-to-child transmission.

NGOs play an integral part in development by providing assistance and support to communities which are otherwise neglected by the public and private sectors. As voluntary institutions, they are motivated not by profit, but by the need to uplift and empower communities which otherwise may be ignored by the state.

In some countries there is a parallel movement towards popular participation and the empowerment of civil society. For many decades ordinary citizen, powerless and disillusioned in the face of economic decline and tyranny, have turned their backs on the basic workings of their state. Their failure to participate in civic life has worked to speed political and economic decline and has worsened the lot of citizens. It is now widely accepted that a quest for democracy and a good governance campaign cannot be sustained without broad popular support and the dedication and hard work of all citizens (ECA, 1999: 4).

3.10.3.1 Strengths of NGOs

Maharaj and Jaggernath *quoted by* Du Toit *et al* (1998:265) state that with the increasing democratisation of the developing world, there has been a great expectation from funding agencies and development policy-makers that NGOs would contribute to a stronger civil society and promote good governance.

Overall, NGOs have a special ability to do the following:

- Reach the poor and other populations not served by the public or private sectors. This function reflects their commitment to helping the poor and other disadvantaged groups in society.
- Facilitate the mobilisation of local resources and the development of private organisations through which the poor can participate in their own development. Non-governmental organisations are very versatile and can easily identify and adapt to local needs and circumstances.
- Provide basic services at a low cost. This is related to the ability of NGOs to galvanise local resources and voluntary labour.
- Find creative solutions to unique problems and support successful innovation in government programmes. This capacity is related to their small size, administrative flexibility and relative freedom from political constraints (Brown & Korten *quoted by* Du Toit *et al*, 1998: 265).

The government's inability to fulfill its campaign promises and to meet its social development targets has, however, according to Tapscott (*in* Maharaj, 1999: 237), given a new lease of life to the NGO sector. He says the failure of the RDP to deliver, in particular, prompted government departments to engage NGOs on a far more serious level than in the past. This has raised the prospects for a more fruitful partnership with the state.

One of the barometers of the status of democracy in any country is the number of NGOs it has, and their influence. NGOs often are an anathema to authoritarian regimes (whether of the extreme Left or the extreme Right) because they challenge the absolute grip the regime has in every area of life. Democracies are by nature pluralistic, checks and balances within government being

complemented by checks and balances outside it (The Mercury, February 2004).

The establishment of the South African National NGO Coalition (SANGOCO) in 1995, in particular, gave a new voice to the NGO community, and its formation “represented an important historical moment for civil society in South Africa”.

3.10.3.2 Challenges facing NGOs

The challenge facing NGOs, together with governments and the private sector is to redefine the principles of development, democracy and sovereignty in the light of mounting poverty, growing inequalities, looming environmental threats and the ever-clearer interdependence of nations.

Co-operative governance and institutions involved pose interesting challenges to legislators and NGOs. One important challenge, according to Gordhan (*in* Maharaj, 1999: 207), is to find in the new governing culture and practices, the balance between, on the one hand, innovation, diversity and competition and, on the other, uniformity and co-operation.

Ordinary citizens at the community level have always been important actors in South Africa’s political economy and this has not changed. One of the key challenges is for government to find ways to draw all other stakeholders in at the right level to promote good governance, peace, growth and development.

NGOs, therefore, have a vital role to play in empowering ordinary people by presenting alternatives to the options offered by sham democracies and by playing a watchdog role over standards and

practices. Legal, medical, developmental and environmentalist NGOs are good examples, setting standards and creating value systems and lobby groups that support true democracy across international boundaries (The Mercury, 2004).

3.11 THE CHALLENGE OF IMPLEMENTING GOOD GOVERNANCE AND ADMINISTRATION: THE ROLE OF THE SOUTH AFRICAN PUBLIC SERVICE COMMISSION

An essential component of the change in South Africa has been a shift to make good governance a cornerstone of the new democracy. This has entailed addressing fundamental issues such as accountability and transparency, particularly during the implementation of new policies that involve the expenditure of state resources.

According to the Public Service Commission (PSC) Report (PSC, 2002: 6) such operating principles were absent from the previous regime's administration and have required the introduction of new policies, legislation and regulations. This has absorbed significant amounts of energy and resources and has drawn people in the public service away from other areas of activity.

Provision has been made in Chapter 13 of the Constitution for a Public Service Commission (PSC). The powers and functions of the PSC include making recommendations, giving directions and conducting enquiries with regard to:

- The organisation and administration of departments and the public service;
- The conditions of service members of the public service and related problems;

- Personnel practices in the public sector: appointments, transfers, discharges and other career incidents of members of the public service, and matters in connection with the employment of personnel;
- The promotion of efficiency and effectiveness in departments and the public service;
- A code of conduct applicable to members of the public service (Cameron & Stone, 1995: 15).

The Public Service Commission must promote the development of ethics, accountability and good governance in that it must ensure that public service departments follow sound principles of public administration for the effective, economic and efficient utilisation of resources and ensure that the needs of its citizens are responded to (Raga, 2001: 301).

The fundamental principle underlying the shift has been to ensure that accountable officers manage each government entity according to national norms and standards individually, without prescribing rigid uniform procedures. This is consistent with international good practice.

3.11.1 Understanding professional ethics

Professional ethics is a cornerstone for sound administration and progressive governance. Professional ethics is the practical application of values and principles in a working environment to ensure that honesty and integrity underpin all transactions and relationships (PSC Report, 2002: 22).

Because the apartheid regime was founded on unethical values, the administration inherited in 1994 was characterised by high levels of

corruption and maladministration. Since 1994, transformation has also created opportunities for corruption. In South Africa, as in many developing countries, professional ethics has thus come to be associated with efforts to fight corruption but the issue has a far broader scope.

Simply reacting to corruption is inadequate, says the PSC Report (2002: 22). What is required is an approach that aims to build integrity systems that are resistant to corruption and which promote and encourage ethical behaviour by officials and those with whom they do business on behalf of the state.

The most common definition of corruption is that of using public office for private gain. Types of corruption include practices such as bribery, embezzlement, extortion, abuse of power, conflict of interest, insider trading, favouritism and nepotism.

3.11.2 The state of ethics

Corruption is a serious problem that is confronting all sectors in South Africa including the public sector. While recognising the seriousness of the problem, according to the PSC Report (2002: 24) it is virtually impossible to provide an accurate assessment of the state of ethics in South Africa. This is because of the inadequacy of the current methodologies and indicators of corruption.

Most international surveys and indices are based on perceptions, often primarily of business people. They are thus of limited value from a practical, action-oriented perspective. The methodologies also fail to take account of the providers of unethically received benefits and focus exclusively on the recipients thereof. This provides insight into only half the problem.

The Country Assessment Report on Corruption for South Africa released early in 2003 provided greater clarity on the issue and laid the basis for agreement on alternative indicators.

It has become clear to the PSC that the area of public management in which most corruption takes place is that of procurement. The purchasing of goods and services for the public service offers many opportunities for corruption. The procurement and tendering systems that need to be in place to prevent corruption are often time-consuming and tedious, and as a result are often not properly implemented (PSC Report, 2002: 24).

3.11.3 Good governance and accountability

Like many states in the global village, South Africa subscribes to the view that public governance is not only about the institutions, processes and functions of the state and the realisation of the rule of law, but also involves the interaction between the state and civil society. In such a governance system, public accountability commits public officials to answer to the public for their actions (or inaction) and subjects them to internal or external sanction where necessary.

Accountability requires a well-developed regulatory framework that is still in the process of being created in South Africa. Much has already been done in this regard, especially through the implementation of the Public Finance Management Act, Act No 1 of 1999 (PFMA). The challenge relates to deepening compliance and implementation of these measures (PSC Report, 2002:29).

A number of important bodies have been created to support parliamentary democracy in South Africa such as the PSC, the Public

Protector, and the Human Rights Commission, while parliamentary committees and the Auditor-General contribute significantly in this area.

In terms of the PSC Report (2002: 29) there is a need take stock of the impact of certain of these bodies in order to streamline and improve their performance. Some of the bodies, such as the Auditor-General, have managed to attain good levels of performance. Many PSC research projects into public service practices as well as institution-specific evaluations have considered issues of accountability. One of the specific areas researched by the PSC has been into the quality of risk assessments and fraud prevention plans of some government departments and state agencies.

The findings of the PSC have shown that while there is a distinct movement towards making use of these important accountability strategies, in many instances plans are not tailored to meet the specific risk profiles of individual agencies and are not properly integrated and implemented. Making the controls and systems specified in these plans a reality is a management challenge that will need focused attention over a sustained period (PSC Report, 2002: 29).

Legislation such as the PFMA and Treasury regulations on issues such as annual reports have also contributed to the framework. Work in combating corruption also strengthens accountability. But this area remains a major challenge to government.

As noted above, the observation of the PSC (PSC Report, 2002: 29) is that the overarching regulatory framework has many elements in place, but needs better implementation and an increased focus on compliance monitoring to prescribed standards.

Managerially, a clearer relationship between agency objectives and work-plans at an individual level will promote increased awareness of the need to operate accountably.

The PSC Report (2002: 29) says general improvements in the quality of public sector management are also required if accountability is to be strengthened. This should include a focus on improved reporting systems and standards.

3.11.4 Good governance and transparency

Transparency is closely related to the principle of accountability and should be considered as one of the central pillars of good, open government. Transparency essentially relates to ensuring access to information and providing clear, simple reports on progress achieved in meeting objectives.

In the year 2002 the PSC undertook a survey of public service departments' annual reports as an accountability mechanism. The report concluded that performance in this area has improved but that annual reports would benefit from a more strategic orientation, so that outcomes and impacts formed a larger element of the analysis, rather than descriptions of activities and expenditure. It was recommended that annual reports should be edited for simple language to prevent confusing jargon from being used (PSC Report, 2002: 30).

Examples of the PSC findings include the 2001 report of the South African Police Service; this was deemed to be of a very low standard, offering very little information, while that of the National Treasury was of a high standard. In 2002 annual reports, the national

Department of Social Development's was found to be of a very high standard.

According to the PSC Report (2002: 30) annual reports are not just a way in which departments can demonstrate accountability, they are also a very important public statement of performance and are an easy way of accessing information that is otherwise hard to obtain.

The creation of the Annual Public Sector Reporting Awards by the Southern African Institute of Government Auditors is a welcome initiative supported by the PSC. The 2002 overall winner of the award was the department of Provincial and Local Government. South Africa has recently introduced new requirements into the public management system to facilitate transparency. Legislation such as the Promotion of Access to Information Act (Act No 2 of 2000), the Administrative Justice Act (Act No 3 of 2000), as well as the Protected Disclosures Act (which protects whistleblowers) are important milestones in this regard (PSC Report, 2002: 30).

In many ways, transparency is a constitutional right, although as with other third generation rights much has to be done to give effect to the policymakers and legislators' intentions.

Transparency requires that public management systems be effective: they should provide all parties with the appropriate levels of access to information (PSC Report, 2002: 30). The key challenge is to develop such systems to ensure that the capacity and skills required for compliance are in place. Training and subsequent support are priority areas.

3.12 THE ISSUE OF BAD GOVERNANCE

In any democratic country bad governance is likely to lead to the suppression of liberty, stifling of competition and underdevelopment. These will lead to evil, disease, ignorance, poverty and general discontent.

3.12.1 Causes of bad governance

There are a variety of factors that result in bad governance.

The AAPAM Report (AAPAM, 2000: 50) has identified the following causes of bad governance:

- Inefficient and ineffective delivery of services to the population;
- Dictatorship;
- Poor management of diversity;
- Corruption;
- Lack of ethics and integrity;
- Militarisation and impatience with the due process;
- Political intolerance;
- Weak democratic institutions;
- Ignorance;
- Hostile international environment;
- Mismanagement of time, natural and human resources;
- Poor plans, policies and lack of conceptualisation of plans and policies;
- Absence of appropriate political and socio-economic structures to implement the inadequate responses to globalisation;
- Lack of empowerment of civil society;
- Absence of institutionalised changes in government and its system.

3.12.2 Bad information and good governance

Bad information is the worst impediment of good governance, given the fact that information is used as a basis for decision-making. It is, therefore, important to examine the efficacy of the information sector in an effort to improve performance in all aspects of governance (AAPAM, 2000: 47).

All countries need good governance that is affordable. This can be achieved by making it difficult for bad governance to infiltrate and corrupt the society it serves. The key to this process is the provision of the right information. Such knowledge base requires the continuous provision of reliable information that is timely, relevant, accurate and comprehensive.

Noting that public servants are sometimes guilty of retaining vital information from the public, AAPAM Report (2000: 47) has stressed the need for them to recognise that good information ensures good planning and actions. The public service, therefore, should lessen its hold on such information and improve its accessibility to the public.

3.12.3 Consequences of bad governance

The consequences of bad governance according to the AAPAM Report (2000: 51) manifest themselves in:

- High rate of crime in the nation;
- General apathy amongst the population;
- General discontent and rampant strikes;
- High degree of equity;
- Inefficient and ineffective delivery of services to the population;

- Dictatorship;
- Lack of press freedom;
- Poor management of diversity;
- Lack of accountability and transparency;
- Lack of freedom of speech;
- Civil strife and wars;
- Lack of training and development of human resources;
- Increasing level of poverty;
- Corruption;
- High rate of unemployment;
- Job insecurity;
- Poor delivery of social services;
- Poor access to information;
- Violation of human rights;
- Mismanagement of foreign debts and national resources;
- Worsening standards of living;
- One or no-party system and state;
- Hostile international environment;
- Insensitivity to the aspirations of the people;
- Poor implementation of policies and programmes;
- Rapid or frequent changes in government;
- Domination of the local media by the ruling group.

3.13 SUMMARY

An attempt was made in this chapter to assess progress towards achieving good governance in South Africa and Africa as a whole. It has been noted that public mismanagement, governmental inefficiency, erratic and corrupt official practices, a breakdown in the

administration of justice and political instability are major causes of the continent's economic and social predicament.

Although the private sector and civil society are engaged in important aspects of governance, it is the institutions of the state, which define the political rules for the overall management of a country and its affairs.

Cawthra *in* Theron and Schwella (2000: 67) concludes by saying "good governance and effective sustainable development requires visionary and accountable leaders, effective and accountable civil servants, a responsive NGO community, understanding international partners and also a vibrant private sector."

Therefore, ongoing efforts to reform state institutions and institutionalise progress, through development policies must be encouraged and strengthened so as to adopt a good governance agenda. Democratically elected governments with reformed institutions are seen as inherently good. Though not perfect, they remain a first step towards good governance.

Good governance is an ideal which is difficult to achieve in its totality. Very few countries and societies have come to achieving good governance in its totality. However, to ensure sustainable human development, action must be taken to work towards this ideal with the aim of making it a reality.

On the question of good governance the traditional patterns of public service performance in South Africa will have to change. Public service reform is already underway in the country. One of its major goals is to transform the nature of the public service into that of a

much more flexible and accessible agent of government, and hence of governance processes.

This chapter has identified the quest for good governance as the most formidable challenge, not only facing the KwaZulu-Natal Provincial Authority, but also the country as a whole. All concerned are urged to find ways and means of reversing the trend towards declining governability and institutional decay. Leaders in politics, government institutions, business and civil society should announce good governance as the only option.

The next chapters will try to indicate whether people of KwaZulu-Natal are satisfied with the issues of governance, and good governance in particular, as practiced by the authorities in the KZN Province. The following chapter discusses the legislative and institutional framework within which good governance must be practiced.

CHAPTER 4

LEGISLATIVE MEASURES AND INSTITUTIONAL FRAMEWORK

4.1 INTRODUCTION

Government administration takes place within the borders of a state, provided the state enjoys independent status. This, however, does not mean that government administration is only found in those states that enjoy full status as a state. On the contrary, colonies also make use of public administration, as does a municipal area within a state.

The borders of the state, like boundaries of a municipality, determine the legal area of jurisdiction in which the administration takes place (Botes *et al* 1996: 9). Since it is impossible for politicians to be knowledgeable about all matters within the state (national, provincial and local areas), a corps of public servants assists them. Thus the community expects a high degree of professionalism and excellence from this body of public servants.

A present-day public official, whether he be in national civil service, in provincial or municipal service, carries out his/her work in a political atmosphere. Most of a public official's daily routine work has political implications. Botes *et al* (1996: iii) argue that like a small fish in a gold-fish bowl, a present-day public official performs his duties with all eyes on him, and has to execute his functions with dignity, honesty and decorum.

To understand the focus of governance, and to understand how governance is supposed to be practiced, this chapter focuses on explaining the legislative and institutional framework of South Africa, within which the Province of KwaZulu-Natal is located. This chapter highlights the levels of government, i.e. national, provincial and local government level. The latter part of this chapter looks at the Province of KwaZulu-Natal, and the institutional and governmental structures of KwaZulu-Natal.

4.2 GOVERNMENT MAIN PRODUCTS AND SERVICES

In South Africa the names of government departments and functional fields give a general indication of the main products and services of the departments. The names of some government departments typically indicate:

- Visible products/results, for example housing, public works (building), power and water supply;
- Invisible (non-physical) services, for example, health and justice (Du Toit & Van der Walddt, 1998: 13).

The main products and services provided at national government level are often, but not always, also visible at the other two levels of government. The following are examples of main products and services (outputs) generally provided by government institutions at the three levels:

Fig 4.1 Products and services

SECTIONS OF GOVERNMENT	GOVERNMENT LEVEL AND INSTITUTIONS	TYPICAL OUTPUTS	VISIBLE PRODUCTS/ SERVICES	INVISIBLE PRODUCTS/ SERVICES
Section A Central Government	Housing Department	Housing	Houses	
	Health Department	Healthy Society		Health
Section B Provincial Government	Roads Department	Transport	Roads	
	Welfare Department	Welfare		Welfare Support
Section C Local Government	Traffic Department	Traffic Control		Road Safety
	Health Department	Healthy Community	Refuse removal	

Source: Du Toit & Van der Waldt (1998: 13)

4.3 THE CONSTITUTION

The creation and operation of every institution in a state is based on specific rules known as its **constitution**. Thus the public institutions of every state are created and operate in terms of the provisions of its constitution which could be one or more laws passed by its top legislatures or other competent lawmakers (Cloete, 1996: 15).

The details about the constitution and constitutional principles have a great deal in common with, and are important for, the purposes of public administration and governance. According to Botes (1995: 48)

the reason for this is that it remains the task of the executive authority to implement the directives of the constitution and to maintain the constitutional dispensation. It is also of great importance that state and municipal officials should know exactly how the governmental dispensation is compiled and how it should function to prevent errors and blunders by the executive branch.

4.3.1 General characteristics of a constitution

There are different opinions as to what a constitution is. The following, according to Botes (1995: 28-32), can be regarded as general characteristics of a constitution:

- Constitution is an expression of the wishes and will of the citizens.
- Constitution is a treaty.
- Constitution is the consequence of constitutionalism.
- Constitution is an organisational instrument of the state infrastructure.
- Constitution is a continuous dialectical process.

4.3.2 The RSA Constitution

The Constitution of the Republic of South Africa, 1996 (Act 108 of 1996), was drawn up by the Constituent Assembly and reaffirms South Africa as a constitutional and republican state (Burger, 2001: 299). The Constitution is the highest and most important law of the land. No other law or government action can be above the provisions of the Constitution.

The preamble of the Constitution states that the aims of the Constitution are to:

- Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights;
- Improve the quality of life of all citizens and free the potential of each person;
- Lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law;
- Build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations (Constitution, 1996: 3).

The road to the new democratic constitution began in the mid 1980's. The following years from early 1990's saw many political leaders negotiating together in a multi-party forum to establish an interim constitution. The final constitution was adopted in 1996, hence the 1996 constitution.

4.3.3 Normative values and ethical guidelines for public administration

No government can administer a country and execute the policies mandated by the voters in the election without a strong and healthy public administration. As a matter of fact, the success of a policy and new system largely depends on how effectively it is executed and maintained by the officials and others in public administration (Rautenbach & Malherbe, 1998: 61).

Chapter 10 of the Constitution contains specific provisions pertaining to public administration. In this regard, a number of fundamental ethical or normative guidelines, which should be considered and upheld by all political office-bearers and public officials in the provision of services to society, are found in section 195(1) of the Constitution.

In terms of section 195(1) of the Constitution, public administration, as an activity, must be governed by the democratic values and principles enshrined in the Constitution. This includes the following principles:

- (i) A high standard of *professional ethics* must be promoted and maintained.
- (ii) *Efficient, economic and effective use of resources* must be promoted.
- (iii) Public administration must be *development oriented*.
- (iv) Services must be provided *impartially, fairly, equitably and without bias*.
- (v) People's needs must be *responded to*, and the public must be encouraged to *participate* in policy making.
- (vi) Public administration must be *accountable*.
- (vii) *Transparency* must be fostered by providing the public with timely, accessible and accurate information.
- (viii) *Good human resources management* and career development practices, to maximise human potential, must be cultivated.
- (ix) Public administration must be broadly *representative* of the South African people, with employment and personnel management practices based on ability, objectivity, fairness and the need to redress the imbalances of the past to achieve broad representation.

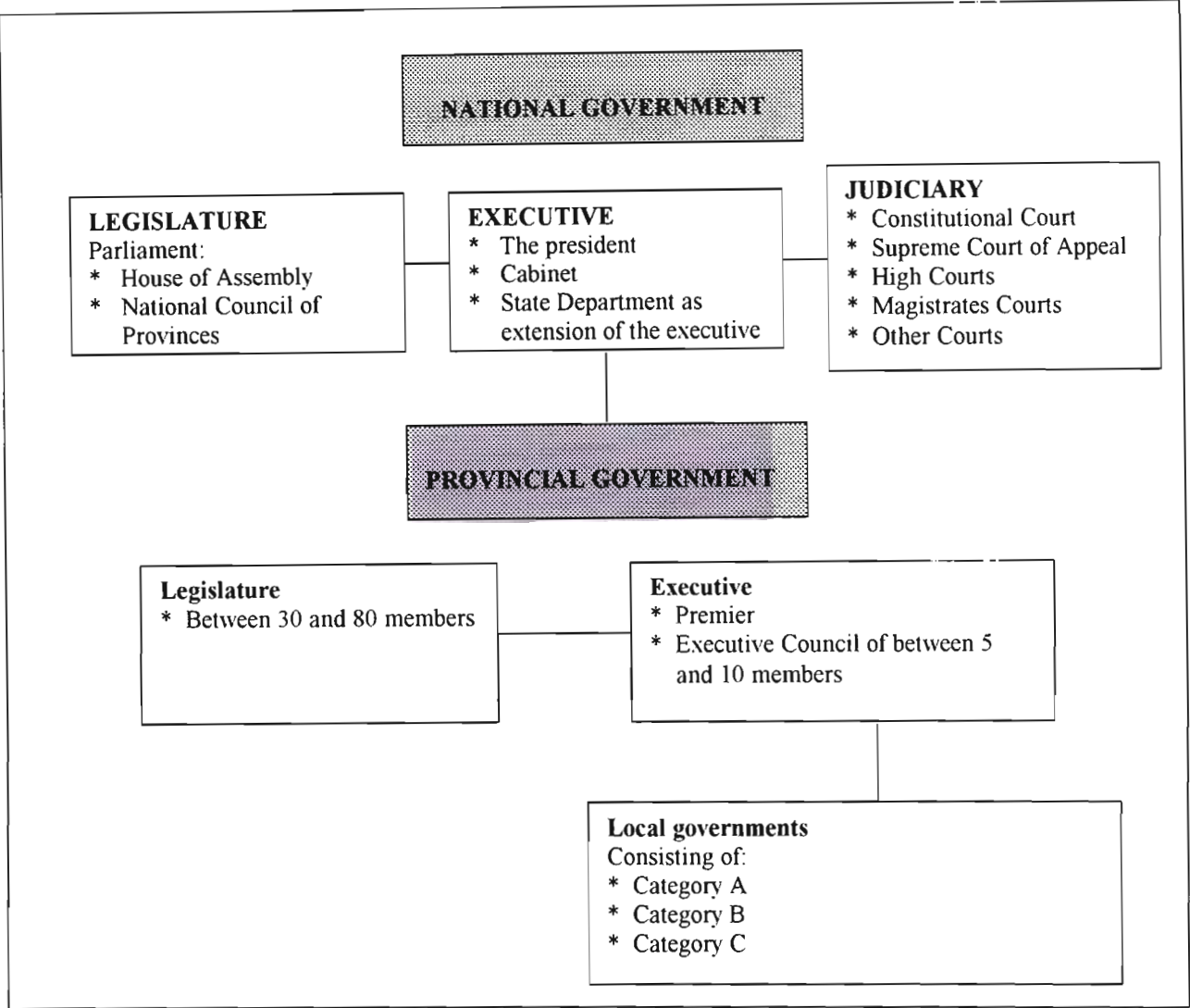
The above-mentioned principles, according to Cheminais *et al* (1998: 75), highlight the ethical nature of public administration in which governance takes place. Values and principles such as accountability, professional ethics, effectiveness, responsiveness and transparency must form the cornerstones of all actions which public officials undertake to ensure good governance.

Furthermore, section 195(2) of the Constitution confirms that the above normative guidelines for public employees apply to state administration in all three spheres of government, all other state organs, and commercialised public enterprises.

4.4 GOVERNMENT SYSTEM

South Africa is a quasi-federal governmental system with a central government and subnational governments at the provincial and local levels (Adamolekun, 1999: 314).

Figure 4.2 South African hierarchies of government institutions



Source: Du Toit *et al* (2002: 63)

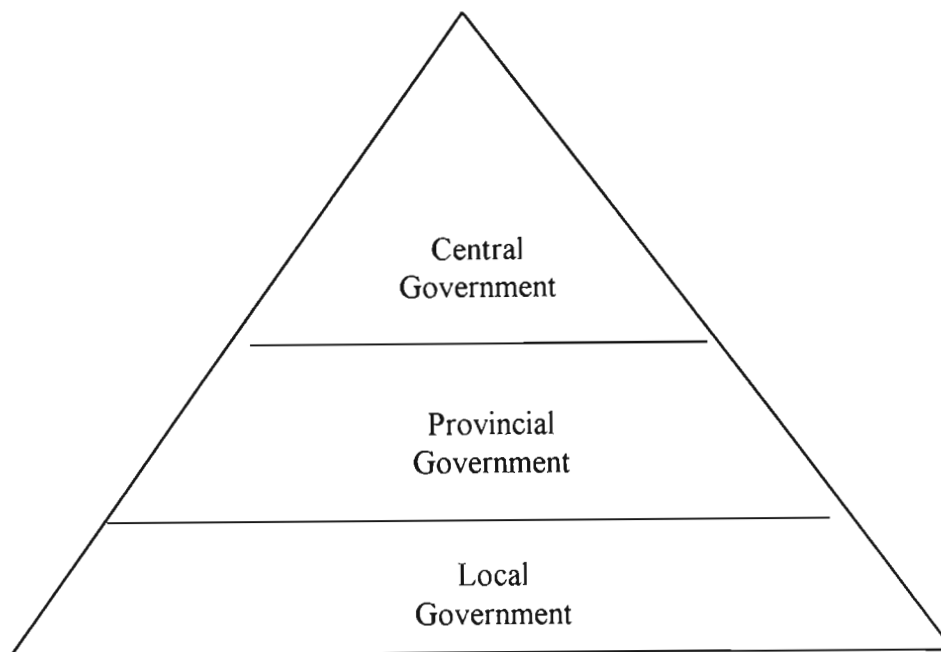
In South Africa government is constituted as national, provincial and local spheres, which are distinctive, interdependent and interrelated. The powers of the lawmakers (legislative authorities), governments (executive authorities) and the courts (judicial authorities) are separate from one another (Burger, 2001: 299).

According to Du Toit and van der Waldt (1998: 186) South Africa has three levels of government that together form a government

hierarchy. This hierarchal structure of governments in South Africa is characterised by the following:

- It is in the shape of a pyramid;
- There is a single body, the national government at the top, which has all the necessary authority to devolve legislative powers to other levels and to give instructions to governments lower in the hierarchy;
- The central government has the power to control governments lower in the pyramid;
- Towards the base of the pyramid the number of governments and their powers decrease;
- The central government at the top of the pyramid has the most status and the governments at the base of the pyramid have the least;
- Authority and control are exercised downwards from the top of the pyramid to the base; and
- Accountability takes place upwards from the base to the top of the pyramid (Du Toit & van der Waldt, 1998: 186)

Figure 4.3 government hierarchies with local governments at the lowest level in the hierarchy



Source: Du Toit & van der Waldt (1998: 240)

4.5 GOVERNMENT INSTITUTIONS

Governments are expected to render certain services to society because individuals cannot meet some of their own needs in specific situations. In some cases, private institutions are not interested in producing certain products and services because these are not profitable. Du Toit and Van der Waldt (1998: 8) assert that the result is that governments have to accept responsibility for rendering these services.

Modern societies have developed institutions for meeting their needs, namely government institutions, business and non-profit organisations. The purpose or function of government institutions is

to promote the general welfare of society by implementing national policy.

Government institutions, such as government departments, are established by society primarily to:

- Create and maintain law and order;
- Provide collective products and services on a non-profit basis, for example health, education, transport, water and crime prevention (Du Toit & Van der Waldt, 1998:8).

In creating and maintaining law and order, government institutions must apply the principle of the rule of law.

The principle of the rule of law implies three principles:

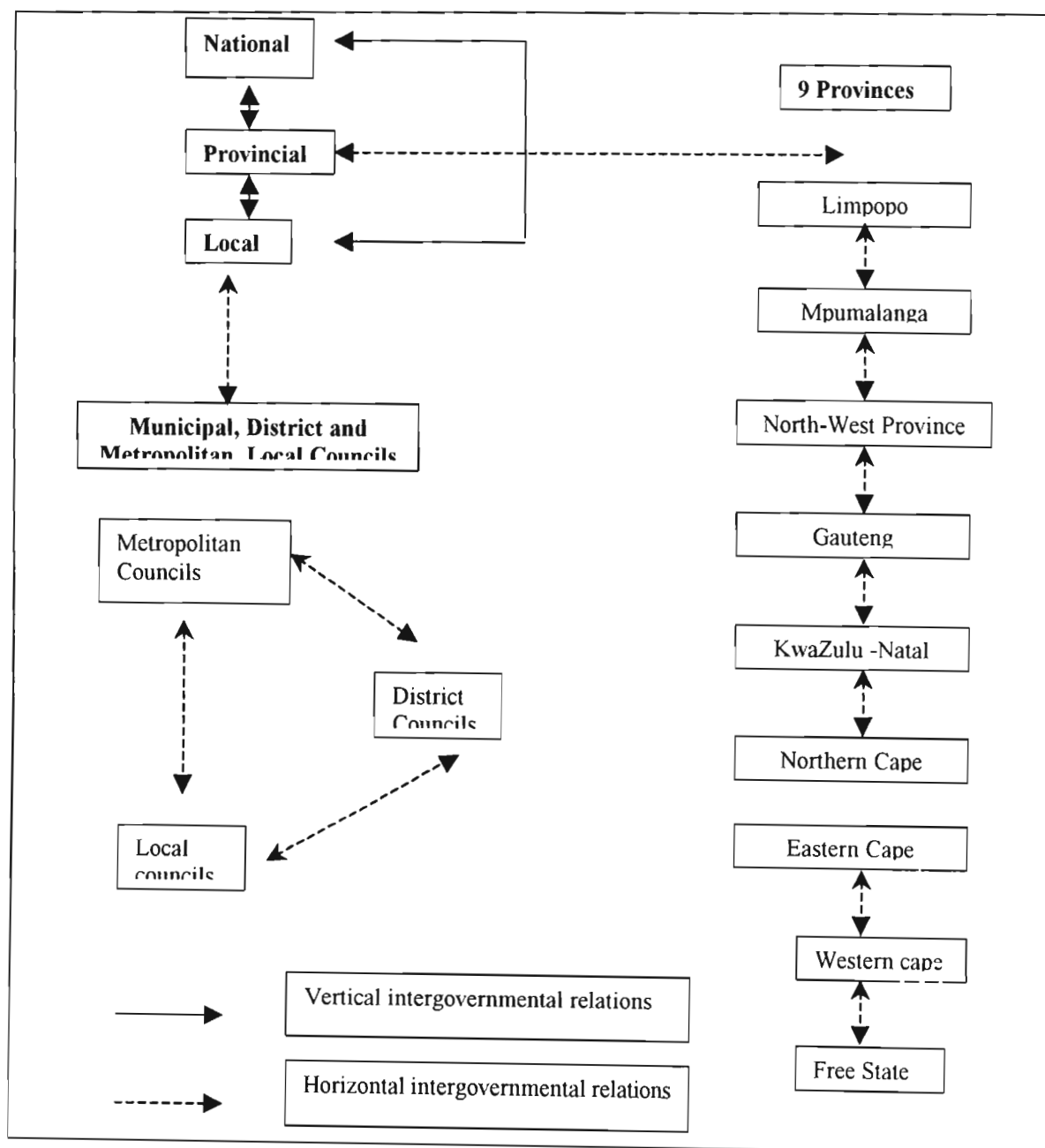
- Executive officials may not have so much authority that they can manipulate the administration and apply laws in an arbitrary manner;
- All citizens are equal before the law irrespective of race, religion or gender. In this regard, the law is supreme and not the arbitrary whim of individuals;
- Qualified members of the judiciary who may not be part of either the legislature or executive authority must exercise the judicial functions. They must also be respected persons who are independent, impartial and properly qualified (Botes, 1995: 22).

4.6 LEVELS OF PUBLIC INSTITUTIONS

In the Republic of South Africa (RSA) there are three levels of institutions, namely:

- (i) Central, also referred to as national;
- (ii) Regional, also referred to as provincial;
- (iii) Local, also referred to as municipal.

Figure 4.4 Vertical and horizontal dimension of intergovernmental relations



Source: Van der Waldt *et al* (2002:107)

The territory of the Republic of South Africa has been divided into:

- Nine (9) provinces (Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Mpumalanga, Northern Cape, Limpopo, North-West and Western Cape); and
- The areas (also referred to as municipalities) of the more or less 850 local authorities.

In every state there will always be a higher legislative body. This institution is usually referred to as the sovereign central or national legislative authority. In the RSA the top legislature consists of the President and Parliament. This legislature exists in terms of the provisions of the supreme Constitution of the Republic of South Africa, 1996 (Cloete, 1998: 7).

The constitutional act of a state and other relevant legislation usually provide for:

- (i) The units (regions or provinces and municipal areas) into which its territory must be divided for the performance of public institutions (legislative, governmental and judicial),
- (ii) The legislative and other institutions to be established in each unit,
- (iii) The powers (authority) entrusted to the institutions in each unit, and
- (iv) The relations between the central legislature and the legislative institutions of the smaller areas, as well as the relations among the smaller units (for example the relations between the regional/provincial legislative institutions and the local authorities).

From the above it is clear that in the Republic of South Africa, three levels of public institutions are provided for, namely:

- (i) The central/national level;

- (ii) The regional/provincial level, consisting of the institutions of the nine provinces; and
- (iii) The local/municipal level, consisting of the more or less 850 local authorities.

4.7 CENTRAL LEVEL OF GOVERNMENT

The functions performed by public institutions can be divided into three groups, namely, legislative, executive and judicial. Appropriate institutions have been created for the performance of these functions.

4.7.1 Legislative institutions and functions

Legislative institutions are those institutions responsible for formulating and making laws. In the case of South Africa, parliament is the legislative institution.

4.7.1.1 Constitution

The interim constitution of 1993, Act 200 of 1993, authorised the constitutional transformation of the Republic of South Africa to give all citizens the same rights and freedoms. It was the first supreme constitution of the RSA and was repealed by the second supreme *Constitution of the Republic of South Africa*, 1996 (Act 108 of 1996) (Cloete, 1998: 8).

Section 2 of Act 108 of 1996 provides that: "This Constitution is the supreme law of the Republic; law or conduct inconsistent with it is invalid, and the obligations imposed by it must be fulfilled." The supremacy of the Constitution is furthered by its Chapter 2, which proclaims the *Bill of Rights*.

Section 7 of the Act provides as follows:

“(1) This *Bill of Rights* is a cornerstone of democracy in South Africa. It enshrines the rights of all people in our country and affirms the democratic values of human dignity, equality and freedom.

(2) The state must respect, protect, and promote and fulfill the rights in the Bill of Rights.”

In terms of subsection 8(1) of the Constitution, the extensive Bill of Rights “applies to all law, and binds the legislature, the executive, the judiciary and all organs of state”. This means that every member of every legislature (from Parliament down to the municipal council of a small town or village), every political executive office-bearer (from the President down to a member of a small municipal council), every public official at the central, provincial and local levels of government and every judge and magistrate must respect the long list of rights mentioned in Chapter 2 of the Constitution.

Cloete (1998: 11) maintains that the supremacy of the Constitution and its provisions about rights and values make government and public administration fields of work that are characterized by a distinct *ethos*. The distinctiveness and ethos of these fields of work are further emphasized by the provisions of Chapter 10 (sections 195 to 197) of the Constitution on *Public Administration*. Section 195 provides for the *Basic values and principles governing public administration*.

4.7.1.2 Parliament

The *Constitution of the Republic of South Africa*, 1996, provides for Parliament to be the top legislature as follows:

- Parliament consists of the *National Assembly* with no fewer than 350 and no more than 400 men and women elected on the basis of a national common voters role with a system of proportional representation; and
- the *National Council of Provinces* composed of ten delegates from each of the nine provinces – the delegates of each province consist of four special delegates (the Premier of the province or a member of the provincial legislature designated by the Premier and three other special delegates), and six permanent delegates appointed in accordance with the principle of proportional representation by the political parties represented in the provincial legislature.

The National Assembly and the National Council of Provinces function separately or jointly in accordance with their own rules and orders or joint rules which they can agree to.

Parliament has to perform legislative functions like passing Bills and Acts. The National Assembly and the National Council of Provinces must deal with bills as prescribed (Cloete, 1998: 13).

Closely related to Parliament's legislative functions is its regulatory and control functions which usually also result in legislation. According to Cloete (1998: 14) the principal regulatory and control functions are no doubt those relating to the President and the Cabinet – in fact functions of the governmental institutions and office-bearers.

Parliament plays a meaningful role in the establishment and supervision of the performance of all public institutions. Although the provisions of the Constitution bind Parliament, Cloete (1998: 17)

asserts that there can be no doubt that Parliament will remain the dominant public institution in the Republic of South Africa. For example, with the Acts passed by it and the provision, or refusal of money, Parliament can influence the activities of all other public institutions.

4.7.2 Executive institutions and functionaries

The executive institutions and functionaries at the central level of government (and on all levels of government) can be divided into two groups; namely

- (i) The political executive institutions and functionaries, usually referred to as *political office-bearers*, and
- (ii) The administrative executive institutions and functionaries, usually referred to as officials.

4.7.2.1 Political executive institutions and functionaries

Chapter 5 of the Constitution provides for the *President and National Executive*. The institution involved here is the Cabinet. The functionaries are the President, Deputy President, ministers and deputy ministers (Cloete, 1998: 18).

The President is the Head of State and Head of the National Executive which, *inter alia*, means that he/she is the chairperson of the Cabinet. Significant functions that the President, as head of the national executive, must perform, are the appointment of the Deputy President, ministers, deputy ministers, the President and the Deputy President and judges of the Constitutional Court and judges of the Supreme Court.

In addition to the functions of the President provided for by the Constitution, the President must perform numerous functions prescribed by legislation. Thus the President as the Head of the National Executive will be able to play a decisive role in the government and the administration of the country (Cloete, 1998: 19).

The Cabinet, which consists of the President, Deputy President and ministers is provided for in Section 91 of Act 108 of 1996. In addition the President must appoint a member of the Cabinet to be the leader of government business in the National Assembly.

The Deputy President is appointed by the President who assigns powers and functions to him/her in addition to functions which may be assigned to him/her by law. It can be accepted that the Deputy President will always be an acknowledged leader in the political party in power in the National Assembly and a confidant of the President. "The Deputy President must assist the President in the execution of the functions of government" (Section 91).

Section 91(2) of the Constitution, 1996, provides that the President can appoint an unspecified number of ministers. The ministers will normally be selected from among members of the National Assembly. The President assigns the powers and functions of ministers. Every minister will be required to be a political head of a state department.

Section 93 of Act 108 of 1996 provides that "The President may appoint Deputy Ministers from among the members of the National Assembly to assist the members of the Cabinet and may dismiss them." The performance of the individual Deputy Ministers will be determined by the roles devised for them by the ministers to whom they are assigned.

The Deputy President and all ministers are responsible for the powers and functions assigned to them by the President. "The members of the Cabinet are accountable collectively and individually to Parliament for the exercise of their powers and the performance of their functions" (Section 92(2)).

4.7.2.2 Administrative executive institutions

The numerous matters that must be dealt with by public institutions require the establishment of a variety of administrative executive institutions (Cloete, 1998: 23).

In the Republic of South Africa the following categories of administrative executive institutions have been established on the central level of government:

- (i) Control institutions
- (ii) State departments
- (iii) State corporations
- (iv) Research institutions
- (v) Universities
- (vi) Technikons, and
- (vii) Miscellaneous control bodies and regulating councils.

4.7.2.2.1 Control institutions

The *Constitution of the Republic of South Africa*, 1996, provides for a number of control measures and institutions, which will bind and supervise the activities of the administrative executive institutions. According to Cloete (1998: 23) some of these measures and institutions indeed bind and supervise even the activities of Parliament and the political/governmental executive institutions, as

well as the administrative executive institutions on all levels of government.

The following control institutions can be named:

- The Supreme Constitution of which the provisions, including the *Bill of Rights*, must be respected by all public institutions (Section 2 and Chapter 2).
- The Constitutional Court, provided for by section 167 of Act 108 of 1996.
- The Public Protector, provided for by section 181 and 182 of Act 108 of 1996.
- The Human Rights Commission, created in terms of sections 181 and 184 of Act 108 of 1996.
- The Auditor-General, provided for by sections 181 and 188 of Act 108 of 1996.
- The Public Service Commission, provided for by section 196(1) of Act 108 of 1996.

4.7.2.2.2 State departments

The state departments are the traditional administrative executive institutions at the central level of government in all states. According to Cloete (1998: 26) the number of state departments in a state will be determined by a number of factors, for example:

- The views of the head of state if he/she is also the head of government (as in the Republic of South Africa where the President is the head of government as well as the head of state);
- The policies of the political party in power;
- The nature and extent of the services to be rendered by the state;

- The physical nature and the extent of the territory of the state;
- The climatic conditions prevailing in the state;
- The social and economic conditions prevailing in the state.

In the Republic of South Africa there are usually about 30 state departments and related offices at the central level of government.

4.7.3 Judicial institutions

The judicial is the branch of government that administers justice. This includes the system of court of justice of a country. The judiciary must interpret the laws and apply sanctions to any contraventions of such laws. It is also responsible for the correct interpretation of legislation as approved by the legislator.

Chapter 8 of Act 108 of 1996 provides for Courts and Administrative Justice.

The judicial institutions of the Republic of South Africa can be classified into five categories, namely:

- (i) Constitutional Court, which serves as a final arbitration body in all cases in so far as they concern the interpretation, protection and enforcement of the Constitution.
- (ii) Supreme Court of Appeal,
- (iii) The High Courts including any high court of appeal that may be established by an Act of Parliament to hear appeals from High Courts,
- (iv) Magistrates' courts,
- (v) Small claims courts, which allow plaintiffs themselves the opportunity of making claims against defenders at a low cost.

4.8 PROVINCIAL LEVEL OF GOVERNMENT

Chapter 6 of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996), provides for a provincial level of government.

Subsection 103(1) of the Act provides for nine (9) provinces, namely, Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, Northwest and Western Cape. Each province has institutions and functionaries to carry out the mandate of the central government.

4.8.1 Legislative institutions

Section 104 of Act 108 of 1996 provides for a legislature for each province. The legislature of each province is, subject to the provisions of Act 108 of 1996, entitled to pass a constitution for its province by a resolution of a majority of at least two thirds of all its members (Section 142 of Act 108 of 1996).

A provincial constitution and constitutional amendments must not be inconsistent with the Constitution of the Republic, but may provide for legislative or executive structures and procedures that differ from those provided for by Chapter 6 of Act 108 of 1996.

The provisions of a provincial constitution must comply with the values of section 1 and Chapter 3 of Act 108 of 1996 and may not confer on the province any power of function that falls outside the area of provincial competence provided for in Schedules 4 and 5 or any other section of Act 108 of 1996. Every provincial constitution must, in terms of section 144 of the Constitution, be submitted to the Constitutional Court for certification that it was passed in accordance with section 142 and complies with section 143.

In terms of subsection 105(2) of Act 108 of 1996 a provincial legislature consists of not more than 80 and not less than 30 members elected in accordance with the system of proportional representation of voters. Every bill passed by a provincial legislature must be referred to the Constitutional Court for a decision as to its constitutionality. The Premier may assent to and sign a bill only after the Constitutional Court has certified it.

The matters on which provincial legislatures may, in terms section 104 of Act 108 of 1996, pass legislation are listed in Schedules 4 and 5 of Act 108 of 1996. *Schedule 4* is a list of functional areas of concurrent national and provincial legislative competence. *Schedule 5* is a list of functional areas of exclusive provincial legislative competence.

4.8.2 Executive institutions

The executive institutions of each province are classified into two groups, namely:

- (i) Political executive institutions;
- (ii) Administrative executive institutions.

Provinces in South Africa do not have their own judicial institutions.

4.8.2.1 Political executive institutions

In terms of the provisions of Act 108 of 1996 the executive authority of every province is vested in its Premier elected by the provincial legislature (Sections 127 to 131).

Each province will have its Executive Council consisting of the Premier and from five to ten members appointed by the Premier from among the members of the provincial legislature (Section 132).

The Premier has the powers and functions assigned to that office by the Constitution and other legislation. The members of the Executive Council are responsible for the functions assigned to them by the Premier (Cloete, 1998: 34).

Provincial Executive Authorities are given the power to develop and co-ordinate provincial policy, as well as to co-ordinate the functions of provincial administration and provincial departments (Section 125(2)).

4.8.2.2 Administrative executive institutions

Subsection 7(2) of the *Public Service Act*, 1994 (Proclamation 103 of 1994) provides that every one of the nine provinces will have its own provincial administration headed by a director-general.

An appropriate provincial administrative system will have to be devised for every province. Subsection 196 of Act 108 of 1996 provides that there is a single Public Service Commission for the Republic of South Africa.

4.9 LOCAL GOVERNMENT LEVEL

According to Cloete (1998: 34) when Act 108 of 1996 came into effect South Africa had a fairly well-developed system of municipal authorities. The authorities were established and performed their

functions in terms of the provisions of Acts of Parliament and provincial ordinances.

Act 108 of 1996 provides for the procedure to be followed with the establishment of municipalities, powers and functions of municipalities, composition and election of municipal councils, the membership of municipal councils, terms of the councils, internal procedures and organised local government (Section 164).

4.9.1 Legislative institutions

The powers and functions of the municipalities are prescribed and controlled by the central and provincial authorities. Nonetheless, each local authority is headed by a council consisting of members elected by the voters of its area of jurisdiction.

A municipality may make and administer by-laws for the effective administration of the matters, which it has the right to administer (Section 15(2) of Act 108 of 1996). Matters entrusted to municipalities include firefighting, municipal public transport, water and sanitation services, electricity and building regulations.

Cloete (1998: 36) asserts that of course the municipal councils must always exercise control over their governmental / political executive institutions and functionaries, as well as over their administrative institutions.

4.9.2 Executive institutions

Local government has a constitutional obligation to participate in national and provincial development programmes. Every local

government also has two groups of executive institutions, namely, political and administrative.

4.9.2.1 Political executive institutions

Local government councils are authorised by legislation to appoint executive and other committees to assist them in their governing tasks (Gildenhuys, 1997: 66).

The usual practice is for every municipal council to elect from among its members an executive committee. Subsection 160(1) of Act 108 of 1996 provides that: "A Municipal Council may elect an executive committee and other committees, subject to national legislation."

4.9.2.2 Administrative executive institutions

Departments and/or divisions usually undertake the administrative activities of the local authorities (Cloete, 1998: 36). The functions are allocated to departments and divisions on the basis of specialization. For example, health functions are allocated to the health department, engineering functions to the department of the city/town engineer, and the financial functions to the department of the city/town treasurer.

The 1996 Constitution envisages a complete transformation of the local government system. The Constitution provides for three categories of municipalities.

As directed by the Constitution, the Local Government: Municipal Structures Act, 1998, (Act No 117 of 1998), contains criteria for determining when an area must have a Category A municipality (Metropolitan Municipalities) and when its municipalities fall into

Categories B (District Municipalities) or C (Local Areas or Municipalities). It also decrees that Category A municipalities can only be established in metropolitan areas (Section 8, 9 & 10).

The metropolitan council may decentralise powers and functions. However, all original municipal, legislative and executive powers are vested in the metro council. Non-metropolitan areas consist of district councils and local councils. District councils are primarily responsible for capacity-building and district-wide planning (Burger, 2001: 306).

4.10 PROVINCE OF KWAZULU-NATAL

As mentioned earlier on, in terms of the Constitution of South Africa, the country is divided into nine (9) provinces. KwaZulu-Natal is one of the provinces making up the Republic of South Africa. It has ten (10) provincial departments, one (1) metropolitan, ten (10) district municipalities and 241 local municipalities.

4.10.1 The province

Aptly called South Africa's garden province, this verdant region forms the east coast of South Africa, stretching from Port Edward in the south northwards to the Mozambique boundary (Burger, 2001: 12), KwaZulu-Natal map is included as an annexure E. Durban is one of the fastest-growing urban areas in the world. Its port is the busiest in South Africa and also one of the 10 largest in the world. KwaZulu-Natal is the only province with a monarchy specifically provided for in its Constitution.

Pietermaritzburg and Ulundi are joint capitals of the province because of the coalition government in the provincial legislature. Other important towns include Richards Bay, an important coal export harbour, and many coastal resorts, such as Port Shepstone, Umhlanga Rocks and Margate. In the interior, Newcastle is well known for steel production and coal mining, Estcourt for meat processing, and Ladysmith and Richmond for mixed agriculture. The KwaZulu-Natal coastal belt yields sugar cane, wood, oranges, bananas, mangoes and other tropical fruit (Burger, 2001: 12). The Drakensberg, which runs 200 kilometres along the western boundary of the province, separates KwaZulu-Natal from the Mountain Kingdom of Lesotho.

4.10.2 The people

KwaZulu-Natal has the largest population in the country with some 8,9 million people living on 92 100 km² of land. The principal language spoken is IsiZulu, followed by English and Afrikaans. Remnants of British colonialism together with Zulu, Indian and Afrikaans traditions make for an interesting cultural mix in the province (Burger, 2001: 12). KwaZulu-Natal covers 7,6% of the total area of South Africa.

Table 4.1 Summary of KwaZulu-Natal

Capital	Pietermaritzburg and Ulundi (Joint capitals)
Principal languages	IsiZulu 79,8% English 15,8% Afrikaans 1,6%
Population	9 million
Area (km2)	92 100
% of total area	7,6%
GGP at current prices (1994)	R57, 007 million
% of total GDP	14,90

Source: Burger (2001: 13)

Among its assets, the province counts several universities, technikons and various other educational institutions. However, almost 23% of adults in the province have had no schooling. KwaZulu-Natal has a relatively poorly skilled labour force. The economy therefore experiences a shortage of skilled human resources. According to the 1996 Census, the province's unemployment figure stands at 39,1% (Statistics S A, 1996: 41).

Table 4.2 Population and gender of KZN, 1996

	MALE	FEMALE	TOTAL
KZN	3 950 527	4 466 493	8 417 021

Table 4.3 Population groups in KZN, 1996 (numbers)

African	6 880 652
Indian	790 813
White	558 182
Coloured	117 951
Unspecified/Other	69 423
TOTAL	8 417 021

Table 4.4 Gender in KZN, 1996 (percentages)

Male	46,9
Female	53,1
TOTAL	100,0

Table 4.5 Urban and non-urban population in KZN, 1996 (percentages)

Urban population	43,1
Non-urban population	56,9
TOTAL	100,0

Table 4.6 Distribution of the population by home language within KZN, 1996 (percentages)

Afrikaans	1,6
English	15,8
Sesotho	0,5
Siswati	0,1
IsiXhosa	1,6
IsiZulu	79,8
Other	0,5
Total	100,0
TOTAL (Population)	8 417 021

4.10.3 KwaZulu-Natal institutional and governmental structures

KwaZulu-Natal is one of the 9 provinces forming the Republic of South Africa. The KwaZulu-Natal government has the head of government, called the Premier. It has 10 provincial departments, 1 metropolitan council, 10 district and local municipalities. The KwaZulu-Natal government is made up of different political parties, namely the ANC, IFP, DA, MF, ACDP and the UDM. The provincial cabinet is a broad-based government led by the ANC which got the majority vote in the April 2004 general elections. The KwaZulu-Natal Cabinet as on January 2005 was as follows:

Premier:	Mr S J Ndebele
Minister of Agriculture:	Prof L B G Ndabandaba
Minister of Arts, Culture and Tourism:	Mr N Singh
Minister of Education:	Ms I Cronje
Minister of Finance:	Dr Z Mkhize
Minister of Health:	Mrs P Nkonyeni

Minister of Local Government and Housing:	Mr M Mabuyakhulu
Minister of Public Works:	Mr B Gwala
Minister of Social Welfare:	Inkosi N J Ngubane
Minister of Sport and Recreation:	Mr A Rajbansi
Minister of Transport and Safety and Security:	Mr B Cele

4.11 SUMMARY

A state is a human community constantly undergoing change. Therefore the institutions to run a state must also keep on changing to meet the needs and the expectations of its citizens. The institutions to run the Republic of South Africa have changed repeatedly during recent years. The changes brought about by the *Constitution of the Republic of South Africa, 1996*, dramatically changed the legislative, governmental and administrative institutions at the national, the provincial and the local levels of government.

The political executive institutions are *governmental* institutions staffed by *political* functionaries. The *governmental* functions performed by these institutions should be regarded as *political* functions. The political functions consist mainly of the integration of *political considerations* and *administrative considerations* to obtain government and public administration to promote the welfare of the community, i.e. to create a community in which the real needs and the justified expectations of the population will be promoted to the greatest extent using the available scarce resources.

The major element of co-operative governance at the national level is the National Assembly and the National Council of Provinces. The two major structures within each province that deal with governance issues are the legislatures and the executive. The legislatures are

popularly elected and consist of full-time parliamentarians. They have defined their primary role as being that of executive oversight. In defining their oversight role provincial legislatures could potentially play a crucial role in governance.

The provincial executives are presided over by the provincial premier who, as the leader of the majority party, is also a member of the legislature. Provinces are the major providers of education, health and welfare services in the country. These services are of primary concern to many civil society actors and structures. This thus places provinces in a position to facilitate or preside over new governance processes in the delivery of public services.

In the context of governance, current decentralisation developments must be highlighted. Government pursues decentralising governance from national to provincial and local levels. Therefore delegating responsibilities to lower levels require some form of respected and strong central government. There should be adequate governing structures at these levels. Therefore the need to strengthen local and provincial authorities should be assessed.

The structures and functionaries established by the Constitution and other legislation are there to perform the functions relating to governance. The research design and the research methods used in this study will be examined in the next chapter.

CHAPTER 5

RESEARCH DESIGN AND RESEARCH METHODS

5.1 INTRODUCTION

Research is a way of going about finding answers to questions. Research provides scientific knowledge which can be utilised to determine the general applicability of aims and the efficient use of resources. Research must be conducted in a responsible manner.

Research can be used to develop theories and to solve practical problems. When conducting research it is necessary to identify a problem, formulate a hypothesis and select research methods. Thereafter the researcher can collect data, analyse data, write findings and conclusions and write a research report.

When conducting research one learns about the dimensions of research which include the purpose of research, its intended use, how it treats time and the research techniques used in it. The ultimate purpose of research is scientific explanation, i.e. to discover and document universal laws of human behaviour. Another reason is to learn about how the world operates so that people can control or predicts events.

In the behavioural/social sciences research can be regarded as a method of obtaining insight and knowledge; describing, classifying and understanding observed phenomena; and trying to explain phenomena. Research therefore involves a continuous search for new knowledge and insight by means of scientific plans and endeavours.

This chapter focuses on the goals and objectives, and the methodology of research used to gather and analyse information. An explanation of the research methodology used to collect data is provided. In addition, the chapter looks at the questionnaire structure and design, the target population and the sample used. It also highlights the method of handling errors in research and this includes elements of bias.

5.2 GOALS AND OBJECTIVES OF THE STUDY

Smit, cited by Strydom *in* De Vos (2002:249), describes the overall goal of a research report as conveying the knowledge and findings of the research project in an intelligible and scientifically based manner, i.e. to convey the information as effectively and economically as possible.

Chapter 1 (one) identified the following objectives of this study, namely:

- (i) To analyse the theoretical and practical foundations of governance;
- (ii) To identify and analyse the positive and negative aspects of governance;
- (iii) To determine what roles can be played by the legislators, public servants, private sector and civil society (non-governmental organisations) in promoting governance;
- (iv) To identify steps that can be taken by the KwaZulu-Natal Provincial Authority to implement a programme of good governance.

The tools, instruments and methodologies used in this chapter are there to help the researcher to prove the hypothesis and achieve the

objectives of the study. Sampling, interviews and questionnaires were used to prove the need for the study and to prove the hypothesis.

It must be mentioned that the basic aim of research in any field of human endeavour is to discover answers to questions through the application of scientific procedures. On this basis, an empirical study was undertaken in conjunction with extensive literature review connected with the research problem. This was done in order to determine the knowledge and opinions of people of KwaZulu-Natal in respect of issue of good governance. In this regard, the research has assumed four categories in the pursuit of the study, that being legislators, public officials, private sector and civil society.

5.3 DEFINITION OF CONCEPTS

Research is a systematic, multidimensional process by which data on phenomena is accumulated and analysed to determine what the data “says”, with a view to extending the boundaries of knowledge (Brynard & Hanekom, 1997: 4).

Hutchinson (*quoted by* Brynard & Hanekom, 1997: 2) sees *research* as a scientific investigation and study in order to establish facts to reach new conclusions. It can be distinguished from other human activities by its systematic nature.

Scientific research, according to Smit (1995: 3), can be defined as a critical and purposeful action to collect data and new facts, and provide the correct and lasting interpretation of such data and facts. It has the further aim of re-evaluating and reinterpreting existing points of reference or theories in the light of new insights.

According to Kerlinger *quoted by* Smit (1995: 15) the concept '*research design*' includes the plan, structure and strategy of the research. The research design does not provide answers to the research question, but it enables the researcher to obtain scientifically valid answers that have not been affected by interference variables.

Mouton (quoted by Fouche & de Vos *in de Vos*, 2002: 137) defines a *research design* as a plan or blueprint of how one intends conducting the research. According to his explanation, a research design focuses on the end product, formulates a research problem as a point of departure and focuses on the logic of the research. Fouche and de Vos (*in de Vos* 2002: 137) offers a closely related definition of design as "the plan or blueprint according to which data are collected to investigate the research hypothesis or question in the most economical manner".

A *pilot study* is defined as the "process whereby the research design for a prospective survey is tested" (Strydom *in de Vos*, 2002: 211). The pilot study involves conducting the entire study as planned on a small sample representing the target population (O'Sullivan & Rassel, 1999: 25).

The *population* is the total set of units in which the investigator is interested, that is, the larger set from which the sample is drawn (O'Sullivan & Rassel, 1999: 133).

Qualitative research is a general term referring to research involving detailed, verbal descriptions of characteristics, cases and settings (O'Sullivan & Rassel, 1999: 133). *Quantitative research* is a general term referring to research in which values of variables are

characterised by numbers or symbols (O'Sullivan & Rassel, 1999: 133).

Hypothesis is the statement from a *casual explanation* or a *proposition* that has at least one *independent* and one *dependent variable*, but it has yet to be *empirically* tested (Neuman, 2000; 511).

A *sample* is a subset of units selected from a larger set of the same units (O'Sullivan & Rassel, 1999: 133).

5.4 RESEARCH METHODOLOGY

Data collection and analysis include the following steps: deciding when and how often to collect data, constructing measures, identifying a sample or test population, choosing a strategy for contacting subjects, selecting statistical tools and presenting the findings. These steps constitute research methodology.

Research methodology, according to Brynard and Hanekom (1997: 28), necessitates a "reflection on the planning, structuring and execution of the research in order to comply with the demands of truth, objectivity and validity."

5.4.1 Questionnaire administration

A decision was taken to have most of the questionnaires self-administered. Research assistants delivered only a few questionnaires to respondents. A questionnaire, according to Neuman (2000: 517), is a 'written document in *survey research* that has a set of questions given to respondents or used by an interviewer to ask questions and record answers.'

Questionnaires were distributed to people who are literate (can read and write English). All questionnaires were in English. The self-administration approach made it advisable to confine the sample to those people who could read and write on their own. The researcher or his research assistants interviewed a few illiterate respondents.

In most cases the questionnaires were delivered and collected from the respondents personally. Again, research assistants were also used in some instances. Questionnaires were distributed throughout the KwaZulu-Natal province.

Personal interviewing was considered and used. Respondents were interviewed at their places of work or home. Personal interviewing was kept to a minimum. Personal distribution of questionnaires was the main method of primary data collection for this research.

Self-administered questionnaires have the following advantages (Neuman, 2000: 271-272):

- Researchers can give questionnaires directly to respondents who read instructions and questions, then record their answers;
- This type of survey is the cheapest and can be conducted by a single researcher;
- A researcher can send questionnaires to a wide geographical area;
- The respondent can complete the questionnaire when it is convenient and can check personal records if necessary;
- Questionnaires are very effective and response rates may be high for a target population that is well-educated or has a strong interest in the topic or the survey organisation.

Every researcher collects data using one or more techniques. According to Neuman (2000: 33) the techniques may be grouped into two categories: *qualitative*, collecting data in the form of words, and *quantitative*, collecting data in the form of numbers. Qualitative research and quantitative research are the two methodologies, which are of importance in most scientific investigations. The following section gives a brief overview of the main techniques.

Qualitative and quantitative research differs in many ways, but they complement each other in many ways as well. Researchers systematically collect and analyse empirical data and carefully examine the patterns in them to understand and explain social life (Neuman, 2000: 122).

5.4.2 The qualitative research method

Qualitative research aims at the development of theories (grounded theory) and understanding. The objective of qualitative research, according to Van Der Merwe (*in* Garbers, 1996: 283), is to promote better self-understanding and increase insight into the human condition. Empirical observation is prominent, because researchers need to study actual cases of human behaviour if they are to be in a position to reflect on the human condition with more meaning and clarity.

Qualitative research produces verbal data difficult or impossible to convert to numbers. It is defined by its extensive use of verbal information, its preference for developing full information on relatively few cases and its consideration of the unique features of each case (O'Sullivan & Rassel, 1999: 36-37).

Qualitative methodology includes direct observation, an overview of different documents and artifacts, participant observation and open-ended, unstructured interviewing. Researchers are led by an evolving and flexible design. The emphasis is on improved understanding of human behaviour and experience in qualitative research (Van der Merwe *in* Garbers, 1996: 283).

Qualitative research usually involves fewer cases investigated in more depth than quantitative research. Qualitative methodology refers to research which produces descriptive data – generally people’s own written or spoken words. Usually no numbers or counts are assigned to observations (Brynard & Hanekom, 1997: 29). Questionnaires distributed to respondents in this province had questions of a qualitative nature. This was to allow respondents to state their own opinions and views.

5.4.3 The quantitative research method

According to Van der Merwe (*in* Garbers, 1996: 282) research that is aimed at testing theories, determining facts, statistical analysis, demonstrating relationships between variables, and prediction, is usually referred to as *quantitative research*.

Quantitative studies typically involve many cases and many variables which are measured in a predetermined and specific way. The data are numeric and can be summarised numerically, and analysed with statistical techniques (O’Sullivan & Rassel, 1999:37).

Quantitative research requires methods such as experiments and surveys to describe and explain phenomena. The methods could include techniques such as observation, pilot studies, quantitative analysis and questionnaires (Brynard & Hanekom, 1997: 29).

Standardised methods and techniques like experiments, surveys, structured observation and interviews are used to realise the ideals of diagnosis, treatment, control and prediction. A great deal of emphasis is placed on methodology; the reasoning being that the right method will lead to the truth. According to Brynard and Hanekom (1997: 29) in quantitative methodology the researcher assigns numbers to observations. Data is produced by counting and measuring “things” or “objects”.

According to Neuman (2000: 122) quantitative researchers precisely emphasize measuring variables and testing hypotheses that are linked to general causal explanations. Surveys and experiments are still the two methods preferred by researchers. Quantitative research methodology lends itself to the description of opinions and attitudes and gauging the effect of one event or variable on another (Van der Merwe *in* Garbers, 1996: 283).

5.5 FIGURES AND TABLES

Figures and tables constitute an important part of many theses, especially theses based on a quantitative investigation. According to van der Merwe (*in* Garbers, 1996: 387), one of the most useful functions of figures and tables is that they enable the writer to present information more economically than would have been the case had it been presented as running text.

In analysing and presenting data, various graphs and tables are used. Bar graphs and histograms show the frequency of cases for each variable value with a bar whose weight or length indicates the number of cases. Line graphs are also used to summarise and display interval- and ratio-level variables (O’Sullivan & Rassel, 1999:

352). Time series and frequency polygons are two types of line graphs. Frequency polygons show the frequency of cases with each value of a variable. Time-series graphs show how the value of a variable changes over time.

Figures and tables must be presented in a way that will contribute to the reader's understanding of the author's most important findings. Tables should support the claims made in the text. The author must interpret them, but certainly not simply say in words what has appeared in figures. The information in both figures and tables must be largely self-explanatory (Van der Merwe *in* Garbers, 1996: 387).

Tables are a familiar visual presentation. According to de Vos *et al* (*in* de Vos, 2002: 230) graphic presentations, or figures, are pictorial devices to illustrate data. They are often of great help in enabling readers to understand the essential features of frequency distributions and in the comparison of one frequency distribution with another.

5.6 QUESTIONNAIRE STRUCTURE AND DESIGN

Researchers make use of various methods/ techniques to collect data, for interviews and questionnaires. These include structured questionnaires, interviews, surveys, historical analysis, experiments, existing statistics and field research.

According to Brynard and Hanekom (1997: 32) interviewing as a method of collecting data allows the researcher to explain his or her questions if the respondent is not clear about what was asked. It also allows the researcher to probe deeper following the answer of a respondent.

Structured questionnaires can be used in the place of interviews. Because of this it is advisable to give to respondents clear instructions on how to complete the questionnaire. The advantage of questionnaires is that respondents have time to think about answers to questions asked in a questionnaire (Brynard & Hanekom, 1997: 38).

5.6.1 Structure of the questionnaire used

The questionnaires used were structured, and all questions were coded. Close and open-ended questions were used. Respondents were required to answer all questions. *Coding* is the process of converting raw information or data into another form for analysis. It also means systematically reorganising raw data into a format that is machine readable (Neuman, 2000: 506; 314)

There are 4 (four) sections in a questionnaire:

Section **A** looked at the profile of the respondent.

Section **B** looked at the concept of governance.

Section **C** looked at good governance.

Section **D** looked at the indicators of good governance.

The Likert Scale was used to establish where most of the respondents stand on the issue of governance and good governance in particular.

The respondents marked **1** if they *strongly disagree* with the statement.

The respondents marked **2** if they *disagree* with the statement.

The respondents marked **3** if they are *undecided/ neutral*.

The respondents marked **4** if they *agree* with the statement.

The respondents marked **5** if they *strongly agree* with the statement.

A variety of question types exist from which a researcher can select in a goal-directed manner in order to obtain the desired information. The following types of questions are discussed in this section, namely open-ended questions and closed-ended questions.

5.6.2 Open-ended questions

An *open-ended question* is a type of survey question in which respondents are required to provide their own answers without a listing of possibilities from the researcher (O'Sullivan & Rassel, 1999: 497). Neuman (2000: 515) agrees and says it is a type of *survey research* question in which respondents are free to offer any answer they wish to the question.

According to Delport (*in de Vos*, 2002: 179) open questions give the respondent the opportunity of writing any answer in the open space. Information obtained in this manner can later be divided into several sections. Open-ended questions require the respondents to answer in their own words. Answers to open-ended questions provide the rich detail that puts a mass of collected data into context (O'Sullivan & Rassel, 1999: 210, 213).

The open question has advantages when a variable is relatively unexplored or unknown to the researcher. In such a case the open questions enable the researcher to explore the variable factor better and to obtain some idea of the spectrum of possible responses (Delport *in de Vos*, 2002: 179).

Researchers ask open-ended questions for at least five reasons (O'Sullivan & Rassel, 1999: 210):

- They help a researcher identify the range of possible responses;

- They avoid biases that a list of responses can introduce;
- They yield rich, detailed comments;
- They give respondents a chance to elaborate on their answers; and
- Respondents can more easily answer some questions with a few words rather than selecting an answer from a long list of possible responses.

In an open-ended questionnaire no options are provided for the respondent to answer the question. They must think of their own response and describe it in their own words. If respondents have, and take the time, to reflect on answers to the question, the researcher can get more meaningful information than from closed questions (Van der Waldt *et al*, 2002: 290).

The KwaZulu-Natal province has people from different racial and cultural backgrounds. This can have an impact on the way they view governance issues. Therefore open-ended questions were provided so that people could express their own views and offer some solutions or proposals.

5.6.3 Closed-ended questions

Closed-ended question is a type of question in which the respondent is given a list of possible answers and is requested to select an answer or answers from that list (O'Sullivan & Rassel, 1999: 492). For example, respondents may check whether they “strongly agree”, “agree”, “disagree”, or “strongly disagree” with a statement, or they may indicate a number representing the most appropriate answer. According to Neuman (2000: 505) a close-ended question is a type of *survey research* question in which respondents must choose from a

fixed set of answers. Closed-ended questions offer the respondent the opportunity of selecting (according to instructions) one or more response choices from a number of choices provided to him/her. When a substantial amount of information exists about a subject and the response options are relatively well known, the closed questionnaire becomes advantageous (Delpont *in de Vos*, 2002: 179).

According to O'Sullivan and Rassel (1999:214) all closed-ended questions require a respondent to select one or more appropriate responses from a list. The reliability and operational validity of closed-ended questions partially depends on the list provided. Another type of closed-ended questions ask the respondents to rank or rate items.

The advantage of closed question is that the result of the investigation can emerge fairly quickly. Other advantages of closed questions are that respondents understand the meaning of the questions better, questions can be answered within the same framework and responses can consequently be compared better with one another (Delpont *in de Vos*, 2002: 180).

In this research work, questionnaires (with both open and closed-ended questions) were constructed first and distributed to respondents in this province. Then data was analysed, followed by the writing of the relevant chapter. Going to the field to meet the respondents was way of collecting data. Data was then analysed by means of a computer programme.

In a closed questionnaire the respondent was given a set of alternative choices from which he or she could choose to answer the question, i.e., 'yes', 'no' multiple choice, a rating, or ranking. Closed questions can usually be answered quickly, allowing the researcher

to get a lot of information quickly (Van der Walldt *et al*, 2002: 290). Because of diverse nature of people of KwaZulu-Natal, closed questionnaires were used. This was to limit the responses.

5.6.4 The pilot study

A *pilot study* can be regarded as a small-scale trial run of all the aspects planned for use in the main inquiry (Monette *et al* *quoted by* Strydom *in de Vos*, 2002: 211). According to O'Sullivan and Rassel (1999:498), a pilot study can also be regarded as a small study designed to test the adequacy of a proposed data collection strategy.

A pilot study helps the researcher to fine-tune the study for the main inquiry. Hoinville *et al* (*quoted by* Strydom *in de Vos*, 2002:216) agree with this view when they say the pilot study is valuable for

“refining the wording, ordering, layout, filtering, and so on, and in helping to prune the questionnaire to a manageable length”.

Strydom (*in de Vos*, 2002: 211) defines a pilot study as “a small study conducted prior to a larger piece of research to determine whether the methodology, sampling, instruments and analysis are adequate and appropriate.” A pilot study can also be regarded as a small-scale trial run of all the aspects planned for the main inquiry.

It has been noted that a pilot study serves to (Strydom *in de Vos*, 2002:221):

- Orientate a researcher towards his research field;
- Aid the formulation of his research problem;
- Plan his *modus operandi*; and
- Determine the range of his investigation.

During the pilot study, the researcher tests the various aspects of his project on a small scale, not yet intending to generalise his findings. The pilot study in qualitative research is usually informal and a few respondents possessing the same characteristics as those of the main investigation can be involved in the study, merely to ascertain certain trends.

In this research work a pilot study was conducted. The preliminary set of questionnaires was randomly distributed to about 20 people (5 legislators, 5 private sector people, 5 public officials, 5 civil society members) to assess the suitability of such a questionnaire. These are all people who are role-players in promoting governance in the KwaZulu-Natal province.

Strydom (*in de Vos*, 2002: 215) is of the view that since the purpose of the pilot study is to improve the success and effectiveness of the investigation, the respondents must be given space on the questionnaire for criticisms or comments. The researcher must then carefully consider these comments during the main investigation.

The pilot study was conducted in the same manner as the main investigation. For example, the researcher preferred to use the self-administered questionnaires in the main investigation while questionnaires were self-administered during the pilot study.

5.6.5 Likert scaling

A common method of building indices is called *Likert scaling*. Likert scaling is most likely to be used when the cases can be rated on several items.

Likert scales are also called summated rating scales. The procedure is relatively easy to use. According to O'Sullivan and Rassel (1999: 298) to develop an index using Likert scaling, the analyst selects a set of statements, each of which reflects favourably or unfavourably on some aspect of the characteristic that he wants to measure. A rating form is provided for each item with several ranked responses. The dimension is then rated on each item according to the responses provided. A numerical value is assigned to each response, and the values are summed to obtain a single numerical value.

A Likert scale is a *scale* often used in *survey research* in which people express attitudes or other responses in terms of several *ordinal-level* categories (for example, agree, disagree) that are ranked along a continuum (Neuman, 2000: 513).

Likert scaling is often used to measure opinions or attitudes of individuals. If it is used in an interview or survey, respondents are asked to indicate on the rating scale the degree to which they agree or disagree with each statement. The agreement scale may have only two choices (Agree – Disagree), or it may have more choices, permitting an indication of the level of agreement or disagreement (O'Sullivan & Rassel, 1999: 298). Five categories are commonly used:

Rating Value

- 1 – Strongly Disagree
- 2 – Disagree
- 3 – Neutral (Undecided)
- 4 – Agree
- 5 – Strongly Agree

For the purposes of this research, the independent variables were determined as responses and perceptions to aspects such as:

transparency and good governance, governance in the KwaZulu-Natal Provincial Authority, service delivery, role of legislators, public officials, private sector and civil society.

5.6.6 Ordinal scaling

Ordinal scale is a measuring scale that orders the values of a variable and allows an investigator to order cases based on their variable value (O'Sullivan & Rassel, 1999: 497). A scale involves categorisation. Each object or event observed should be described by one and only one value or category of a scale.

Ordinal scales rank a variable's values. According to O'Sullivan & Rassel (1999: 103) they do so without regard to the distance between values. If you rank values but do not determine how far apart they are, you have an ordinal scale. The numbers assigned to the values must be in the same order as the ranking implied by the scale, for example: 1-Very Dissatisfied; 2-Dissatisfied; 3-Neutral; 4-Satisfied; 5-Very Satisfied.

5.7 TARGET POPULATION AND THE SAMPLE

For the purposes of sampling, population refers to objects, subjects, phenomena, cases, events or activities, i.e. all the objects, subjects, events, phenomena, activities or cases which the researcher wishes to research in order to establish new knowledge (Brynard & Hanekom, 1997: 43).

The *population* involved in the research theme must be precisely defined and demarcated. In this way the target population can be clearly identified (Smit, 1995: 16). According to O'Sullivan and Rassel

(1999: 133) the *target population* must be specified clearly and the units in a population must conform to a set of specifications. Population is the name for the large general group of many cases from which a researcher draws a sample and which is usually stated in theoretical terms (Neuman, 2000: 516).

Sampling is used in a variety of settings for a number of purposes. Sample surveys are the most widespread used. They are used to provide statistical data on a wide range of subjects for research and administrative purposes (O'Sullivan & Rassel, 1999: 132). A sample is a smaller set of cases a researcher selects from a larger pool and generalises to the *population* (Neuman, 2000: 518).

In conducting this research the questionnaires used were administered in all parts of the KwaZulu-Natal province. The aim was to ensure that the eventual results were representative of the KwaZulu-Natal environment. Questionnaires were distributed to all four categories. The questionnaires took the following into consideration:

- Citizens of the province elect **legislators**;
- **Public officials** are appointed to execute and implement legislation aimed at promoting governance and improving service delivery;
- The **private sector** has invested a lot in the province;
- **Civil society** expects service delivery and good governance

Governance is based on democratic principles that empower and encourage the active participation of all citizens at all levels in their own governance. Legislators, public officials, the private sector and the civil society can contribute in determining the theory and practice of governance in KwaZulu-Natal.

5.7.1 Reasons for the use of samples

The major reason for sampling is feasibility. According to Brynard & Hanekom (1997: 43), a sample of a population is used to:

- Simplify the research – it is easier to study a representative sample of a population than to study the entire population;
- Save time – studying an entire population could be time-consuming, especially if the population is very large, or distributed over a large geographical area;
- Cut costs – observing, interviewing, or using questionnaires to collect data from every element of a population could be very costly if the population is large and geographically distributed over a large area.

According to Smit (1995: 16) the goal of sampling is to obtain valid answers to the research problem in the form of knowledge and insight. It is therefore essential that the sample be fully representative of the population.

Sampling is an efficient and effective method of studying a population, whether it consists of people, files, agencies or other units. Probability sampling is usually the preferred sampling method because with it a researcher can apply statistical methods to estimate parameters. It also helps to control biases that inevitably enter into the construction of samples (O'Sullivan & Rassel, 1999: 161).

In this research a sample size of 200 (50 legislators, 50 public officials, 50 private sector people and 50 members of the civil society) was decided upon. This was done in order to facilitate the computation of statistical tests pertaining to the hypothesis that was formulated. Such a sample can be deemed adequate to identify and

analyse the positive and negative aspects of governance in the KwaZulu-Natal province.

5.7.2 Objectives of sampling

The primary objectives of sampling are (Smit, 1995: 16-17):

- To make certain deductions and generalisations about the population;
- To accept or reject statistical hypotheses about the population.

In order to attain the above objectives, the following three aspects must be borne in mind:

- The unambiguous definition of the population in terms of extent, content and time;
- The size of the sample;
- The extent to which the sample is representative of the population; and
- The method of sampling.

According to Brynard and Hanekom (1997: 44) a sample should be representative of the large group (population or universe) and should include all elements of the population. For example, in this study, since the researcher wanted to analyse the theory and practice of governance in the Province of KwaZulu-Natal, the sample included elements that constitute the people of KwaZulu-Natal, namely the private sector, public sector, legislators and civil society.

5.7.3 Types of sampling

According to Van der Walldt *et al* (2002: 291-292) there are a number of ways to select a sample, most of which can be classified as one of two types: **probability** and **non-probability** sampling.

- **Probability sampling** is a type of sampling whereby every member of the population has a known probability of being sampled. Probability sampling implies random sampling because in random sampling every person in the population has an equal chance of being selected.
- **Non-probability sampling** is when certain members of the population are chosen because of a judgement on the characteristics of the population and the needs of the survey. Non-probability samples are created because the units appear representative or because they can be conveniently assembled. Non-probability is not random because not all members have the same chance of being drawn for the survey and some have no chance (Van der Walldt *et al*, 2002: 292).

In **simple random sampling**, says Van der Walldt *et al* (2002: 292), each member of the target population has the same chance of being selected for participation in the study. The biggest advantage to a simple random sample is that you achieve a fairly good unbiased sample fairly easy. According to Nichols (1995: 59), a simple random sample will be free of bias if two conditions are met: *Firstly*, the sampling frame must be accurate, detailed, and cover the full target population. *Secondly*, fieldworkers must succeed in contacting and interviewing all those selected.

A **stratified random sample** is one in which the population has been classified into 'strata' or subgroups and then a random sample is pulled from each subgroup (Van der Waldt *et al*, 2002: 292).

5.8 STATISTICS AS A TOOL OF RESEARCH

The use of statistics can give researchers additional credibility in terms of the interpretations they make and the confidence they have in their findings.

Two types of statistical methods come into play here, namely descriptive and inferential statistics. *Descriptive statistics*, according to Huysamen (1998: 4) is concerned with the description and/or summarisation of the data obtained for a group of individuals. *Inferential statistics* is used to make inferences regarding the properties (e.g. the mean) of population on the basis of the results obtained for appropriately selected samples from these populations (Huysamen, 1998: 4).

Statisticians will point out that there are three types of average, which are collectively known as 'measures of central tendency'. These are the *mean*, the *median* and the *mode* (Denscombe, 1998: 193). The choice of a measure of central tendency may be limited by the nature of the measurements involved. If nominal-scale data are involved, the *mode* is the only measure of central tendency which can be used sensibly. With ordinal data the *median* is usually preferred, since it not only takes the frequencies of various categories into account, but also their rank. The *mean* is usually preferred in the case of numerical data. In the case of skewed distributions the *median* may be preferred to the mean. These approaches are discussed below.

5.8.1 The median

The *median* of a collection of scores is the middlemost score when the scores have been arranged in ascending or descending order (Huysamen, 1998: 43). Nichols (1995: 124) holds that median is a kind of average for interval variables. The middle value is when the data are arranged in order of size. Where the set of data has an even number of values, the median is the mean of the two middle values.

The median is the mid-point of a range. Calculation of the median is straightforward. Values in the data are placed in either ascending or descending rank order and the point which lies in the middle of the range is the median (Denscombe, 1998: 194).

The following are the advantages connected with the use of the median as a measure of central tendency:

- It can be used with ordinal data as well as interval and ratio data;
- Because it is an ordinal operation, the median is not affected by extreme values, the i.e. 'outliers';
- The median works well with a low number of values;
- We have the advantage of knowing that exactly half the values are above the median and half the values are below the median (Denscombe, 1998: 194-195).

5.8.2 The mode

According to Huysamen (1998: 42) the *mode* of a collection of scores is the score value which has the highest frequency of occurrence. In an ungrouped frequency distribution the *mode* is that score value which has the highest frequency.

When social researchers use the mode as a measure of central tendency they have in mind the most fashionable or popular figure. It is the value which is *most common* that is the mode. Identification of the modal value simply consists of seeing which value among a set occurs most frequently; this is the mode (Denscombe, 1998: 195).

5.8.3 The mean

The *mean* (also known as the arithmetic mean, or average) of a collection of scores is the sum of the scores divided by the number of scores (Huysamen, 1998: 44). According to Nichols (1995: 124) mean is a kind of average for interval variables (total of the sample values divided by the number of values in the sample) one can use a guessed mean (a round number, close to the true mean) to simplify calculation of the standard deviation.

The mean is what most people have in mind when, in common parlance, they think about ‘the average’. It is a measure of central tendency in the sense that it describes what would result if there were a totally *equal distribution of values* – if the total amount or frequencies were spread evenly (Denscombe, 1998:193).

5.9 HANDLING RESEARCH ERRORS

According to O’Sullivan and Rassel (1999: 484) errors are inevitable in research. They maintain that...

“errors arise from constraints that force investigators to compromise the quality of their efforts. Errors also arise from any one person’s or group’s point of view, type of knowledge, and degree of ability. The potential for error occurs throughout the research process. Four potential sources of error are: the

accuracy and precision of measurements, the generalisability of experiments, the quality of the experimental design, and the interpretation of the practical significance of the findings”.

When conducting research, researchers must (O’Sullivan & Rassel, 1999: 484):

- Fully disclose their research procedures;
- Subject their work to peer review; and
- Acknowledge and correct errors.

This must be done to reduce the persistence of incorrect knowledge. Full disclosure allows others to scrutinise the research. Errors may be found by examining the research documents. Peer review helps detect errors prior to a report’s publication (O’Sullivan & Rassel, 1999: 484).

Brynard and Hanekom (1997: 41-42) are of the view that it is necessary to review data critically after it been collected and analysed, in order to detect any errors. Errors in this case refer to bias or inaccuracies in measurement. The source of bias can be detected and controlled or eliminated. The following are general sources of error (Brynard & Hanekom, 1997: 41-42):

- Vague definitions and faulty hypotheses;
- Inadequate design and planning of the research report;
- Sampling errors;
- Imperfection in the research instrument;
- Interview bias;
- Respondent bias;
- Analyst bias; and
- Researcher bias.

In O'Sullivan and Rassel' terms (1999: 497) peer review is a process in which "individuals well versed in a particular topic read and evaluate manuscripts and proposals submitted to academic journals, conferences or funding agencies to detect errors or weaknesses prior to the publication of the materials or beginning of research".

5.10 SUMMARY

In summary, one can say the research process begins with a researcher selecting a *topic*. The researcher narrows down or *focuses* the topic into a specific research question that can address the study. When learning about a topic and narrowing the focus, the researcher usually reviews past research or the *literature* on a topic. The researcher also develops a possible answer or *hypothesis*. The researcher plans how he/ she will *carry out* the specific research project. Now the researcher is ready to *gather the data*. The next step is to *analyse the data* to see any patterns that emerge. The patterns or evidence help the researcher give meaning to or *interpret* the data. Finally the researcher *informs others* by writing a report that describes the background to the study, how the research was conducted, and what was discovered.

In this chapter the planning and design of the empirical research was discussed. A rationale of the choice of research instruments was given. The research design and methodology embodied, provided a briefly expressed procedure in explaining the objectives of the study, the description of the target population and how the sample was drawn. It also highlighted the sampling technique employed, the description of questionnaire and how it would be administered. Descriptive and inferential statistics are deemed to be sufficient for the purposes of the research study.

This chapter has focused on the research methodology used in this study. Two methods of research were discussed, namely qualitative and quantitative research. The chapter also looked at the design of the questionnaire structure, i.e. open-ended questions, close-ended questions, and the pilot study. Sampling, population, and the use of statistics in research were also explained. Finally the limitations of the study were highlighted as well. The chapter also acknowledged that when conducting research there will always be handling errors.

The findings of the study are presented and analysed in detail in the next chapter. In presenting and interpreting the data the figures, tables, graphs, charts and other forms of data display are used. The data is also interpreted. The researcher conducted an analysis of the questionnaires with the assistance from the specialist based at the University of KwaZulu-Natal (Westville Campus) and guided by the promoter.

CHAPTER 6

DATA ANALYSIS, INTERPRETATION AND DISCUSSION

6.1 INTRODUCTION

This chapter discusses the research findings following an analysis of the data collected from the respondents using questionnaires. There are **four categories of respondents**, namely **legislators, civil society, public officials**, and the **business (private) sector**. The results are analysed, interpreted and presented according to these four categories.

All the research findings are based on information obtained from respondents and are in line with the aims and objectives of this study, which is to analyse governance in the KwaZulu-Natal Provincial Authority. An analysis of the different stakeholders indicates what the citizens of this province consider to be important with regard to service and general welfare of the province's inhabitants.

6.1.1 Objectives of the research

In Chapter One the following questions are raised:

- To what extent are the principles and foundations of governance understood and applied in the KwaZulu-Natal Provincial Authority?

- What policies and management approaches have been developed to promote governance?
- What factors promote and hinder good governance?
- How do South African principles of governance and practice compare and contrast with other African states?

The above stated questions are an integral part of research methodology to evaluate governance in KwaZulu-Natal. In this chapter, possible answers to the above questions will be based on results of the empirical survey on the theory and practice of governance in the KwaZulu-Natal Provincial Authority.

Questionnaires were administered to the following categories of people throughout the province of KwaZulu-Natal:

- Legislators, because they make policies which affect ordinary citizens and promote the legitimacy of a government. If government is legitimate, it is likely to promote good governance.
- Civil society, because civil society aims to influence government policy in a direction favourable to it. Civil society can engage government on contentious issues of governance.
- Public officials, because public officials are responsible for the practical execution of regulations passed by legislators. They can determine whether such regulations can promote good governance.

The private (business) sector, because it is seen as a partner in government. This is a relatively new trend in the field of governance, especially in the area of service delivery. This brings about a change in corporate culture and public management.

6.2 LEGISLATORS

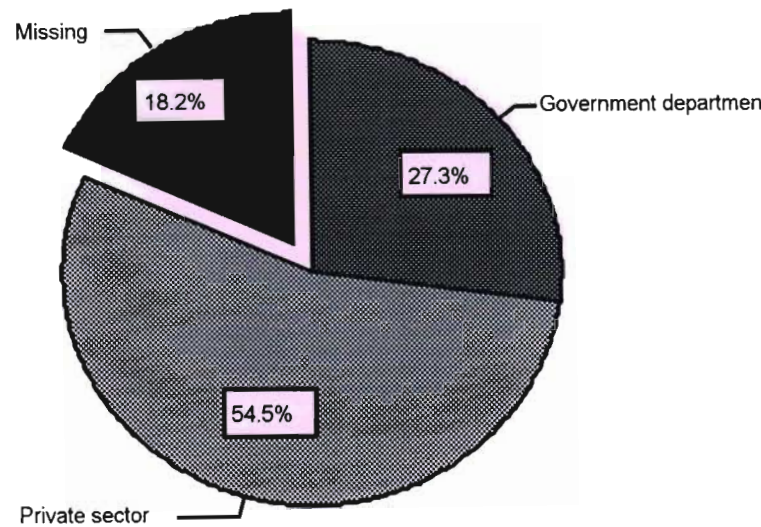
This section discusses the findings of the researcher from the point of view of the legislators. Legislators are the respondents in this section. These people are tasked with making laws that govern a state. Legislators are people in a state who have the duty and powers to formulate laws. In the case of South Africa parliament is the legislative authority. Legislation occurs within the wider national and international political, social and economic context.

6.2.1 Profile of the respondent

Table 6.1 Where previously employed

	Frequency	Percent	Valid Percent	Cumulative Percent
Government	3	27.3	27.3	27.3
Private sector	6	54.5	54.5	81.8
Missing	2	18.2	18.2	100.0
Total	11	100.0	100.0	

Graph 6.1 Where previously employed



Data presented in Table 6.1 indicates that 27% of the respondents were previously employed in government departments, and 54% were in the private sector before becoming parliamentarians/ legislators. This means that a significant number of them have worked in other sectors before and would know the needs of the people they represent.

Table 6.2 Gender

	Frequency	Percent	Valid Percent	Cumulative Percent
Female	3	27.3	27.3	27.3
Male	8	72.7	72.7	100.0
Total	11	100.0	100.0	

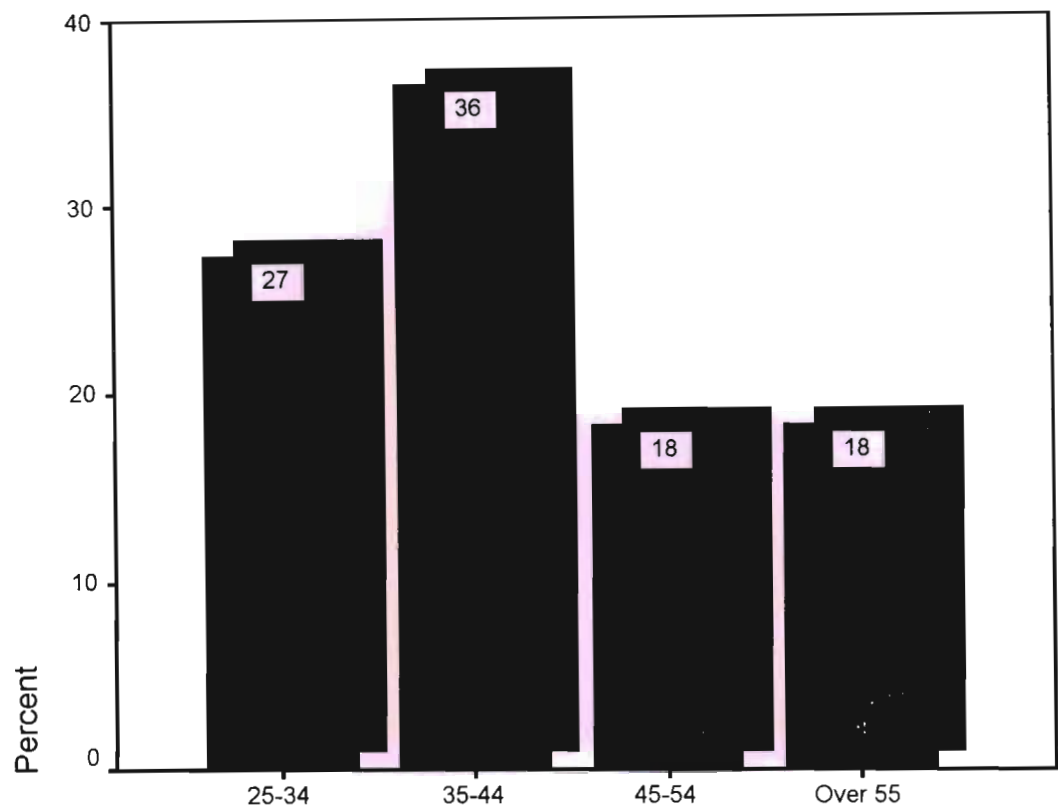
Table 6.2 indicates that 27% of legislators were female and 73% were male respondents. This indicates that parliament is still dominated by males.

Table 6.3 Age

	Frequency	Percent	Valid Percent	Cumulative Percent
25-34	3	27.3	27.3	27.3
35-44	4	36.4	36.4	63.6
45-54	2	18.2	18.2	81.8
Over 55	2	18.2	18.2	100.0
Total	11	100.0	100.0	

Age has a contributing factor in the study. The age group of respondents indicates the age of people who sit in the KwaZulu-Natal provincial legislature.

Graph 6.2 Age



Data presented in Table 6.3 indicate that 27% of respondents were between 25 and 34 years old, 36% were between 35 and 44 years old, and 18% were 45 years old and above. This indicates an even spread in the age of the population of legislators.

Table 6.4 Level of hierarchy

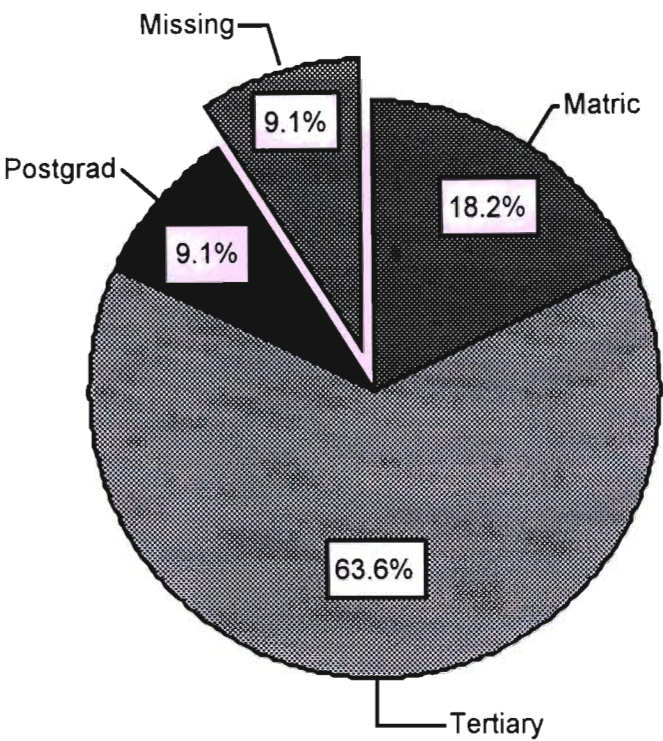
	Frequency	Percent	Valid Percent	Cumulative Percent
Non-supervisory level	2	18.2	18.2	18.2
Supervisory level	2	18.2	18.2	36.4
Middle management	3	27.3	27.3	63.6
Senior management	2	18.2	18.2	81.8
Missing	2	18.2	18.2	100.0
Total	11	100.0	100.0	

Table 6.4 indicates that 18% of respondents were at non-supervisory level, 18% at supervisory level, 27% at middle management level and 18% at senior management.

Table 6.5 Level of education

Education level	Frequency	Percent	Valid Percent	Cumulative Percent
Matric	2	18.2	18.2	18.2
Tertiary	7	63.6	63.6	81.8
Postgrad	1	9.1	9.1	90.9
Missing	1	9.1	9.1	100.0
Total	11	100.0	100.0	

Graph 6.3 Level of education



According to Table 6.5 majority of respondents possessed tertiary qualifications. 18% possessed matric, 64% had a degree or diploma and 9% had postgraduate qualifications.

6.2.2 Governance

Table 6.6 Strengthening judicial institutions

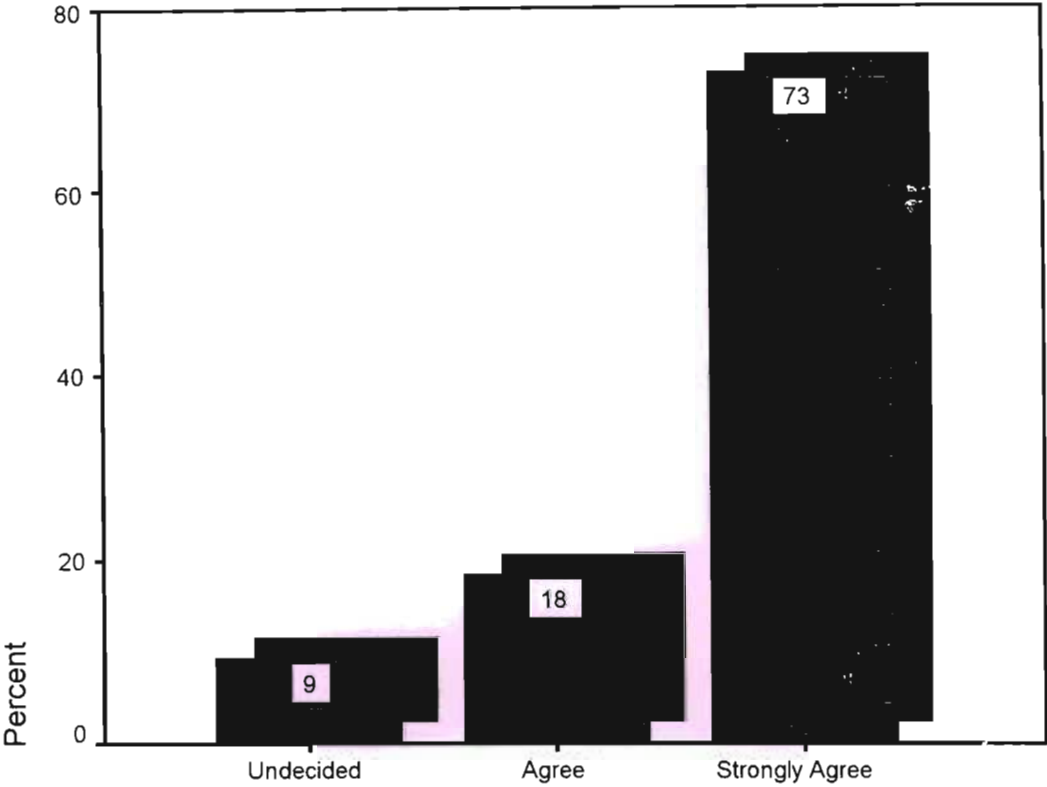
	Frequency	Percent	Valid Percent	Cumulative Percent
Agree	1	9.1	9.1	9.1
Strongly Agree	10	90.9	90.9	100.0
Total	11	100.0	100.0	

Table 6.6 indicates that a majority of respondents (91%) strongly agreed that strengthening judicial institutions should be a priority task when promoting governance. Another 9% of respondents agreed with this statement. This means that all respondents agree on the strengthening of judicial institutions to interpret laws and legislation passed and approved by parliament and provincial legislatures.

Table 6.7 Opposition must be able to point to the failures of government and promote alternative policies

	Frequency	Percent	Valid Percent	Cumulative Percent
Undecided	1	9.1	9.1	9.1
Agree	2	18.2	18.2	27.3
Strongly Agree	8	72.7	72.7	100.0
Total	11	100.0	100.0	

Graph 6.4 Opposition and alternative policies

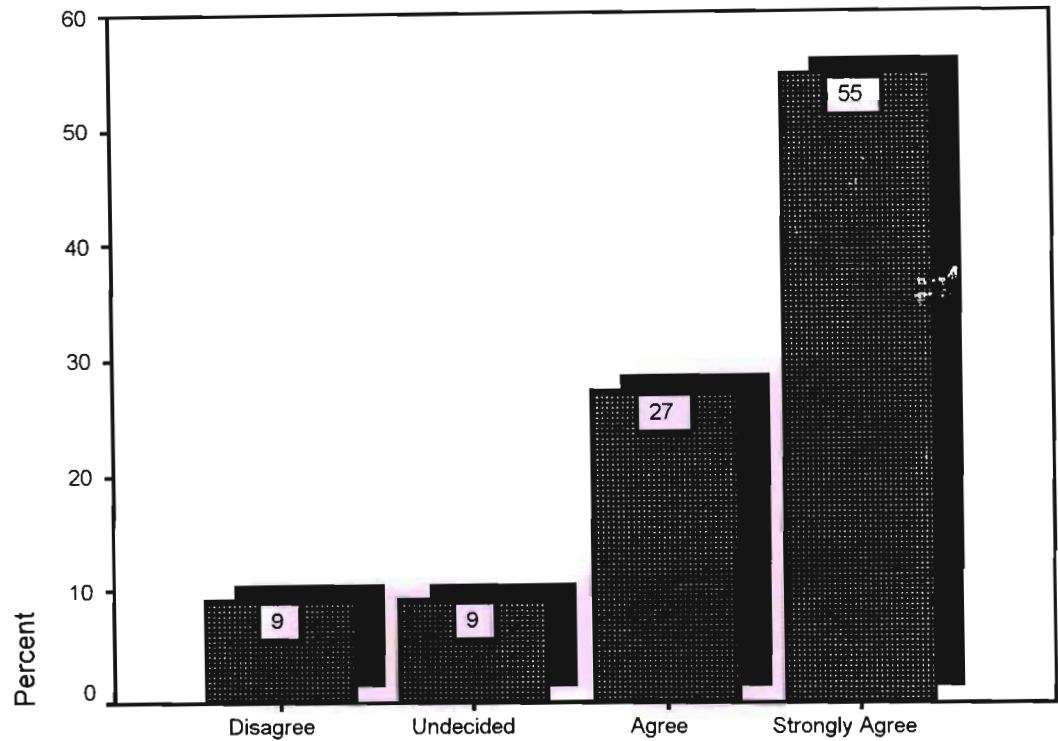


On issues of governance 73 % strongly agreed that the opposition must be able to point to the failures of government and promote alternative policies. 18% agreed with this assertion, while 9% were undecided (Table 6.7). This means that legislators are aware that a government must also listen to opposition parties and accept their alternative views. One of the central requirements for multi-party democracy is that the electorate should have the ability to choose between parties. Parties that do not win elections must become an opposition.

Table 6.8 Minority parties must become stronger opposition

	Frequency	Percent	Valid Percent	Cumulative Percent
Disagree	1	9.1	9.1	9.1
Undecided	1	9.1	9.1	18.2
Agree	3	27.3	27.3	45.5
Strongly Agree	6	54.5	54.5	100.0
Total	11	100.0	100.0	

Graph 6.5 Minority parties



In Table 6.8, 55% of respondents strongly agreed that in the KZN Provincial Authority minority parties must become stronger opposition as this can result in better governance. 27% agreed that minority parties have a role to play in the governance of this province. 9% were undecided, and 9% disagreed that minority parties

can play a part. Opposition parties help to keep governments on their toes and ensure that they do not lapse into arrogance, stagnation and corruption. Opposition parties must be encouraged to develop and articulate policy alternatives that will better serve the needs of voters.

Table 6.9 Governance is defined as the mode/manner or style of governing

	Frequency	Percent	Valid Percent	Cumulative Percent
Undecided	1	9.1	9.1	9.1
Agree	7	63.6	63.6	72.7
Missing	3	27.3	27.3	100.0
Total	11	100.0	100.0	

Data presented in Table 6.9 indicates that 64 % of respondents agreed that governance is defined as the mode/manner or style of governing. 9% were undecided and 27% was missing. If legislators understand this definition then their style of governing will promote good governance all the time. Legislators understand that governance implies the actions undertaken to improve the general welfare of a society by means of the services delivered.

Table 6.10 Governance is how people are ruled and how the affairs of a state are administered and regulated

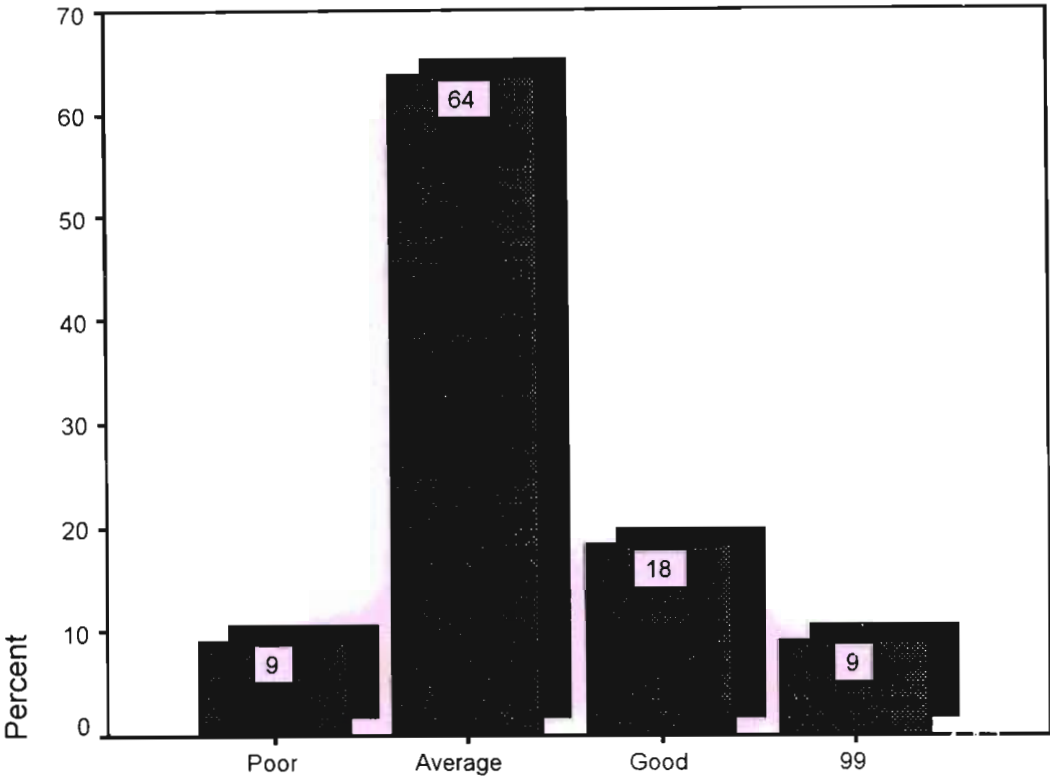
	Frequency	Percent	Valid Percent	Cumulative Percent
Yes	11	100.0	100.0	100.0

Majority (100%) of respondents agreed that governance could also be defined as how people are ruled and how the affairs of a state are administered and regulated (Table 6.10). This means that legislators are aware of the challenges facing them as they are handling the affairs of the nation.

Table 6.11 How would you rate the overall quality of governance in this Province

	Frequency	Percent	Valid Percent	Cumulative Percent
Poor	1	9.1	9.1	9.1
Average	7	63.6	63.6	72.7
Good	2	18.2	18.2	90.9
Missing	1	9.1	9.1	100.0
Total	11	100.0	100.0	

Graph 6.6 Rating quality of governance



On the quality of governance, data depicted in Table 6.11 indicates that 64% of respondents would scale as **average** the rate of the overall quality of governance in the KwaZulu-Natal province. 18% said the quality was **good**, and 9% said the province had **poor** governance quality. This implies that legislators themselves are aware that there is still a lot to be done to improve the overall quality of governance in KwaZulu-Natal.

6.2.3 Good governance

Table 6.12 Transparency is a sign of good governance

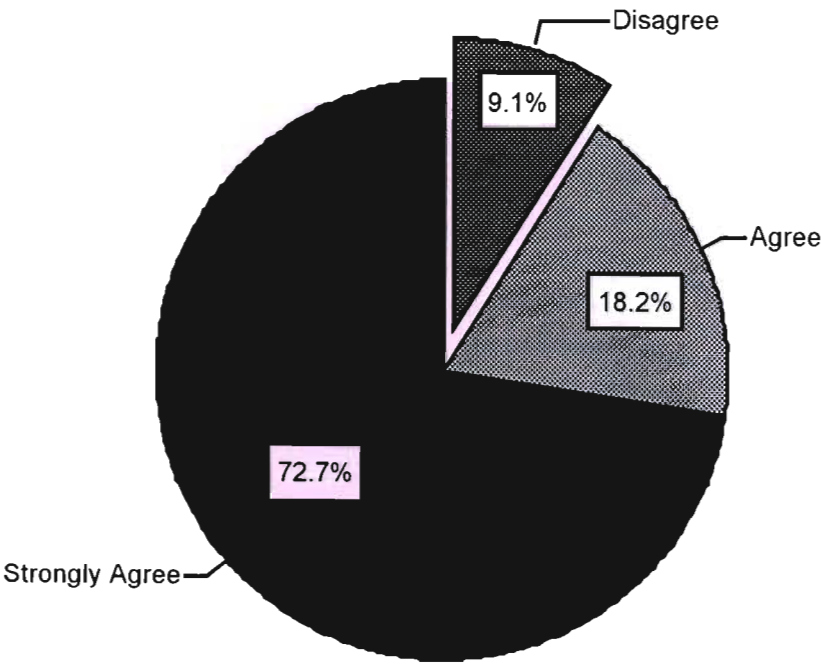
	Frequency	Percent	Valid Percent	Cumulative Percent
Agree	2	18.2	18.2	18.2
Strongly Agree	9	81.8	81.8	100.0
Total	11	100.0	100.0	

Table 6.12 indicates that a large number of respondents (82%) strongly agreed that transparency is a sign of good governance. Another 18% also agreed with this statement. If government activities are transparent, that can be regarded as a sign of good governance. There must be transparency because, in the course of administration, the public sector is spending the taxpayers' money. Politicians (legislators) and public officials are in the service of the public, therefore proper account of government activities should be given in public.

Table 6.13 Absence of corruption is a sign of good governance

	Frequency	Percent	Valid Percent	Cumulative Percent
Disagree	1	9.1	9.1	9.1
Agree	2	18.2	18.2	27.3
Strongly Agree	8	72.7	72.7	100.0
Total	11	100.0	100.0	

Graph 6.7 Absence of corruption



Data presented in Table 6.13 indicates that 73% of respondents strongly agreed that absence of corruption is a sign of good governance. While 18% agreed with this version, 9% of respondents disagreed. This indicates that there can be no corruption in a state,

but that does not indicate that there is good governance. Corruption, according to Cameron and Stone (1995: 77), violates the public order, and is destructive and incompatible with a system of public order.

Table 6.14 Good governance necessitates that the democratic process prevails at all times

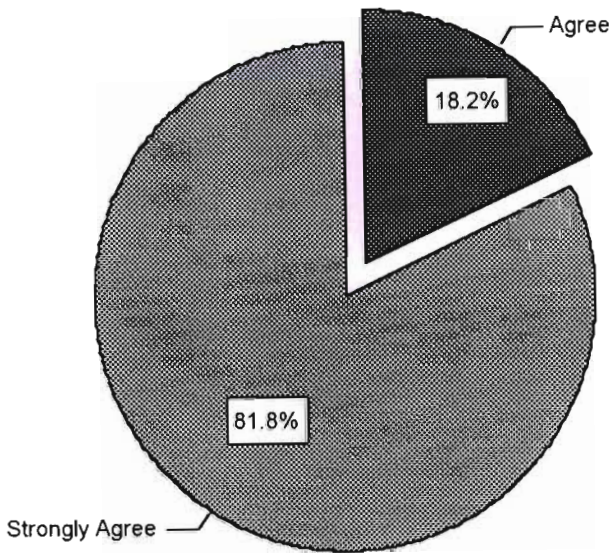
	Frequency	Percent	Valid Percent	Cumulative Percent
Agree	5	45.5	45.5	45.5
Strongly Agree	6	54.5	54.5	100.0
Total	11	100.0	100.0	

According to Table 6.14, the majority of respondents agreed that good governance necessitates that the democratic process prevails at all times. 55% strongly agreed, and 45% agreed with this statement. This means that if democracy prevails in a state, there is bound to be good governance in the administration of the state. No one must feel excluded from the process by which they are governed. People who do not feel part of the processes by which they are governed will withdraw even further, at the very time when their commitment and contribution are most required to meet the challenges facing the nation.

Table 6.15 Lack of good governance hampers socio-economic development of a country

	Frequency	Percent	Valid Percent	Cumulative Percent
Agree	2	18.2	18.2	18.2
Strongly Agree	9	81.8	81.8	100.0
Total	11	100.0	100.0	

Graph 6.8 Good governance and socio-economic development



The majority of respondents (82%) strongly agreed that lack of good governance hampers socio-economic development of a country. 18% also agreed (Table 6.15). The implication is that if good governance prevails, the country can be developed socially and economically. The KwaZuluNatal province needs economic development since it has a large population and the rate of unemployment is high.

Table 6.16 Provision of the right information is key to good governance

	Frequency	Percent	Valid Percent	Cumulative Percent
Agree	3	27.3	27.3	27.3
Strongly Agree	8	72.7	72.7	100.0
Total	11	100.0	100.0	

Graph 6.9 Provision of information as a key to good governance

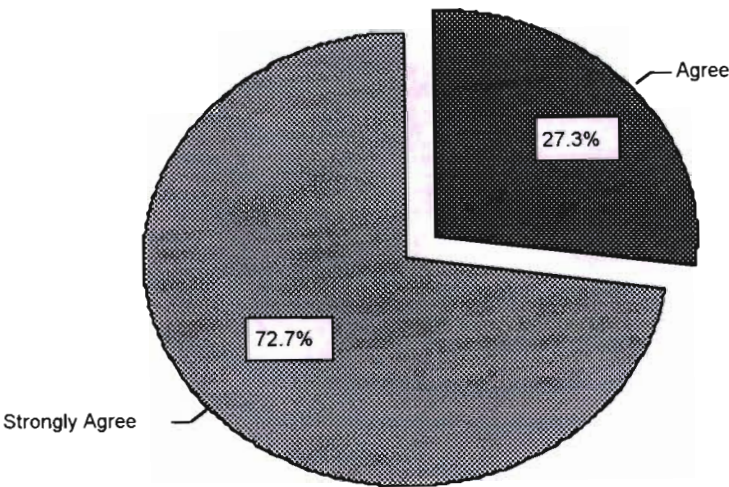


Table 6.16 indicates that 73% of respondents strongly agreed that the provision of the right information is key to good governance. 27% agreed that the key to good governance is providing the right information. This means that citizens should provide legislators with the right information for them to make the right decisions. Also, legislators should give back the right information to citizens so that they can understand how they run the affairs of the province.

6.2.4 Indicators of good governance

Table 6.17 Prerequisite of good governance includes in-built systems of checks and balances which provide for participatory governance.

	Frequency	Percent	Valid Percent	Cumulative Percent
Agree	11	100.0	100.0	100.0

According to Table 6.17 an overwhelming majority (100%) of respondents agreed that a prerequisite of good governance include in-built systems of checks and balances which provide for participatory governance.

Table 6.18 Indicators of bad governance include lack of transparency and accountability.

	Frequency	Percent	Valid Percent	Cumulative Percent
Agree	11	100.0	100.0	100.0

Majority of respondents (100%) agreed that indicators of bad governance include lack of transparency and accountability, arbitrariness (unrestrained rule), and making self-serving decisions (Table 6.18). If the actions of legislators lack transparency and accountability, and legislators are only concerned about themselves, then that country is practising bad governance.

Table 6.19 The right of access to information by the public can make a contribution to good governance.

	Frequency	Percent	Valid Percent	Cumulative Percent
Agree	11	100.0	100.0	100.0

Table 6.19 indicates that all respondents (100%) agreed that the following areas could make a contribution to good governance: the right of access to information by the public and the right to take part in the conduct of public affairs. Section 32 of the Constitution states that everyone has the right of access to any information held by the state, or any of its organs at any level of government insofar as such information is required for the exercise or protection of any of his or her rights.

Table 6.20 Indicators of bad governance include maladministration and injustice.

	Frequency	Percent	Valid Percent	Cumulative Percent
Agree	11	100.0	100.0	100.0

All the respondents (100%) also agreed that indicators of bad governance include maladministration and injustice, and bribery and rigging of elections (Table 6.20). These indicators are elements of unethical conduct. All sectors should assist the government in fighting such unethical conduct.

Table 6.21 An important indicator associated with good governance is that it should be able to operate within fixed financial constraints.

	Frequency	Percent	Valid Percent	Cumulative Percent
Agree	11	100.0	100.0	100.0

According to Table 6.21, 100% of respondents agreed that the following is an important indicator associated with good governance: good governance should be able to operate within fixed financial constraints. This means that even if a government has limited financial resources, it must still be able to promote good governance with the little resources it might have at its disposal.

6.3 CIVIL SOCIETY

A government must place great emphasis on community participation on governance matters. There should be a co-operative framework between the state and civil society when it comes to formulating policy. Legislators and public officials can contribute to this process of civil society participation when making and implementing decisions.

6.3.1 Profile of the respondents

Efforts to analyse governance and the role of the legislators should include paying attention to the links between the different levels of governance, and interactions with other actors such as the civil society and non-governmental organisations.

Table 6.22 Where employed

	Frequency	Percent	Valid Percent	Cumulative Percent
Unemployed	8	16.0	16.0	16.0
Self-employed	2	4.0	4.0	20.0
Formal sector	25	50.0	50.0	70.0
NGO	14	28.0	28.0	98.0
Missing	1	2.0	2.0	100.0
Total	50	100.0	100.0	

Data presented in Table 6.22 indicates that 16% of the respondents were unemployed, 4% were self-employed, 50% worked in the formal sector, and 28% worked for non-governmental organisation.

Table 6.23 Gender

	Frequency	Percent	Valid Percent	Cumulative Percent
Female	26	52.0	52.0	52.0
Male	22	44.0	44.0	96.0
Missing	2	4.0	4.0	100.0
Total	50	100.0	100.0	

Table 6.23 indicates that 52% of the respondents were female and 44% were male respondents.

Table 6.24 Age

	Frequency	Percent	Valid Percent	Cumulative Percent
18-24	9	18.0	18.0	18.0
25-34	19	38.0	38.0	56.0
35-44	17	34.0	34.0	90.0
45-54	5	10.0	10.0	100.0
Total	50	100.0	100.0	

Table 6.24 indicates that 18% of the respondents were between 18 and 24 years old, 38% were between 25 and 34 years old, 34% were between 35 and 44 old, while 10% of the respondents were above 45 years.

Table 6.25 Level of hierarchy if employed

	Frequency	Percent	Valid Percent	Cumulative Percent
Non-supervisory level	7	14.0	14.0	14.0
Supervisory level	13	26.0	26.0	40.0
Middle management	13	26.0	26.0	66.0
Not applicable	16	32.0	32.0	98.0
Missing	1	2.0	2.0	100.0
Total	50	100.0	100.0	

According to Table 6.25, 14% of those working were at non-supervisory level, 26% were at supervisory level and another 26% at middle management level.

Table 6.26 Level of education

	Frequency	Percent	Valid Percent	Cumulative Percent
Secondary school	1	2.0	2.0	2.0
Matric	9	18.0	18.0	20.0
Tertiary education	34	68.0	68.0	88.0
Postgrad	6	12.0	12.0	100.0
Total	50	100.0	100.0	

Data presented in Table 6.26 indicates that 2% of the respondents had secondary school education, 18% had matric, 68% had tertiary education, and 12% of the respondents had postgraduate qualifications

6.3.2 Governance

Table 6.27 Transition to a democratic political order has provided space for NGOs and CBOs.

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Disagree	1	2.0	2.0	2.0
Disagree	1	2.0	2.0	4.0
Undecided	15	30.0	30.0	34.0
Agree	18	36.0	36.0	70.0
Strongly Agree	15	30.0	30.0	100.0
Total	50	100.0	100.0	

Graph 6.10 Space for NGOs

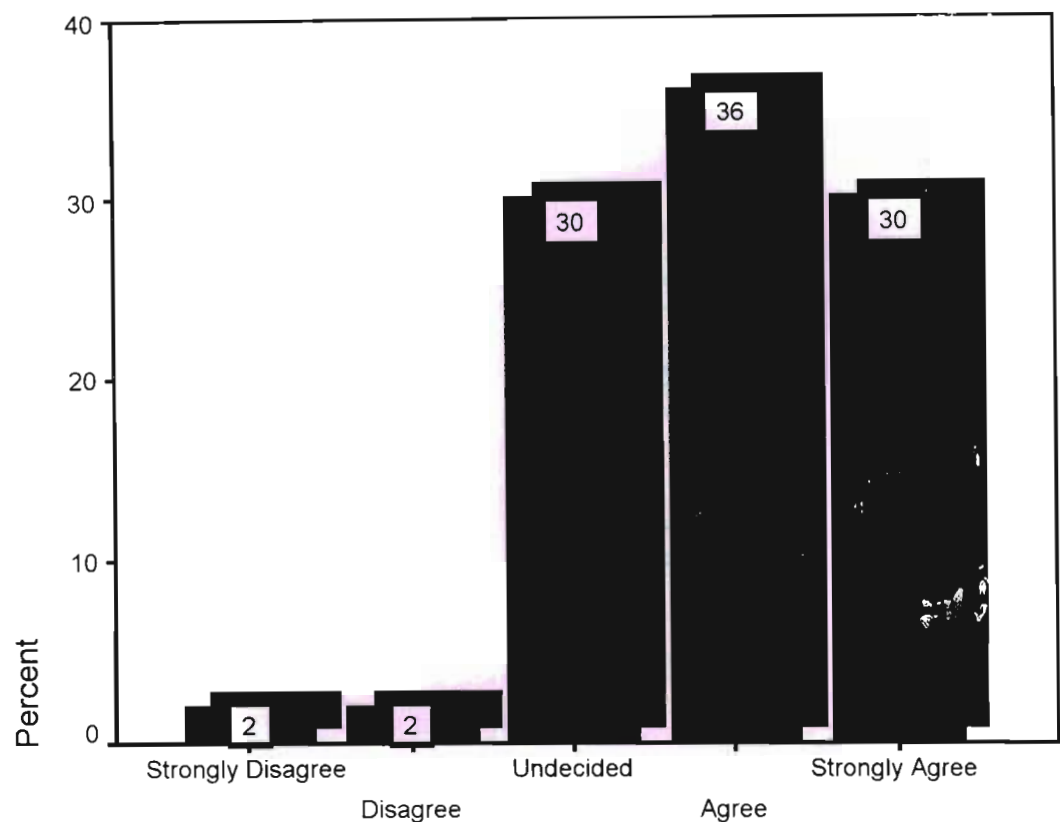


Table 6.27 indicates that 30 % strongly agreed that transition to a democratic political order has provided space for NGOs and CBOs, 36% of the respondents agreed with this statement, 30% were undecided, 2% disagreed and 2% strongly disagreed with this statement. NGOs now feel that they are part and parcel of the democratic order prevailing in the country.

Table 6.28 NGOs can play an active role in the nurturing of the democratic political culture.

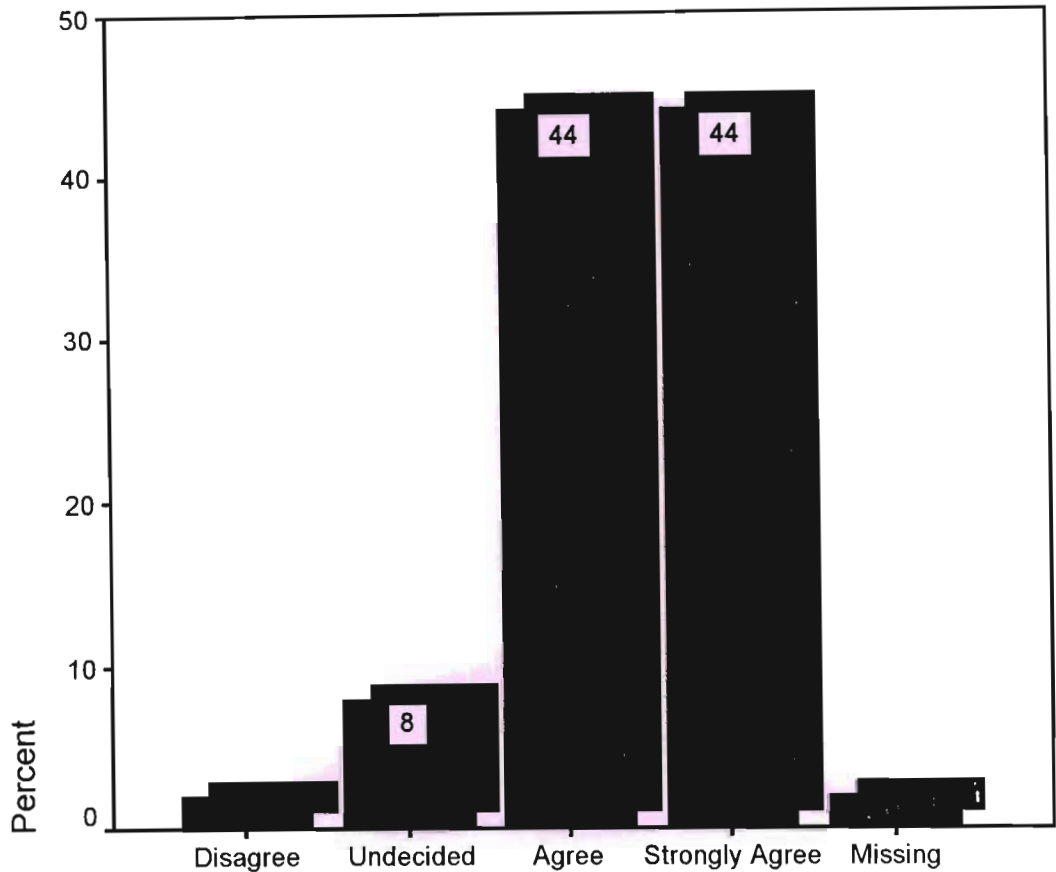
	Frequency	Percent	Valid Percent	Cumulative Percent
Disagree	1	2.0	2.0	2.0
Undecided	3	6.0	6.0	8.0
Agree	20	40.0	40.0	48.0
Strongly Agree	26	52.0	52.0	100.0
Total	50	100.0	100.0	

According to Table 6.28, 52% of the respondents strongly agreed that civil society organisations can play an active role in the nurturing of the democratic political culture, 40% agreed with this statement, 6% were undecided and 2% disagreed with this statement. Creating a democratic culture is not only the responsibility of the legislators; civil society can also make a meaningful contribution.

Table 6.29 Civil society can ensure participative governance by the people in a democratic society.

	Frequency	Percent	Valid Percent	Cumulative Percent
Disagree	1	2.0	2.0	2.0
Undecided	4	8.0	8.0	10.0
Agree	22	44.0	44.0	54.0
Strongly Agree	22	44.0	44.0	98.0
Missing	1	2.0	2.0	100.0
Total	50	100.0	100.0	

Graph 6.11 Civil society participation in governance



Data presented in Table 6.29 indicates that 44% of the respondents strongly agreed that civil society can ensure participative governance of the people in a democratic society, 44% agreed, 8% of the respondents were undecided, and 2% of the respondents disagreed. Such participative governance requires a social partnership. Therefore the government should therefore provide services and support to all sectors of civil society. Such services or resources must be provided in an open and transparent manner and in compliance with clear and explicit criteria.

Table 6.30 The government must create a more friendly environment for civil society to participate in governance structures.

	Frequency	Percent	Valid Percent	Cumulative Percent
Undecided	4	8.0	8.0	8.0
Agree	16	32.0	32.0	40.0
Strongly Agree	30	60.0	60.0	100.0
Total	50	100.0	100.0	

Graph 6.12 Environment for civil society participation

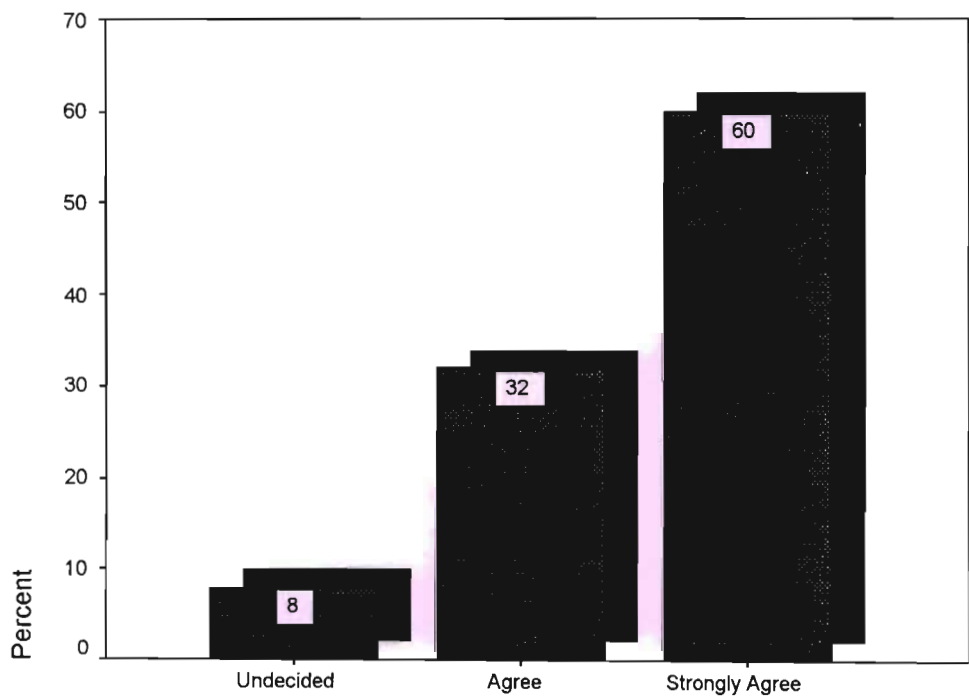


Table 6.30 indicates that 60% of the respondents strongly agreed that the government must create a more friendly environment for civil society/community

active process in which the clients, or those who will benefit, influence the direction and implementation of a development project aimed at improving the welfare of people in terms of income, personal growth, independence and other values regarded as valuable.

Table 6.31 Do you think monitoring mechanisms should be put in place to ensure proper implementation of governance?

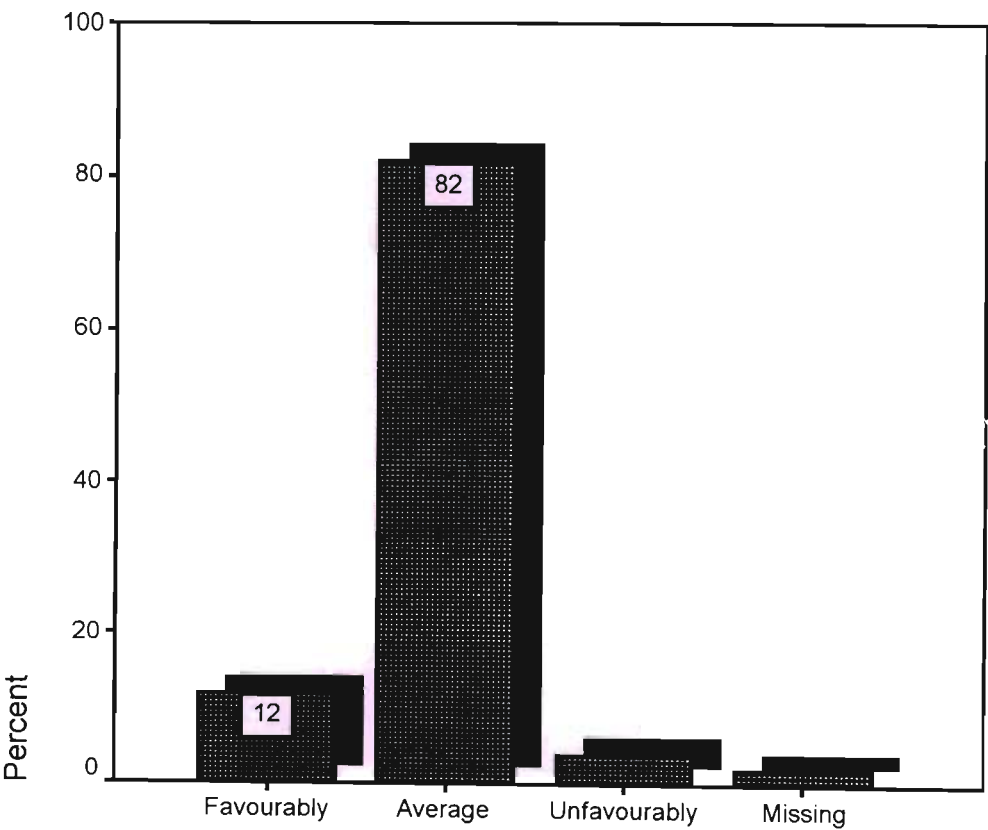
	Frequency	Percent	Valid Percent	Cumulative Percent
Yes	43	86.0	86.0	86.0
No	3	6.0	6.0	92.0
Missing	4	8.0	8.0	100.0
Total	50	100.0	100.0	

Table 6.31 indicates that 86% of the respondents agreed (Yes) and think that monitoring mechanisms should be put in place to ensure proper implementation of governance, while 6% disagreed (No) with this thinking. Civil society feels that there must be monitoring mechanisms and society expect government to deliver quality governance.

Table 6.32 How would you rate the quality of services provided/ rendered by the KZN provincial government?

	Frequency	Percent	Valid Percent	Cumulative Percent
Favourably	6	12.0	12.0	12.0
Average	41	82.0	82.0	94.0
Unfavourably	2	4.0	4.0	98.0
Missing	1	2.0	2.0	100.0
Total	50	100.0	100.0	

Graph 6.13 Rating quality of services rendered



According to Table 6.32, 12% of the respondents said they would rate the quality of services provided/ rendered by the KwaZulu-Natal provincial government as good (favourably), 82% rated the service as

average, and 4% of the respondents rated the quality of service as poor (unfavourably). This means that there is still a challenge for the KwaZulu-Natal Provincial Authority to improve on the quality of services rendered.

Table 6.33 What is your opinion of the state of governance in this province?

	Frequency	Percent	Valid Percent	Cumulative Percent
Good	4	8.0	8.0	8.0
Average	33	66.0	66.0	74.0
Poor	9	18.0	18.0	92.0
Missing	4	8.0	8.0	100.0
Total	50	100.0	100.0	

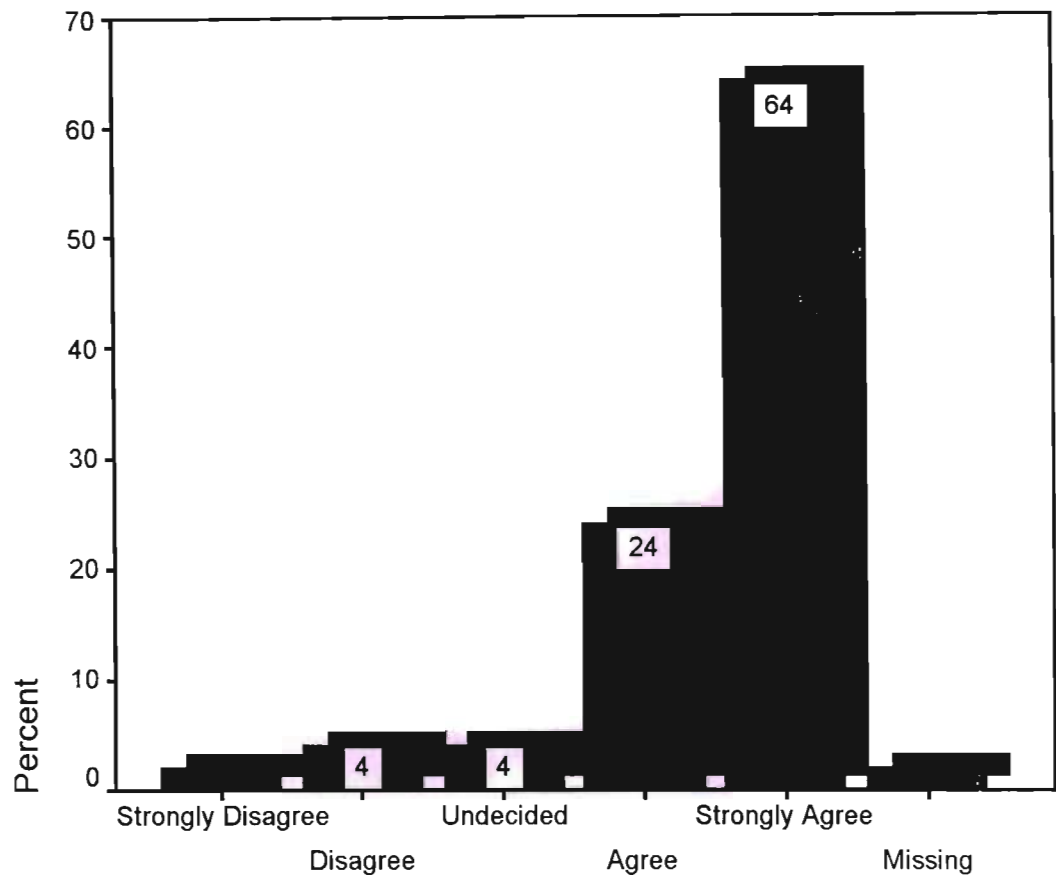
On the state of governance in this province 8% of the respondents were of the opinion that it is good, 66% believed that it is average and 18% were of the view that the state of governance is poor (Table 6.33). These were the views expressed when looking at efficiency, effectiveness and transparency.

6.3.3 Good governance

Table 6.34 Transparency is a sign of good governance.

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Disagree	1	2.0	2.0	2.0
Disagree	2	4.0	4.0	6.0
Undecided	2	4.0	4.0	10.0
Agree	12	24.0	24.0	34.0
Strongly Agree	32	64.0	64.0	98.0
Missing	1	2.0	2.0	100.0
Total	50	100.0	100.0	

Graph 6.14 Transparency as a sign of good governance



Data presented in Table 6.34 indicates that 64% of the respondents strongly agreed that transparency is a sign of good governance, 24% agreed with this statement, 4% were undecided, 4% disagreed and 2% of the respondents strongly disagreed. In terms of transparency citizens must be informed about the administration and management of national and provincial departments, what it costs to run them, and who is responsible for running them (Du Toit *in* Du Toit *et al*, 2002: 108).

Table 6.35 In building an agenda for good governance, the focus should be on the entire system, ensuring that it supports the delivery of accessible and quality services.

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Disagree	1	2.0	2.0	2.0
Disagree	1	2.0	2.0	4.0
Undecided	6	12.0	12.0	16.0
Agree	15	30.0	30.0	46.0
Strongly Agree	27	54.0	54.0	100.0
Total	50	100.0	100.0	

Table 6.35 indicates that 54% of the respondents strongly agreed that in building an agenda for good governance, the focus should be on the entire system, ensuring that it supports the delivery of accessible and quality services, 30% agreed, while 12% were undecided, 2% disagreed and 2% of the respondents strongly disagreed. According to Du Toit *in* Du Toit *et al*, (2002: 56) in the context of governance, public service delivery is the result of the intentions and decisions of government and government institutions, and the actions undertaken and decisions made by people employed in government institutions.

Table 6.36 Provision of the right information is key to good governance.

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Disagree	1	2.0	2.0	2.0
Undecided	1	2.0	2.0	4.0
Agree	19	38.0	38.0	42.0
Strongly Agree	28	56.0	56.0	98.0
Missing	1	2.0	2.0	100.0
Total	50	100.0	100.0	

According to Table 6.36, 56% strongly agreed that the provision of the right information is key to good governance and 38% agreed, 2% were undecided while another 2% strongly disagreed with this view. Citizens have the right to accurate information regarding the public services they are legitimately entitled to. They must be provided with full and accurate information. An important implication of this principle is that, should the standard of service drop for whatever reason, citizens must be informed why this happened, and when the situation will be remedied.

Table 6.37 Good governance implies the establishment of government structures within the context of a state, to ensure that services are rendered to communities to ensure that their general welfare and quality of life are promoted.

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Disagree	1	2.0	2.0	2.0
Undecided	1	2.0	2.0	4.0
Agree	17	34.0	34.0	38.0
Strongly Agree	30	60.0	60.0	98.0
Missing	1	2.0	2.0	100.0
Total	50	100.0	100.0	

Table 6.37 indicates that 60% of the respondents strongly agreed that good governance implies the establishment of government structures within the context of a state. This must be done to ensure that services are rendered to communities to ensure that their general welfare and quality of life are promoted. 34% agreed with this, 2% were undecided and 2% strongly disagreed.

6.3.4 Indicators of Good Governance

Table 6.38 Prerequisites for good governance include systems which provide for participatory governance.

	Frequency	Percent	Valid Percent	Cumulative Percent
Undecided	8	16.0	16.0	16.0
Agree	36	72.0	72.0	88.0
Missing	6	12.0	12.0	100.0
Total	50	100.0	100.0	

According to Table 6.38, 72% of the respondents agreed that prerequisites of good governance include systems which provide for participatory governance. 16% of the respondents were undecided. Participatory governance implies participation in governance matters by all the people.

Table 6.39 The right of access to information by the public can make a contribution to good governance.

	Frequency	Percent	Valid Percent	Cumulative Percent
Undecided	2	4.0	4.0	4.0
Agree	46	92.0	92.0	96.0
Missing	2	4.0	4.0	100.0
Total	50	100.0	100.0	

Graph 6.15 Right of access to information

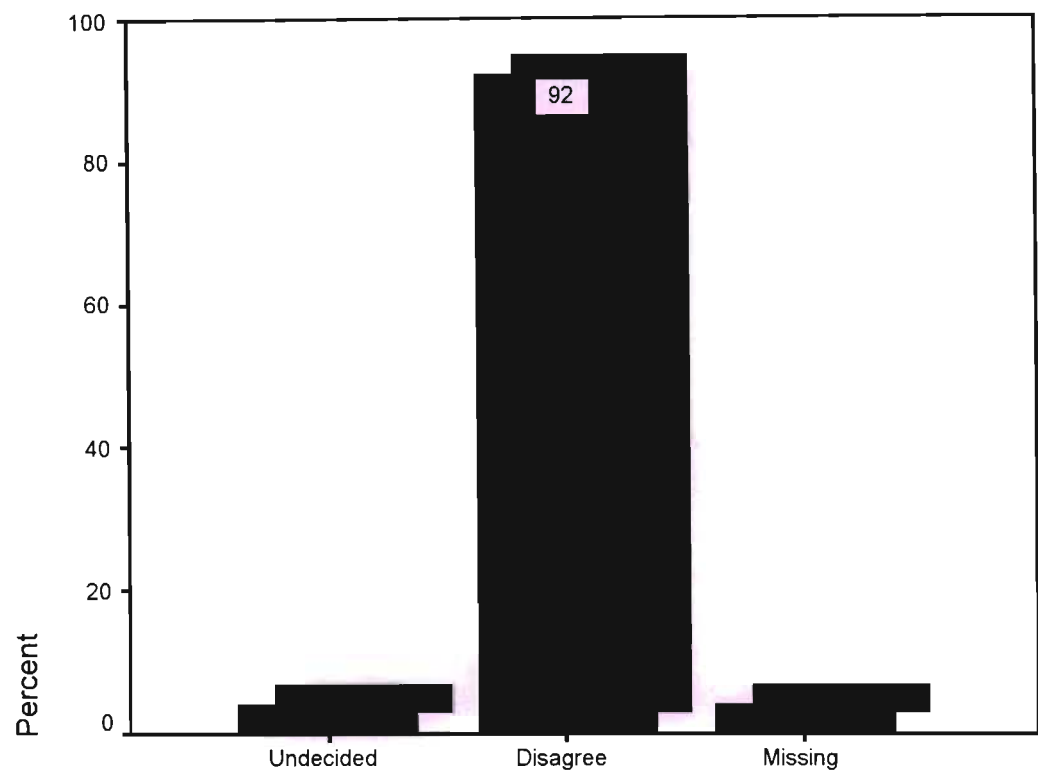


Table 6.39 indicates that 92% of the respondents agreed that the following areas can make a contribution to good governance: the right to access to information by the public, and the right to take part in the conduct of public affairs. 4% were undecided.

Table 6.40 Indicators of bad governance include maladministration and injustice.

	Frequency	Percent	Valid Percent	Cumulative Percent
Agree	3	6.0	6.0	6.0
Undecided	3	6.0	6.0	12.0
Agree	42	84.0	84.0	96.0
Missing	2	4.0	4.0	100.0
Total	50	100.0	100.0	

According to Table 6.40, 84% of the respondents agreed that indicators of bad governance include maladministration and injustice, while 6% were undecided and 6% disagreed with this statement.

6.4 PUBLIC OFFICIALS

6.4.1 Profile of the respondents

Table 6.41 Where employed?

	Frequency	Percent	Valid Percent	Cumulative Percent
National government	2	6.1	6.1	6.1
Provincial government	29	87.9	87.9	93.9
Local government	2	6.1	6.1	100.0
Total	33	100.0	100.0	

Table 6.41 indicates that 88% of the respondents were employed by the provincial government, 6% of them were employed by the national government and 6% were employed at local government level.

Table 6.42 Gender

	Frequency	Percent	Valid Percent	Cumulative Percent
Female	11	33.3	33.3	33.3
Male	22	66.7	66.7	100.0
Total	33	100.0	100.0	

The table 6.42 indicates that 67% of the respondents were male and 33% were female.

Table 6.43 Age

	Frequency	Percent	Valid Percent	Cumulative Percent
25-34	7	21.2	21.2	21.2
35-44	17	51.5	51.5	72.7
45-54	8	24.2	24.2	97.0
Over 55	1	3.0	3.0	100.0
Total	33	100.0	100.0	

In terms of age, as indicated in Table 6.43, 21% were between 25 and 34 years old, 52% were between 35 and 44 years old, and 27% of the respondents were above 45 years old.

Table 6.44 Level of hierarchy

	Frequency	Percent	Valid Percent	Cumulative Percent
Non-supervisory level	18	54.5	54.5	54.5
Supervisory level	7	21.2	21.2	75.8
Middle management	6	18.2	18.2	93.9
Senior management	1	3.0	3.0	97.0
Missing	1	3.0	3.0	100.0
Total	33	100.0	100.0	

According to Table 6.44, 55% of respondents were at non-supervisory level, 21% at supervisory level, 18% at middle management level, and 3% at senior management level.

Table 6.45 Level of education

	Frequency	Percent	Valid Percent	Cumulative Percent
Secondary school	1	3.0	3.0	3.0
Matric	18	54.5	54.5	57.6
Tertiary education	11	33.3	33.3	90.9
Postgrad	3	9.1	9.1	100.0
Total	33	100.0	100.0	

Data presented in Table 6.45 indicates that 3% of respondents had secondary education, 55% possessed a matric qualification, while 33% had a tertiary qualification, and 3% had a postgraduate qualification.

6.4.2 Governance

Table 6.46 Public officials and public servants should be held accountable if they overstep the boundaries of the Constitution.

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Disagree	1	3.0	3.0	3.0
Disagree	1	3.0	3.0	6.1
Agree	12	36.4	36.4	42.4
Strongly Agree	19	57.6	57.6	100.0
Total	33	100.0	100.0	

Graph 6.16 Public officials and the constitution

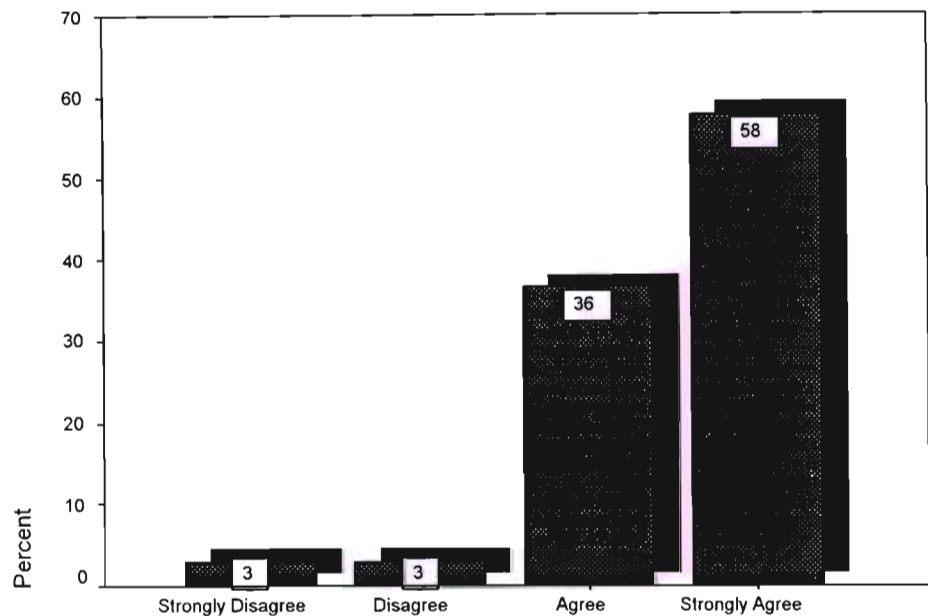
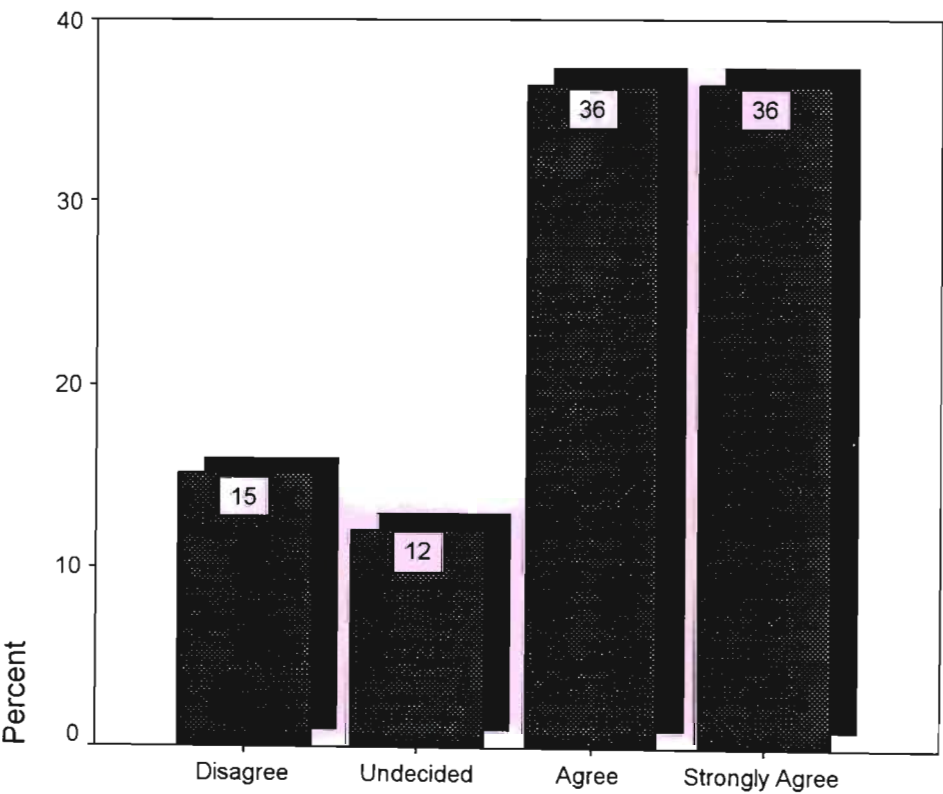


Table 6.46 indicates that 58% of the respondents strongly agreed that public officials/public servants should be held accountable should they overstep the boundaries of the Constitution and other legislation, 36% agreed with this statement. 3% of respondents disagreed while another 3% strongly disagreed. The constitution is the supreme law of the Republic of South Africa. According to Chapter 10 of the Constitution (Act No 108 of 1996) public administration must be governed by the democratic values and principles enshrined in the Constitution.

Table 6.47 A rapid rise in the size of the public service can result in a corresponding increase in public expenditure.

	Frequency	Percent	Valid Percent	Cumulative Percent
Disagree	5	15.2	15.2	15.2
Undecided	4	12.1	12.1	27.3
Agree	12	36.4	36.4	63.6
Strongly Agree	12	36.4	36.4	100.0
Total	33	100.0	100.0	

Graph 6.17 Rise in the size of the public service



Data presented in Table 6.49 indicates that 36% of respondents strongly agreed that a rapid rise in the size of the public service could result in a corresponding increase in public expenditures, thus

limiting governance mechanisms to deliver services. 36% also agreed with this statement, 12% were undecided and 15% disagreed with this statement. The implication is that a government can reduce and rationalise the public service in order to reduce the wage bill. Resources can then be redirected to improving the lives of the province's citizens. The drive by the Department of Public Service and Administration to cut down on red tape will hopefully produce early and sensible results on service delivery.

Table 6.48 The Office of the Public Protector can be an instrument for enforcing accountability and ensuring governance.

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Disagree	1	3.0	3.0	3.0
Disagree	1	3.0	3.0	6.1
Undecided	4	12.1	12.1	18.2
Agree	19	57.6	57.6	75.8
Strongly Agree	7	21.2	21.2	97.0
Missing	1	3.0	3.0	100.0
Total	33	100.0	100.0	

According to Table 6.48, 21% of respondents strongly agreed that the Office of the Public Protector could be an instrument for enforcing accountability and ensuring governance, 58% agreed with this assertion. 12% of the people were undecided, 3% disagreed and another 3% strongly disagreed. The Public Protector is independent

and subject only to the constitution. Therefore, the office of the Public Protector supports constitutional democracy in South Africa.

Table 6.49 Governance is defined as how people are ruled and how the affairs of a state are administered and regulated.

	Frequency	Percent	Valid Percent	Cumulative Percent
Yes	29	87.9	87.9	87.9
No	1	3.0	3.0	90.9
Missing	3	9.1	9.1	100.0
Total	33	100.0	100.0	

Table 6.49 indicates that 88% of the respondents agreed (Yes) that governance is defined as how people are ruled and how the affairs of a state are administered, while 3% disagreed (No) (Table 6.49). This means that if public officials understand how people are governed and ruled, then their behaviour must reflect this and their actions must show that people come first.

Table 6.50 How would you rate the overall quality of governance in this province?

	Frequency	Percent	Valid Percent	Cumulative Percent
Poor	8	24.2	24.2	24.2
Average	20	60.6	60.6	84.8
Good	3	9.1	9.1	93.9
Missing	2	6.1	6.1	100.0
Total	33	100.0	100.0	

Graph 6.18 Rating the overall quality of governance

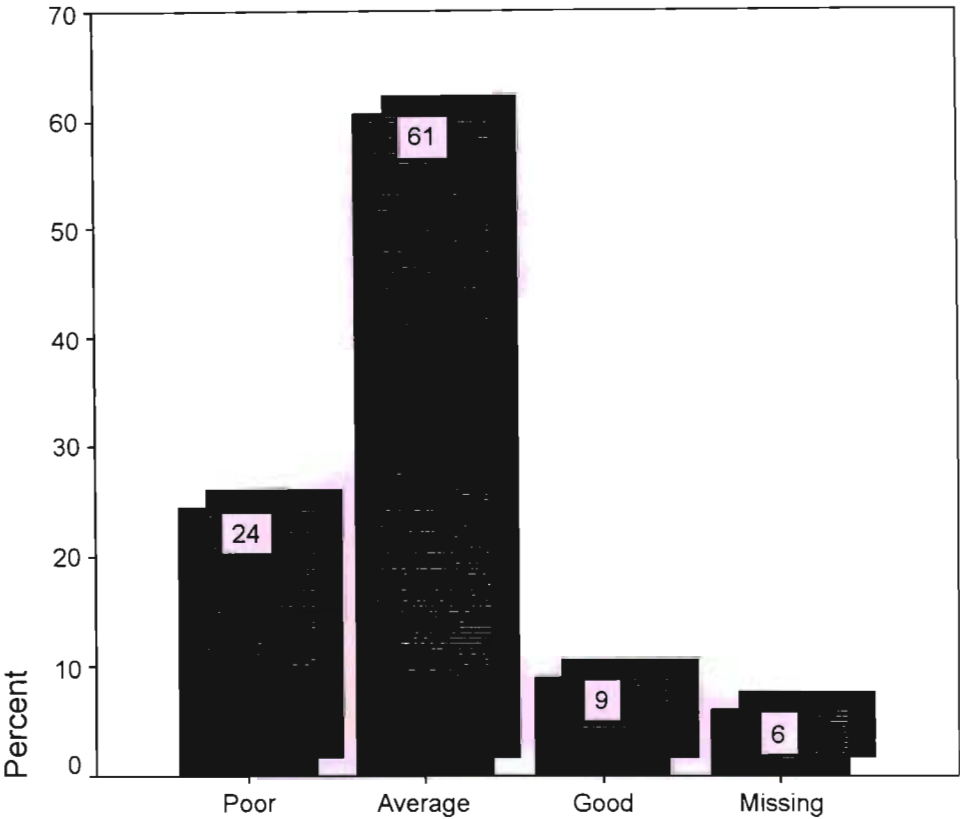


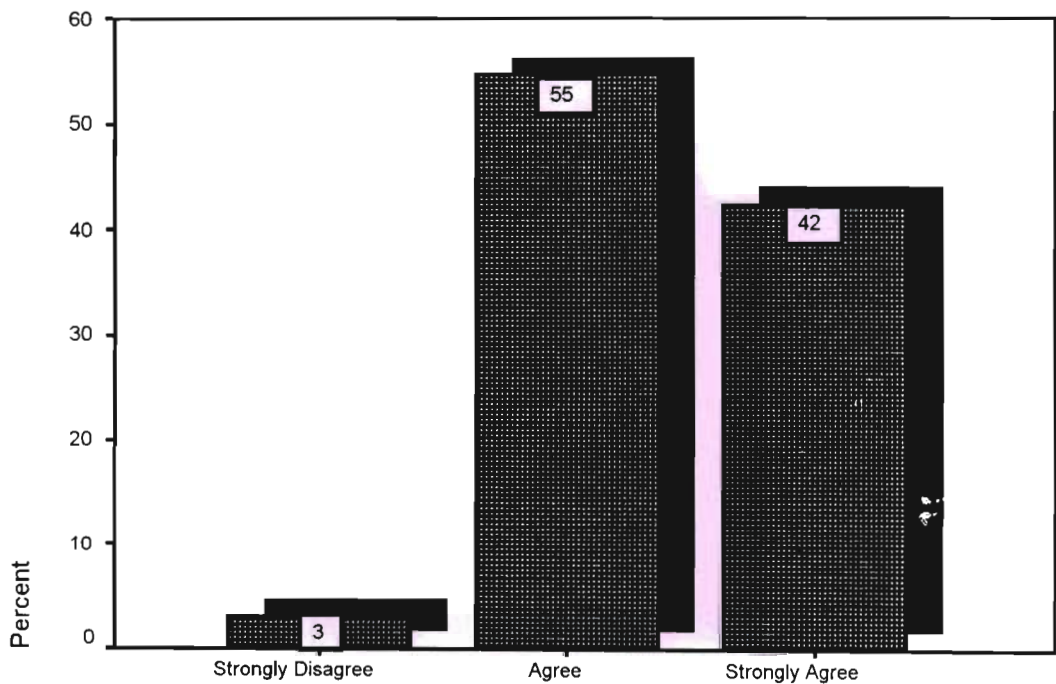
Table 6.50 indicates that 9% of respondents rated the quality of governance as good, 61% of respondents rated the overall quality of governance in this province as average, while 24% rated the quality of governance as poor. This indicates that the KwaZulu-Natal provincial authority still has to improve in some areas.

6.4.3 Good Governance

Table 6.51 Transparency is a sign of good governance.

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Disagree	1	3.0	3.0	3.0
Agree	18	54.5	54.5	57.6
Strongly Agree	14	42.4	42.4	100.0
Total	33	100.0	100.0	

Graph 6.19 Transparency as a sign of good governance



According to Table 6.51, 42% of the respondents strongly agreed that transparency is a sign of good governance, while 55% agreed with this. The remaining 3% of respondents strongly disagreed that transparency is a sign of good governance. The implication is that if a country promotes transparency in its actions there is bound to be good governance.

Table 6.52 Good governance necessitates that the democratic process prevails at all times.

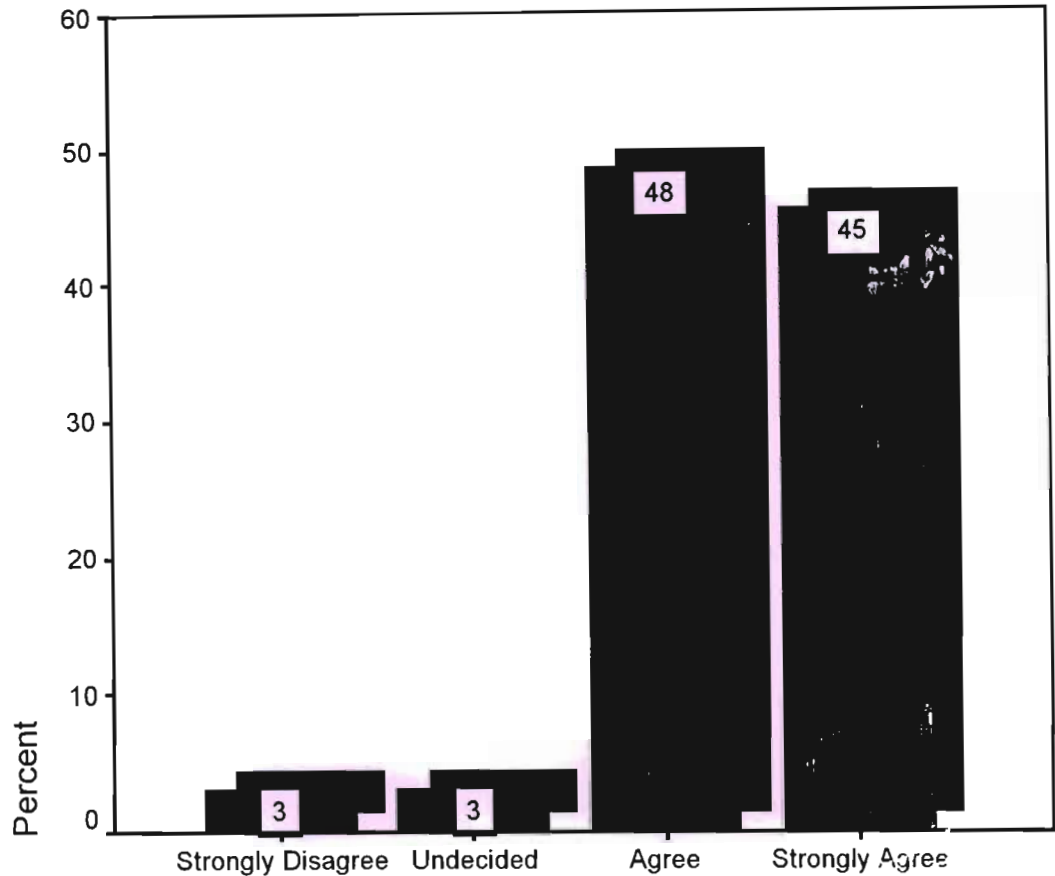
	Frequency	Percent	Valid Percent	Cumulativ e Percent
Strongly Disagree	1	3.0	3.0	3.0
Undecided	5	15.2	15.2	18.2
Agree	14	42.4	42.4	60.6
Strongly Agree	12	36.4	36.4	97.0
Missing	1	3.0	3.0	100.0
Total	33	100.0	100.0	

Table 6.52 indicates that 36% of respondents strongly agreed that good governance necessitates that the democratic process prevails at all times, and 42% also agreed with this statement. 15% of respondents were undecided, and 3% strongly disagreed.

Table 6.53 Ethics play a significant role in the prevention of corruption, nepotism, maladministration, dishonest treatment and promoting good governance.

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Disagree	1	3.0	3.0	3.0
Undecided	1	3.0	3.0	6.1
Agree	16	48.5	48.5	54.5
Strongly Agree	15	45.5	45.5	100.0
Total	33	100.0	100.0	

Graph 6.20 Ethics and good governance



According to Table 6.53, 46% of respondents strongly agreed that ethics play a significant role in preventing corruption, nepotism, maladministration, dishonest treatment and in promoting good governance, 49% agreed with this assertion. 3% strongly disagreed with this statement and another 3% of respondents were undecided. Unethical actions are usually kept secret and remain undetected until harm has been done to the efficiency of public institutions. To this end, all political office-bearers and public officials should make it their duty to keep themselves informed about unethical conduct and the measures to eliminate it (Mafunisa *in* Kuye, Thornhill & Fourie, 2002: 211).

Table 6.54 Bad information is the worst enemy of good governance, given the fact that information is used as a basis for decision-making.

	Frequency	Percent	Valid Percent	Cumulative Percent
Disagree	1	3.0	3.0	3.0
Agree	17	51.5	51.5	54.5
Strongly Agree	15	45.5	45.5	100.0
Total	33	100.0	100.0	

Graph 6.21 Bad information and good governance

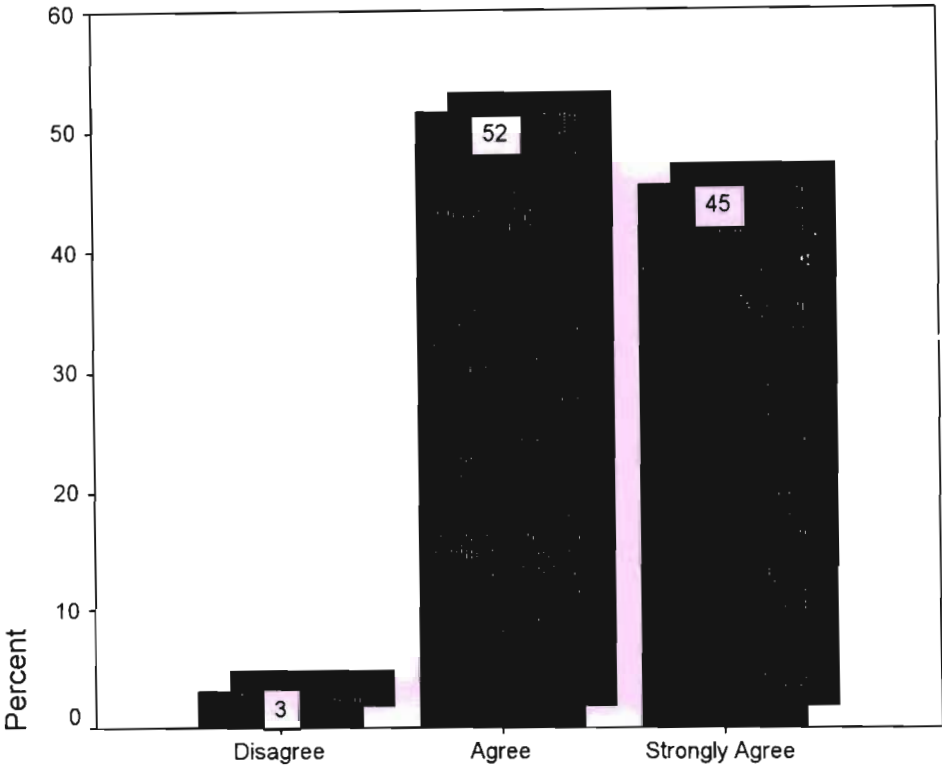


Table 6.54 indicates that 46% of respondents strongly agreed that bad information is the worst enemy of good governance, 51% agreed with this statement, and 3% disagreed with this statement. Information is important for good governance since it is used as a basis for decision-making.

Table 6.55 Prerequisites of good governance include in-built systems of checks and balances which provide for participatory governance.

	Frequency	Percent	Valid Percent	Cumulative Percent
Undecided	5	15.2	15.2	15.2
Agree	26	78.8	78.8	93.9
Missing	2	6.1	6.1	100.0
Total	33	100.0	100.0	

According to Table 6.55, 79% of respondents agreed that prerequisites of good governance include in-built systems of checks and balances, which provide for participatory governance. 15% were undecided when asked this question.

6.4.4 Indicators of Good Governance

Table 6.56 The right of access to information by the public can make a contribution to good governance.

	Frequency	Percent	Valid Percent	Cumulative Percent
Undecided	2	6.1	6.1	6.1
Agree	30	90.9	90.9	97.0
Missing	1	3.0	3.0	100.0
Total	33	100.0	100.0	

Graph 6.22 Right of access to information

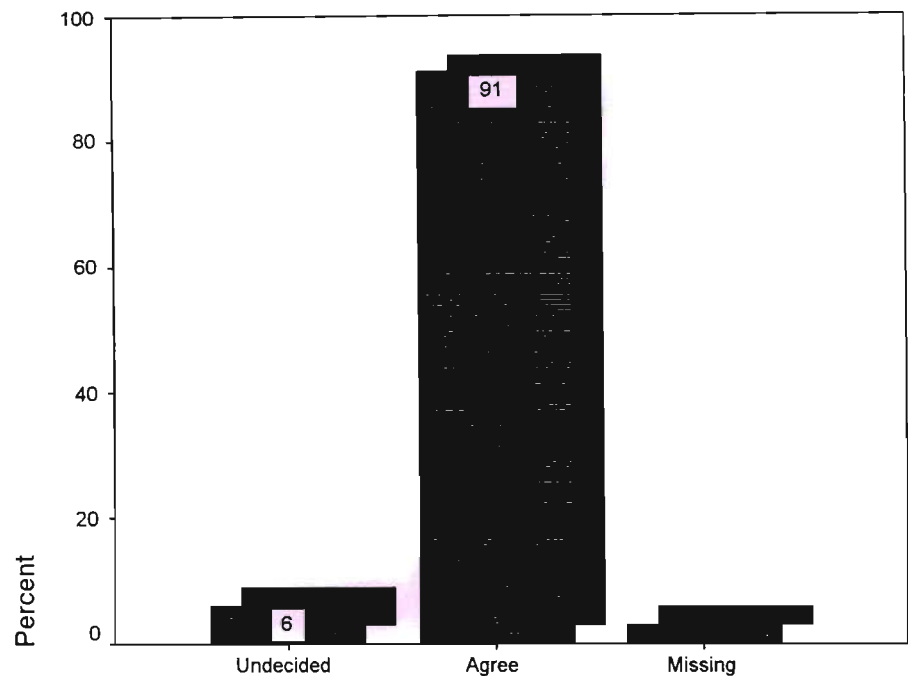


Table 6.56 indicates that 91% agreed that the right of access to information by the public can make a contribution to good governance, and 6% of the respondents were undecided. Chapter 10 of the RSA Constitution states that providing the public with timely, accessible and accurate information must foster transparency and good governance.

Table 6.57 Indicators of bad governance are maladministration and injustice.

	Frequency	Percent	Valid Percent	Cumulative Percent
Undecided	1	3.0	3.0	3.0
Agree	31	93.9	93.9	97.0
Missing	1	3.0	3.0	100.0
Total	33	100.0	100.0	

According to Table 6.57, 94% of the respondents agreed that indicators of bad governance include maladministration and injustice, and 3% of respondents were undecided. This implies that maladministration and injustice can damage good governance and lead to bad governance.

Table 6.58 An important indicator associated with good governance is that good governance should be able to operate within fixed financial constraints.

	Frequency	Percent	Valid Percent	Cumulative Percent
Disagree	1	3.0	3.0	3.0
Undecided	4	12.1	12.1	15.2
Agree	26	78.8	78.8	93.9
Missing	2	6.1	6.1	100.0
Total	33	100.0	100.0	

Data presented in Table 6.58 indicates that 79% of the respondents agreed that good governance should be able to operate within fixed financial constraints, 3% disagreed with this statement, and 12% of respondents were undecided. People entrusted with governing states

must be able to function effectively and efficiently even if there are limited financial resources.

6.5 BUSINESS SECTOR

6.5.1 Profile of the respondents

Table 6.59 Where employed?

	Frequency	Percent	Valid Percent	Cumulative Percent
Formal sector	38	95.0	95.0	95.0
Informal sector	1	2.5	2.5	97.5
Missing	1	2.5	2.5	100.0
Total	40	100.0	100.0	

Table 6.59 indicates that 95% of the respondents were employed in the formal sector, while 3% were in the informal sector like Small Medium and Micro Enterprises (SMMEs).

Table 6.60 Gender

	Frequency	Percent	Valid Percent	Cumulative Percent
Female	17	42.5	42.5	42.5
Male	23	57.5	57.5	100.0
Total	40	100.0	100.0	

Table 6.60 indicates that 58% of respondents were male and 42% were female respondents.

Table 6.61 Age

	Frequency	Percent	Valid Percent	Cumulative Percent
18-24	5	12.5	12.5	12.5
25-34	16	40.0	40.0	52.5
35-44	10	25.0	25.0	77.5
45-54	8	20.0	20.0	97.5
Over 55	1	2.5	2.5	100.0
Total	40	100.0	100.0	

According to Table 6.61, 13% of respondents were from 18 and 24 years old, 40% were between the ages of 25 to 34, 25% were in the age category of between 35 and 44 years, and 22% of respondents were above 45 years old.

Table 6.62 Level of hierarchy in the organisation

	Frequency	Percent	Valid Percent	Cumulative Percent
Non-supervisory level	20	50.0	50.0	50.0
Supervisory level	6	15.0	15.0	65.0
Middle management	10	25.0	25.0	90.0
Senior management	4	10.0	10.0	100.0
Total	40	100.0	100.0	

Table 6.62 indicates that 50% of respondents were in non-supervisory level, 15% at supervisory level, while 25% were occupying positions at middle management level. Senior managers

constituted only 10%. People in all levels of organisations were able to give their responses, and this will promote a fair opinion about the issue of governance in this province.

Table 6.63 Level of education

	Frequency	Percent	Valid Percent	Cumulative Percent
Secondary school	1	2.5	2.5	2.5
Matric	10	25.0	25.0	27.5
Tertiary education	20	50.0	50.0	77.5
Postgrad	9	22.5	22.5	100.0
Total	40	100.0	100.0	

Table 6.63 indicates that 50% of the respondents had tertiary education, while 23% possessed postgraduate qualifications. 25% of respondents had matric qualification, and 2% had only secondary school education.

6.5.2 Governance

Table 6.64 There must be a growing awareness of the linkages to the conduct of government business and the implementation of market-friendly economic reforms.

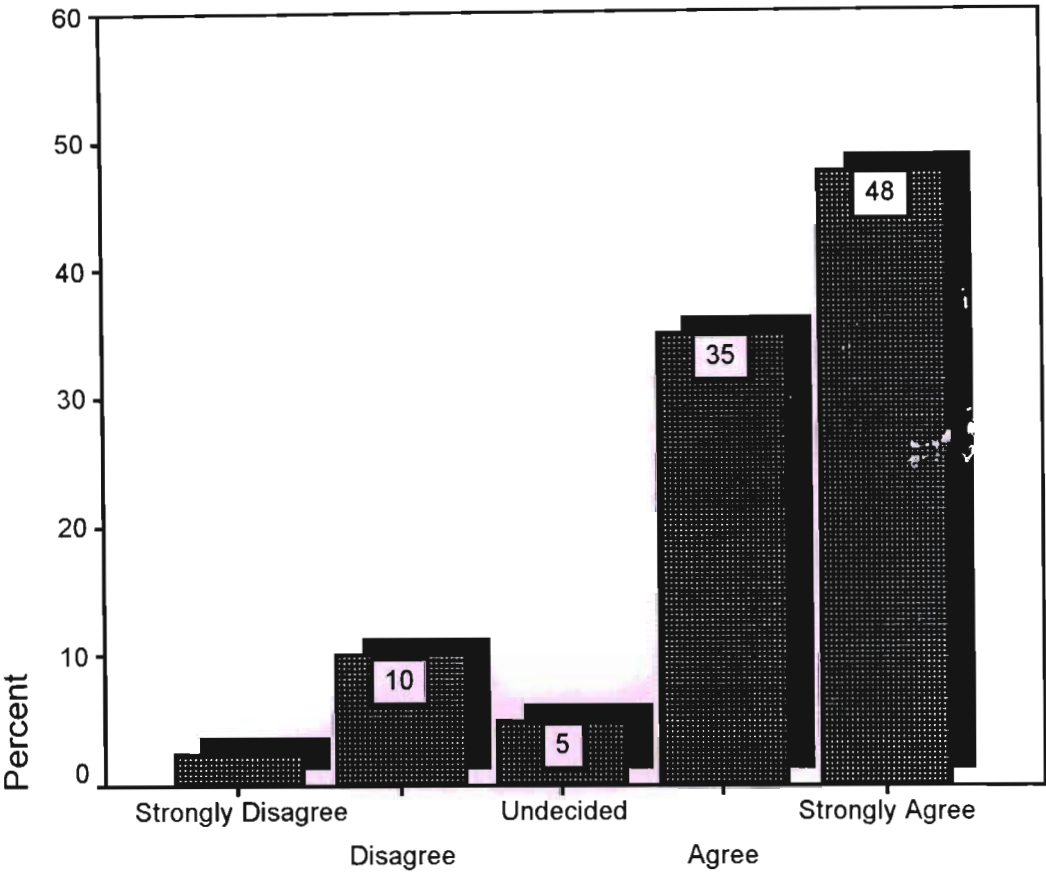
	Frequency	Percent	Valid Percent	Cumulative Percent
Disagree	2	5.0	5.0	5.0
Undecided	2	5.0	5.0	10.0
Agree	15	37.5	37.5	47.5
Strongly Agree	19	47.5	47.5	95.0
Missing	2	5.0	5.0	100.0
Total	40	100.0	100.0	

Data presented in Table 6.64 indicates that 48% of respondents strongly agreed that there must be a growing awareness of the link between government business and the implementation of market-friendly economic reforms, and 36% also agreed with this statement. Another 5% of respondents disagreed with this statement and 5% were undecided. Government must negotiate with finance institutions so that they can take on riskier investments than ever before. This will form part of risk-sharing agreements. This will make it easier for parties in the financial sector to finance development projects such as low-cost housing.

Table 6.65 To promote good governance, a government must consistently implement growth-oriented and market-friendly economic policies.

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Disagree	1	2.5	2.5	2.5
Disagree	4	10.0	10.0	12.5
Undecided	2	5.0	5.0	17.5
Agree	14	35.0	35.0	52.5
Strongly Agree	19	47.5	47.5	100.0
Total	40	100.0	100.0	

Graph 6.23 Good governance and economic policies



According to Table 6.65, 48% of the respondents strongly agree that a government must consistently implement growth-oriented and market-friendly economic policies in order to promote good governance, and 35% also agreed with this statement. Only 5% of respondents were undecided while 12% disagreed with this statement.

Table 6.66 Governance requires a high degree of political and economic participation by all.

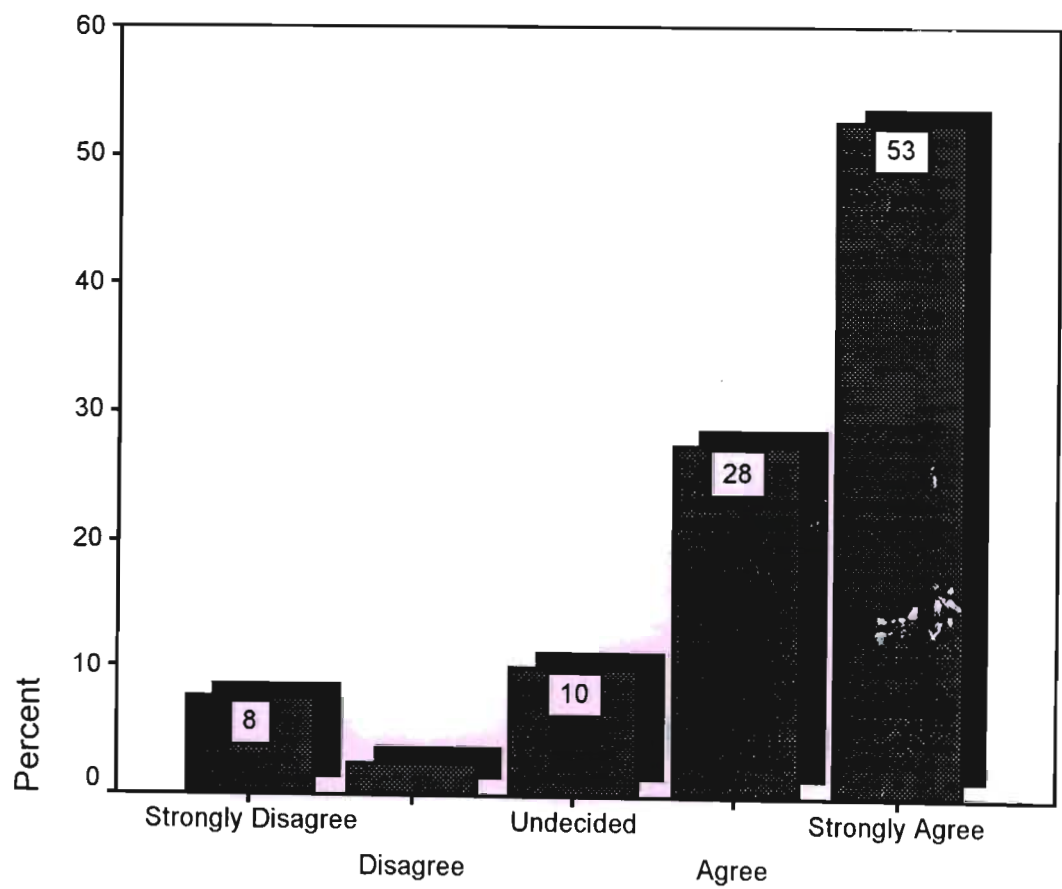
	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Disagree	2	5.0	5.0	5.0
Disagree	4	10.0	10.0	15.0
Undecided	1	2.5	2.5	17.5
Agree	16	40.0	40.0	57.5
Strongly Agree	17	42.5	42.5	100.0
Total	40	100.0	100.0	

Table 6.66 indicates that 43% of respondents strongly agreed that governance requires a high degree of political and economic participation by everyone, and 40% also agreed with this statement. About 15% did not agree with this assertion, while 2% were undecided. If the KwaZulu-Natal Provincial Authority is serious about delivery it is going to have to put a lot more effort into getting public-private sector partnerships off the ground as it has neither the skills nor the capital to go it alone.

Table 6.67 The business sector must be involved to find a balance between sustained economic growth and social relief.

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Disagree	3	7.5	7.5	7.5
Disagree	1	2.5	2.5	10.0
Undecided	4	10.0	10.0	20.0
Agree	11	27.5	27.5	47.5
Strongly Agree	21	52.5	52.5	100.0
Total	40	100.0	100.0	

Graph 6.24 Involvement of the business sector



Data presented in Table 6.67 indicates that 53% of respondents strongly agreed that the business sector must be involved in the

public sector to find a balance between sustained economic growth and social relief, and 28% also agreed with this statement. This balance can be achieved through public-private partnerships. To generate economic growth and to provide infrastructure and deliver services, the government and the private sector must combine their strengths to make the local economy competitive (Van Niekerk *in* Van der Waldt *et al*, 2002: 104).

Table 6.68 The business sector should be particularly supportive of the broad policies of the provincial government.

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Disagree	2	5.0	5.0	5.0
Disagree	3	7.5	7.5	12.5
Undecided	6	15.0	15.0	27.5
Agree	13	32.5	32.5	60.0
Strongly Agree	16	40.0	40.0	100.0
Total	40	100.0	100.0	

Graph 6.25 Business and government policies

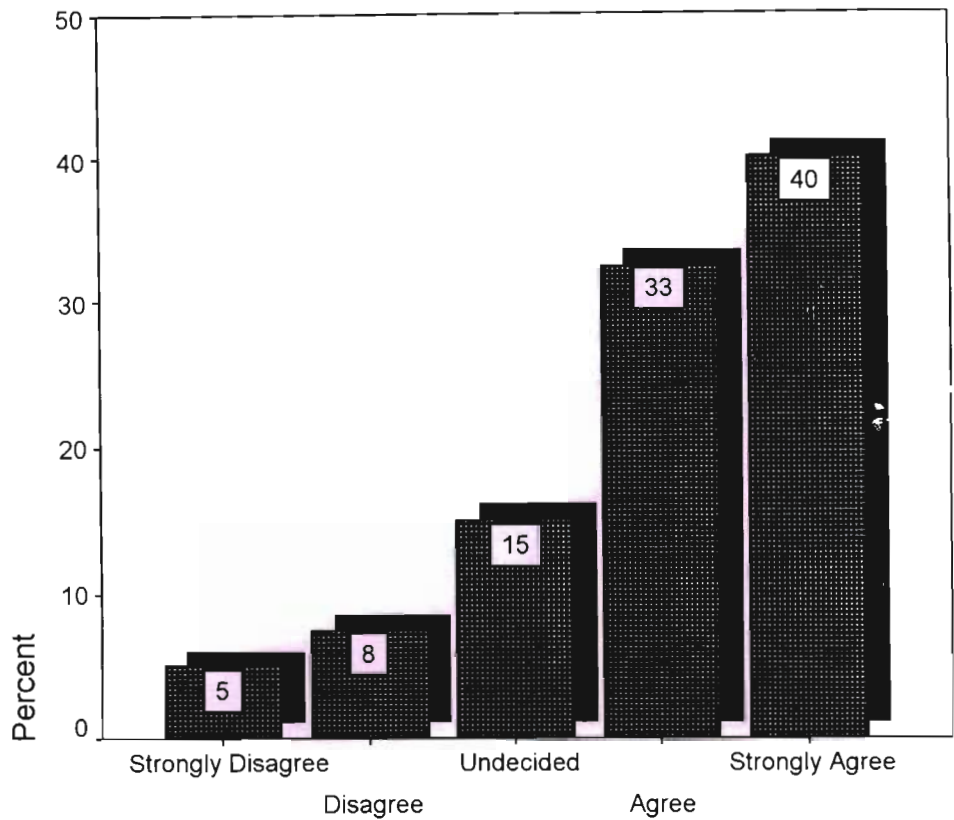
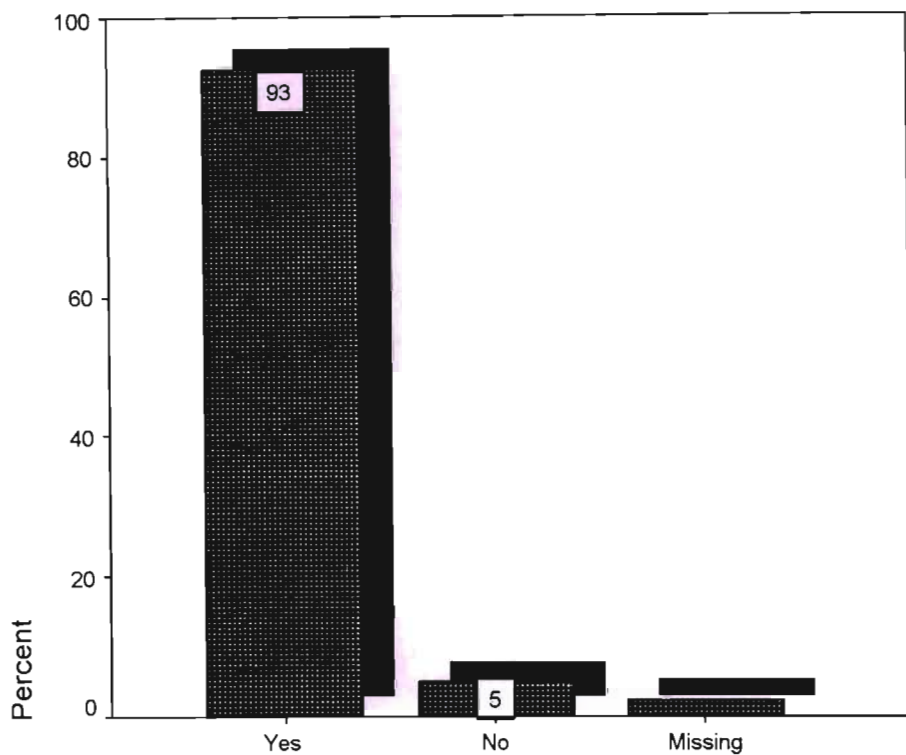


Table 6.68 indicates that 40% of respondents strongly agreed that the business sector should be particularly supportive of the broad policies of the provincial government, and 33% also agreed with this. 12% of respondents did not share this view while 15% of them were undecided.

Table 6.69 Do you think the principles of Corporate Governance should be incorporated into government business?

	Frequency	Percent	Valid Percent	Cumulative Percent
Yes	37	92.5	92.5	92.5
No	2	5.0	5.0	97.5
Missing	1	2.5	2.5	100.0
Total	40	100.0	100.0	

Graph 6.26 Corporate governance principles and government business



According to Table 6.69, 93% of respondents agreed (Yes) that the principles of Corporate Governance should be incorporated into government business, while only 5% were opposed to this view. Companies in the private/business sector endorse the Code of Corporate Practices and Conduct as contained in the South African King II Report on Corporate Governance, which was issued in 2002. This report determined seven characteristics of good governance: Discipline, Transparency, Independence, Accountability, Responsibility, Fairness and Social Responsibility. If the KwaZulu-Natal Provincial Authority is to create a caring culture to ensure survival and growth, sound moral principles should be firmly entrenched.

Table 6.70 Good governance implies that senior executives are expected to set an example of good judgement, ethical business conduct, due diligence and accountability.

	Frequency	Percent	Valid Percent	Cumulative Percent
Yes	37	92.5	92.5	92.5
Missing	3	7.5	7.5	100.0
Total	40	100.0	100.0	

Almost all respondents (93%) agreed (Yes) that in trying to promote good governance senior executives are expected to set an example of good judgement, ethical business conduct, due diligence and accountability (Table 6.70). Private companies have adopted codes of ethics which require all employees to act with the utmost good faith and integrity in all transactions and with all stakeholders with whom they interact. Such codes commit companies and employees to sound business practices and compliance with legislation in order to promote accountability.

Table 6.71 How would you rate the quality of services provided/rendered by the KwaZulu-Natal provincial government

	Frequency	Percent	Valid Percent	Cumulative Percent
Favourably	8	20.0	20.0	20.0
Average	25	62.5	62.5	82.5
Unfavourably	5	12.5	12.5	95.0
Missing	2	5.0	5.0	100.0
Total	40	100.0	100.0	

Graph 6.27 Rating the quality of services rendered

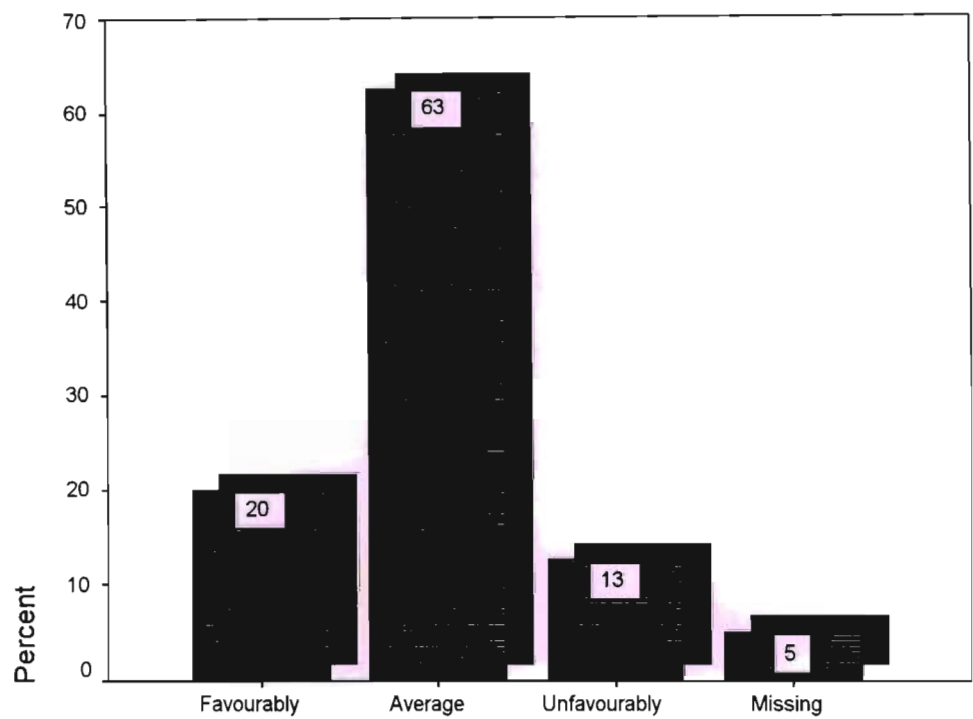


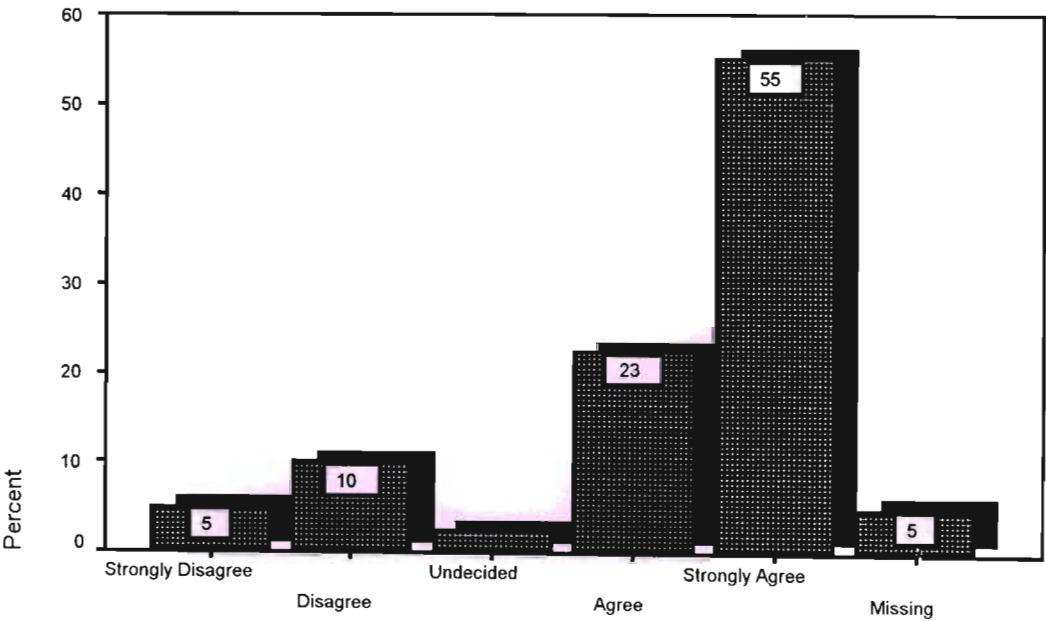
Table 6.71 indicates that 63% of respondents rated the quality of services provided/ rendered by the KwaZulu-Natal provincial government as average, 20% regarded the services as favourably, while 13% viewed the services rendered unfavourably. This implies that there is still a challenge for the KwaZulu-Natal Provincial Authority to try and improve service delivery.

6.5.3 Good Governance

Table 6.72 Lack of accountability is a sign of bad governance.

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Disagree	2	5.0	5.0	5.0
Disagree	4	10.0	10.0	15.0
Undecided	1	2.5	2.5	17.5
Agree	9	22.5	22.5	40.0
Strongly Agree	22	55.0	55.0	95.0
Missing	2	5.0	5.0	100.0
Total	40	100.0	100.0	

Graph 6.28 Accountability and bad governance



Data presented in Table 6.72 indicates that 55% of respondents strongly agreed that lack of accountability is a sign of bad governance, and 23% also agreed with this statement. 10% of

respondents disagreed, while 5% strongly disagreed. Suitable accounting policies, consistently applied and supported by reasonable and prudent judgements and estimates, must be used in the preparation of the annual financial statements; these should fairly reflect the state of affairs of the province.

Table 6.73 Good governance is defined as denoting the minimum or acceptable standards which those who govern must apply in order to satisfy the legitimate aspirations and needs of the people.

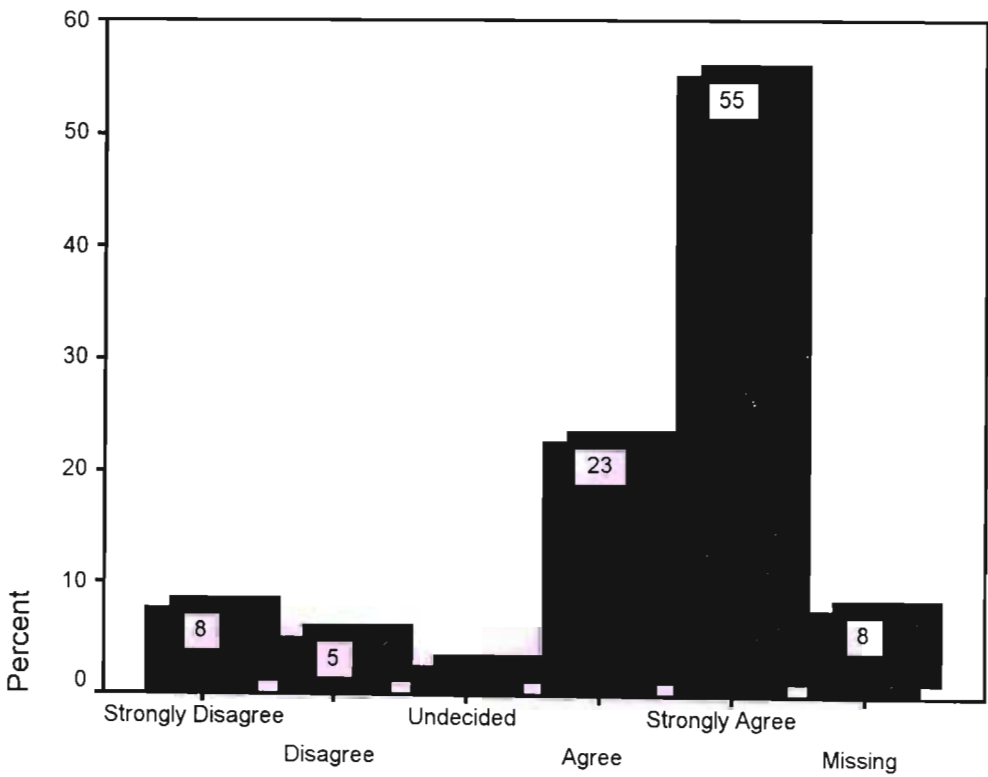
	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Disagree	1	2.5	2.5	2.5
Disagree	4	10.0	10.0	12.5
Undecided	5	12.5	12.5	25.0
Agree	7	17.5	17.5	42.5
Strongly Agree	19	47.5	47.5	90.0
Missing	4	10.0	10.0	100.0
Total	40	100.0	100.0	

Table 6.73 indicates that 48% of the respondents strongly agreed that good governance is defined as denoting the minimum or acceptable standards which those who govern must apply in order to satisfy the legitimate aspirations and needs of the people. Respondents constituting 18% also agreed with this statement, while 13% did not agree with this definition; 12% of respondents were undecided. People who govern must conduct their business in an open manner. They must hold their sittings and those of their committees in public.

Table 6.74 Lack of good governance hampers socio-economic development of the country.

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Disagree	3	7.5	7.5	7.5
Disagree	2	5.0	5.0	12.5
Undecided	1	2.5	2.5	15.0
Agree	9	22.5	22.5	37.5
Strongly Agree	22	55.0	55.0	92.5
Missing	3	7.5	7.5	100.0
Total	40	100.0	100.0	

Graph 6.29 Good governance and socio-economic development



According to Table 6.74, 55% of respondents strongly agreed that a lack of good governance hampers the socio-economic development of the country, while 23% also agreed with this statement. 12% did not agree with this and only 2% of respondents were undecided.

Table 6.75 Provision of the right information is the key to good governance.

	Frequency	Percent	Valid Percent	Cumulative Percent
Strongly Disagree	2	5.0	5.0	5.0
Disagree	2	5.0	5.0	10.0
Undecided	2	5.0	5.0	15.0
Agree	13	32.5	32.5	47.5
Strongly Agree	18	45.0	45.0	92.5
Missing	3	7.5	7.5	100.0
Total	40	100.0	100.0	

As depicted in data presented in Table 6.75, 45% of respondents strongly agreed that the provision of the right information is the key to good governance and 33% also agreed with this statement. 10% of respondents disagreed with this statement, while 5% of them were undecided. The KwaZulu-Natal Provincial Authority must acknowledge that it operates within a community. Therefore it must value a good working relationship with its stakeholders. Thus it must strive to strengthen links through the provision of information to stakeholders which conforms with the criterion of timeous, objective, relevant and transparent communication.

6.5.4 Indicators of Good Governance

Table 6.76 Prerequisites of good governance include in-built systems of checks and balances which provide for participatory governance.

	Frequency	Percent	Valid Percent	Cumulative Percent
Disagree	1	2.5	2.5	2.5
Undecided	5	12.5	12.5	15.0
Agree	30	75.0	75.0	90.0
Missing	4	10.0	10.0	100.0
Total	40	100.0	100.0	

Data presented in Table 6.76 indicates that 75% of respondents agreed that prerequisites of good governance include in-built systems of checks and balances which provide for participatory governance. Only 2% disagreed with this statement and 13% of respondents were undecided. According to Hilliard and Kemp (1999: 44) public participation in the governance and administration of a country is indispensable if the nation is to function effectively.

Table 6.77 Emerging trends on a set of indicators of good governance suggest that they cover areas like policy and public expenditure management.

	Frequency	Percent	Valid Percent	Cumulative Percent
Disagree	1	2.5	2.5	2.5
Undecided	4	10.0	10.0	12.5
Agree	32	80.0	80.0	92.5
Missing	3	7.5	7.5	100.0
Total	40	100.0	100.0	

According to Table 6.77, the majority (80%) of respondents agreed that emerging trends on a set of indicators of good governance suggest that they cover areas like policy and public expenditure management. Only 3% disagreed with this assertion, and 10% were undecided. Expenditure management involves the full spectrum of accounting, expenditure control, cash-flow management, reporting, asset management and procurement functions. All these elements are also part of the public sector financial management process (Visser & Erasmus, 2002: 101).

Table 6.78 An important indicator associated with good governance is that good governance should be able to operate within fixed financial constraints.

	Frequency	Percent	Valid Percent	Cumulative Percent
Disagree	2	5.0	5.0	5.0
Undecided	4	10.0	10.0	15.0
Agree	31	77.5	77.5	92.5
Missing	3	7.5	7.5	100.0
Total	40	100.0	100.0	

Graph 6.30 Good governance and fixed financial constraints

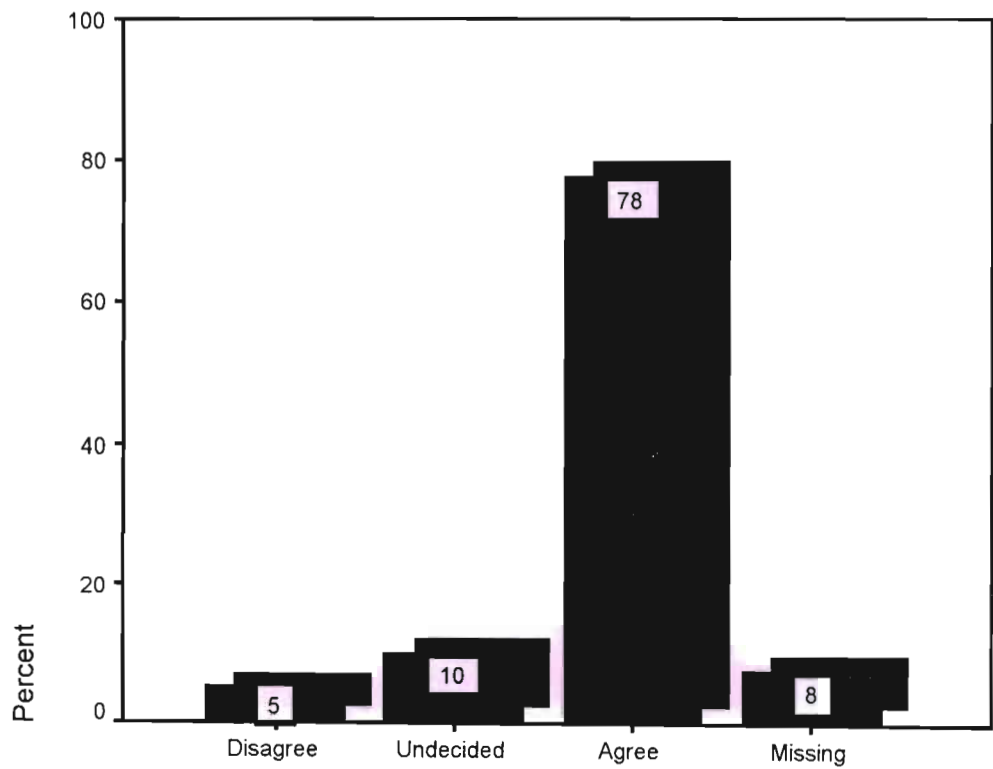


Table 6.78 indicates that 78% of respondents agreed that an important indicator associated with good governance is that good governance should be able to operate within fixed financial

constraints. Only 5% of respondents did not share this view (disagreed), and 10% were undecided. Even if there are limited financial resources, people tasked with the responsibility of governance must still be able to operate and promote good governance.

6.6 SUMMARY

From the analysis of the data presented it can then be concluded that the KwaZulu-Natal Provincial Authority is practicing good governance. But there are areas where there must be an improvement, and this is a challenge to the KwaZulu-Natal Provincial Authority.

If a citizen is aggrieved by a government decision affecting him/herself, such a person has a right to know the motivation for the decision. This means that officials must prepare themselves for a more open style of government, where their decisions are made public upon request.

Good governance can improve service delivery. It must be pointed out that service delivery is not the responsibility of the public sector alone. There are three service delivery institutions that have been developed to deliver services to people. These institutions are government institutions, private organisations and non-governmental organisations (NGOs), including community-based organisations (CBOs). Government needs to consult these institutions on issues of governance.

The conclusion was that the majority of respondents felt that the KwaZulu-Natal Provincial Authority is practicing and promoting

good governance. Civil society felt that, they needed to be involved on matters of governance. Private sector also felt that for the promotion of good governance, they need to be consulted by the legislators as well.

South African business would be doing governance in the country a power of good if it were able to establish a path from government to business. This would simply be a mechanism for ensuring that senior public officials and ministers do not feel they have to cling to jobs they should perhaps no longer be doing.

The introduction of co-operative governance has led to a new interest in South Africa in the wider field of governance itself. It is no accident that the interest in, and importance of, governance has followed a longer standing interest in concept of civil society in KwaZulu-Natal and South Africa as a whole. During the struggle against apartheid, civil society structures played a crucial role in rendering much of the apartheid South Africa ungovernable. With the advent of democracy, the new government has committed itself to maintaining and working with civil society structures. Data analysis has also revealed that civil society acknowledges that legislators have accepted civil society as part of governance.

The question has been asked whether the private sector can play a part in improving governance. The feeling is that the private sector is needed to bargain and compromise over improvements in public policy. Some business leaders see major problems with governance, though across the province there is a perception of improvement. The study has revealed that business leaders and the private sector are reported to work reasonably well as policy advocates for better governance.

The chapter has illustrated that legislation, civil society public officials and the business sector must all contribute towards the promotion of good governance. The next chapter will provide a summary of the conclusions made, and recommendations proposed.

CHAPTER 7

CONCLUSION AND RECOMMENDATION

7.1 INTRODUCTION

Governance has been defined as the manner or style of governing. This means that governance in a democratic state must be characterised by the integration of the roles of the public institutions and the institutions of civil society. The previous chapter has demonstrated that government must not make decisions without involving other stakeholders. Governance, and good governance in particular, requires the involvement of everyone, namely legislators, civil society, public officials and the business sector.

An essential element for successful service delivery on which a good governance programme can be based, is participative management which involves the consultation with people in the decision-making process.

The relationship between public administration and development is a complex and occasionally fraught one. A governance approach has the advantage of combining both the policy and complete range of institutions through which societies are ordered.

For a good governance programme to be efficient, a committed management, through participative management, must motivate the workforce with effective communication, co-ordination and standardisation of processes in working towards a common vision.

This chapter discusses the reform programmes impacting on governance, conclusions and the proposed recommendations that can be adopted by the KwaZulu-Natal Provincial Authority.

7.1.1 Hypothesis and objectives of the study

Chapter One of this study indicated the following hypotheses as relevant to the study:

- People of KwaZulu-Natal are skeptical about the practice of governance in the province as practised by the legislators;
- The KwaZulu-Natal Provincial Authority has not undertaken a substantial clean-up of its administration as a way of improving governance;
- The theory of good governance is not being practised in the KwaZulu-Natal Provincial Authority.

This section is aimed at analysing the hypotheses generated by this study at the beginning of Chapter One. The researcher identified three hypotheses and these hypotheses were tested throughout the study.

Hypothesis One: People of KwaZulu-Natal are skeptical about the practice of governance in the province as practised by the legislators.

Tables 6.11, 6.32, 6.50 and 6.71 all indicate that the rating of the quality of services rendered by the KwaZulu-Natal Provincial Authority is mostly favourably and average. This indicates that people of KwaZulu-Natal appreciates what is being done in terms of governance. From the analysis of the data presented it can be concluded that the KwaZulu-Natal Provincial Authority is practicing good governance. But there are areas where there must be an improvement, and this is a challenge to the KwaZulu-Natal Provincial

Authority. Data analysis and interpretation of data conducted in Chapter Six has revealed that the statement that people of KwaZulu-Natal are skeptical about the practice of governance in the province as practised by the legislators is incorrect. This hypothesis is substantiated and tested to be incorrect.

Hypothesis Two: The KwaZulu-Natal Provincial Authority has undertaken a substantial clean-up of its administration as a way of improving governance.

This hypothesis is substantiated and has been tested to correct. Tables 6.30, 6.35 and 6.38 indicate that the KwaZulu-Natal Provincial Authority has undertaken a substantial clean-up of its administration as a way of improving governance. The KwaZulu-Natal Provincial Authority has created a friendlier environment for the civil society, the public officials and the private sector to participate in governance structures. A prerequisite of good governance include a system which provides for participatory governance. The statement that The KwaZulu-Natal Provincial Authority has undertaken a substantial clean-up of its administration as a way of improving governance is correct.

Hypothesis Three: The theory of good governance is not being practised in the KwaZulu-Natal Provincial Authority.

The findings of this study indicate that the theory of good governance is being practised in the KwaZulu-Natal Provincial Authority. The conclusion was that the majority of respondents felt that the KwaZulu-Natal Provincial Authority is practicing and promoting good governance. The majority party in the provincial legislature has allowed minority parties to be part of governance process. They form

the opposition and have been allowed to point to the failures of government and promote alternative policies.

7.2 GOVERNANCE CHALLENGES FACING AFRICA

From the rather cursory survey of the major trends in governance in the East and Southern African regions, it is clear that African countries have expressed commitment to establishing durable governance institutions. According to the ECA Report (1999: 6) African countries are invited to deliberate on the following:

- Ways and means of resolving existing civil conflicts;
- Ways and means of instituting mechanisms for preventing conflicts from eruption once they are settled or preventing new ones from erupting;
- Concrete ways and means whereby existing regional and sub-regional organisations can help countries in resolving conflicts; and
- Concrete ways and means whereby the international community can help countries in resolving civil conflicts.

In conclusion, one can ask as to what can be considered as the policy and agendas for governance, public administration and development. According to Collins *in* Collins (2000: 275-276) this can be classified into short, medium and long terms.

In the *immediate term*, the ongoing management of transition is likely to be a core preoccupation at all levels the search for “adequate and constructive government” capable of managing in “ungovernable” or “ungoverned” situations. After a decade of state restructuring narrowly preoccupied with “downsizing” and other managerialist

approaches to civil service reform, institutional renewal is urgently needed. More concrete thinking has to be applied to strengthen public services (Collins *in* Collins, 2000: 275).

The search for ways forward is therefore likely to be carried into the *medium term*, involving continued experimentation, learning and adaptation. There are positive signs in some countries' responses to local opportunities for institutional innovation.

Overall there is still a state of flux in power-sharing amongst key actors, with further interplay to be expected amongst private, NGOs, customers and public agencies. There is a need for further research in this area, including the self-sustainability of many of the new "partnerships". The emphasis must be on the challenges of ensuring accountability to the public interest under arrangements that involve the private sector in the delivery of public money (Collins *in* Collins, 2000: 275-276).

The *longer term* agenda involves the institutional implications of the growing links between development and security. The need for global institutional renewal and reform in many ways underpin the search for more effective ways of dealing with both the causes and consequences of conflicts and related impoverishment. There is a need for greater access on the part of poorer countries to international public goods. This should aim at an improvement in the responsiveness of society to the short, medium and long-term needs of individuals and groups (Collins *in* Collins, 2000: 275-276).

7.3 REFORM PROGRAMMES IN KWAZULU-NATAL

Public administration must be governed by the democratic values and principles enshrined in the Constitution. Therefore the KwaZulu-Natal Provincial Authority must ensure that its internal policies and practices give effect to these values, particularly in its interaction with the public. It must familiarise itself with national legislation giving effect to these values and principles. It must also ensure that its own policies and practices do not fall short of constitutional and legislative standards and principles.

With the ANC now firmly in control of the KwaZulu-Natal province, and the party having stood on a 'delivery and unity' platform to win its decisive five-year mandate, the electorate is expecting a vast improvement in social services such as housing and health care, and an end to the destructive petty political squabbling that has characterised KwaZulu-Natal politics for far too long (Business Day, Monday, 26 April 2004).

In KwaZulu-Natal the days of senior government officials not adhering to procedure appear to be over, with a code of conduct coming into effect. First on provincial director-general's agenda are the ministers whom, he said, would be issued with declaration forms to disclose their interests and assets (Sunday Tribune, 12 August 2001: 2). These include remunerated employment outside office, company directorships, properties, business interests, discounted prices not available to the general public and gifts worth R350-00 in one year. Getting ministers to disclose their interests, according to the KwaZulu-Natal director-general, forms part of good governance and transparency 'to ensure that the ministers' office are not under any cloud of suspicion in discharging their duties'.

7.3.1 How business leaders see governance

During the empirical survey some doubts were raised by respondents in the private sector about government capacity to respond to business problems. They were sceptical of the government's understanding of commerce and industry. Some thought that public officials and legislators do not consider their views when making policies. Part of the reason for the negative perception of government is too much red tape, which diverts firm resources from other pursuits.

Private sector members were somewhat more likely to say that government did little to inform them in advance about policy decisions, which might have enabled the managers more easily to adjust their behaviour and make trade-offs needed to cope with changed circumstances. The survey put forward several related questions, and found a consistent pattern of scepticism and criticism concerning the public sector's capacity to honour its commitments. According to Goldsmith (2002: 44) government credibility has been found to be a key factor in business confidence and economic development.

Experience from around the world suggests that clean governance reforms usually need the support of the profit-oriented sector to be implemented. Thus business associations are likely to be foundation stones for future progress in governance.

Some business people see significant mismanagement in the public sector and a lack of business services. A modern perception gap divides the private and public sectors. Government officials generally believe they are doing a better job than business managers give them credit. Most respondents to the survey – business sector, public

officials, legislators and civil society – expect governance conditions to improve over the next few years.

“Despite a decade of reform, they (business people) still find government officials lacking the will or capability to provide a legal, regulatory and political environment in which private enterprise can flourish. This tends to confirm the broad range of studies that identify continued serious shortcomings in governance.”(Goldsmith, 2002: 48).

7.3.2 How does the government bureaucracy see governance issues?

Public officials viewed public officialdom more positively than did the private sector. Government respondents reported themselves as more responsive to business views and more transparent in their actions, compared with business perceptions. The data suggested that public officials are prone to see governance conditions only marginally differently from the way business people do. They are willing to concede significant problems in governance, even though their bias is to minimise those problems.

Public officials tend to agree that business associations are a useful source of information about public policy affecting business. They also say that business associations effectively represent the concerns of business with government decision-makers. Common ground exists for private and public sector co-operation to continue reforming governance.

According to Goldsmith (2002: 47-48) public officials have a complimentary impression of the business sector. Both the private and public sectors acknowledge rampant corruption, even though they quibble over its dimensions. The overlapping perceptions suggest the problem must be serious, and they provide a starting point for business people and public officials to talk to each other about how to confront corruption.

7.4 REFORM PROGRAMMES IMPACTING ON GOVERNANCE

The United Nations Economic Commission for Africa (UNECA), in its renewed efforts to serve Africa better, has recommitted itself to help strengthen government capabilities and effectiveness and to the consolidation of institutions and practices of good governance. It has, according to the ECA Report (1999: 5), initiated activities in such important areas as: public sector management; building an enabling environment for entrepreneurship and private sector development; promoting and strengthening civil society organisations.

These initiatives can be adopted by South Africa, including the KwaZulu-Natal Provincial Authority.

7.4.1 Public sector reform

The Economic Commission for Africa, working with regional institutions and other elements of the United Nations System, has initiated extensive public management reform programmes. This can also be adopted by South Africa, and KwaZulu-Natal in particular.

The South African public sector reform programme must focus on:

- Advising on restructuring of public service organisations;

- Studying and proposing appropriate civil remuneration systems;
- Designing strategies to ensure ethics and accountability;
- Improving service delivery systems;
- Establishing mechanisms for the efficient collection of government revenues; and
- Setting up of research and analysis centres that monitor and assess public accountability and transparency.

According to Trevor Manuel, Minister of Finance in South Africa, companies that pay bribes to public officials should be 'named and shamed', and banned from participating in further contracts with the South African government (Business Report, Friday, 4 June 2004).

While politicians and senior public officials have committed themselves to transparency and fighting corruption, strong measures must be adopted to fight it at lower levels. Steps must be taken to suspend and do away with officials who are involved in corruption. This will be in line with the government's stance of ensuring clean administration and conducting fair business with all service providers. Corruption is against the spirit of good governance.

It is essential for senior public officials to personify the organisational values. As such, they must provide tangible role models for subordinate public officials to follow (Mafunisa *in* Kuye *et al*, 2002: 197). Senior public officials should show their subordinates the right and proper way of behaving at work. If public officials are acting unethically they cannot promote good governance.

Examples of unethical and irresponsible behaviour by senior public functionaries not only undermines the morale of many committed

junior public officials, but also negatively influences others who engage in similar practices. Training and education could promote morale and enthusiasm amongst the public functionaries concerned.

7.4.2 Strengthening civil society organisations

The Economic Commission for Africa (ECA) has recognised the importance of strong and assertive civil society to sustain democracy and good governance. Thus the ECA, in collaboration with the African civil society community, has established the African Centre for Civil Society. The Centre provides support services and capacity building assistance for indigenous civil society organisations (ECA Report, 1999: 6).

A Civil Society Centre in any country, including South Africa and KwaZulu-Natal, should perform activities to:

- Provide training for civil society organisations in managing development projects;
- Facilitate dialogue between states, and civil society organisations with a view to creating an enabling environment for the work of civil society organisations;
- Strengthen and broaden civil society organisations' understanding of the policy environment and process, including analytic and social skills to add value and influence national priorities.

Conditions for democracy and economic and social development to flourish have been created in South Africa. In KwaZulu-Natal a new government has just been installed – after the April 14, 2004 elections – and a new parliament, formed on the basis of the

proportional representation electoral system, is now grappling with how to make itself more responsive and relevant to the needs of its citizens.

The roles of the organs of civil society, non-governmental organisations and civic movements are crucial to achieving much-needed interaction between the governors and the people.

The Speaker of the KwaZulu-Natal Legislature, Willis Mchunu, and Premier Sbu Ndebele have, on the side of provincial parliament and government, publicly declared that the doors of the institutions they head are open to receive opinions from leaders of all sectors of civil society on how to best deal with the issues facing the people of KwaZulu-Natal (The Mercury, Thursday, 10 June 2004).

Parliamentary institutions, such as portfolio committees, must be open to members of the public. The same goes for constituency offices, which are also supposed to be open on a non-party political basis. Ordinary citizens must be empowered with the ability to lobby effectively and productively. On the other hand various groups of civil society need to work with each other. Together with other civil society formations, communities can use their comparative advantage to influence policies across all levels of government.

In Africa a Pan African Parliament has been formed. The idea behind this parliament was to get citizens to participate in their governance and to interact with the state. It strives also to empower the people to interact with or lobby those who take the decisions.

The challenge, in short, is how to make the government and, indeed, parliament accountable to the people, given our current electoral

system, which creates only a flimsy link between members of parliament (legislators) and the electorate.

7.4.3 Private sector development

The private sector also plays a crucial role regarding issues of governance. In the area of private sector development, reform programmes must focus on:

- Helping government to review laws and regulations for investment and suggest revisions that it believes will attract foreign investments;
- Organising international conferences on reviving private investment and raising the awareness of the international investment community about the investment opportunities in various sectors and individual countries;
- Bringing together heads of national privatisation agencies, policy-makers, and experts to exchange views and promote mutual co-operation in implementing privatisation programmes, and compiling best practices on privatisation and disseminating the results throughout other countries (ECA Report, 1999: 6).

During the past decade or so the role of corporate in the success or failure of public institutions and entities has become increasingly prominent. Researchers, mainly after scandals, consistently report correlations between success and 'good governance practices' and between failure and 'bad governance'.

Overtime good governance commissions have resulted in voluntary compliance and sometimes not so voluntary compliance with good

governance practices. Although the wisdom of national and universal standardisation of good governance practices is still hotly debated, research indicates increased compliance with such practices (Van Wyk, 1999: 2).

Standards must be established which provide guidance on communication of audit matters arising from the audit of financial statements between the auditor and those charged with governance of a public institution or entity. Those charged with governance ordinarily are accountable for ensuring that the public institution or entity achieves its objectives, financial reporting and reporting to interested parties (Techtalk SA, 2000: 4).

The private sector and business associations are needed to bargain and compromise over improvements in public policy. Some business leaders see some problems with governance, though there is a perception of improvement. Business associations are reported to work reasonably well as policy advocates for better governance. They are seen as doing a fair job of keeping members updated on the policy environment (Goldsmith, 2002: 39).

Collaborative interactions between business and government can enhance national economic performance and contribute to social betterment. Lack of business political influence helps discourage good governance, or the ability to manage public affairs and deliver basic services. The private sector needs the state to take steps to reduce information asymmetries among firms and government agencies. Business associations hold the potential to expand the range of issues up for public consideration and debate. They can also play a more general part in development by building social capital. Social capital reflects the capability of people to form organisations and take on group tasks important for social and economic progress.

7.4.4 Accountability by legislators

Accountability is an essential element in the practice of good governance in the public affairs of a democratic state. Therefore KwaZulu-Natal legislators, as representatives elected by citizens, should:

- Be sensitive and responsive to the real needs and legitimate expectations of the people;
- Provide the directives and resources required by the government and administrative institutions and functionaries to satisfy citizens' needs and expectations;
- Ensure through surveillance that government and administrative institutions and functionaries perform as expected to meet the citizens' needs and expectations.

The legislators' actions must focus on the provincial government's key programmes. They must also focus on the projects that will be undertaken by parliament. The residents of this province must be reassured of the government's continued efforts to build stronger partnerships to create jobs and fight poverty.

Elaborating on the need to create a culture of good governance in the KwaZulu-Natal provincial authority, the MEC for Finance and Economic Development Mike Mabuyakhulu said the provincial government would develop a provincial citizen's charter to ensure government accountability. "Our aim is to ensure that every single department and public entity in KwaZulu-Natal gets a clean bill of health from the Auditor-General" (Sunday Tribune, 30 May 2004: 27).

7.5 RECOMMENDATIONS

The following recommendations are proposed for consideration.

Recommendation One

Good governance must result in a positive shift in the economy.

Where the government has influence and control, such as in the changing structure of the economy and labour market, it has to provide leadership to ensure that the actions of civil society and the private sector are aligned to the national interest in addressing this challenge. Such is the enormity of social and economic challenges that they are unlikely to be overcome without the involvement of all. According to Table 6.66, 83% of respondents agreed that governance required a high degree of political and economic participation by all.

South Africa and KwaZulu-Natal need major intervention to reinforce the consolidation of democracy with measures aimed at integrating all of society into a growing economy from which they can benefit. Good governance, coupled with the correct vision in terms of economic, social and environmental development, form good platforms on which a country's economy can flourish.

Recommendation Two

Good governance must result in better delivery of services.

According to Table 6.37 in Chapter 6, 94% of respondents agreed that good governance implied the establishment of government structures within the context of a state, to ensure that services are rendered to communities to ensure that their general welfare and quality of life was promoted. This will require better performance by the state/province, with focus on decisive intervention to unlock any

delivery logjams. The impact on service delivery must be clear. This implies that the structures responsible for promoting good governance, and the processes used, should be reconsidered on a regular basis to ensure effective and efficient service delivery throughout the KwaZulu-Natal Province.

Recommendation Three

Good governance must reinforce regional co-operation in South Africa.

This requires improving the regional environment and implementing New Partnership for Africa's Development (NEPAD), so that a number of Southern African Development Community (SADC) countries are involved in faster growth in sub-Saharan Africa. A democratic South must promote regional integration in the context of SADC and NEPAD. South Africa and other Southern African states must integrate into their governance agenda the goal of regional integration and co-operation.

According to Van Niekerk (*in Van Niekerk et al*, 2002: 223) through regional integration, a certain geographical area aims to establish closer ties of co-operation between states in the area, with the aim of economic prosperity and sustainable development. In recent years an additional aim of regional integration that has seen the light is better governance.

Recommendation Four

Good governance programmes must change society for the better.

Governance programmes by government must be about changing KwaZulu-Natal and South African society for the better. As South

Africa succeeds in some areas, new challenges are bound to emerge. The critical issue facing everybody is to urgently forge a people's contract/shared destiny that will enable the government to make faster progress towards an ideal of a united, non-racial and democratic society.

According to Table 6.35, 84% of respondents agreed that in building an agenda for good governance, the focus should be on the entire system, ensuring that it supports the delivery of accessible and quality services.

Recommendation Five

To promote good governance, the KwaZulu-Natal Provincial Authority must consistently implement growth-oriented and market-friendly economic policies.

According to Table 6.65, 83% of respondents agreed that to promote good governance, a government must consistently implement growth-oriented and market-friendly economic policies. This means that there must be a growing awareness of the linkages to the conduct of government business and the implementation of market-friendly economic reforms. Governance requires a high degree of economic participation by all. Thus the principles of corporate governance should be incorporated into government business.

Recommendation Six

Governance must ensure that the business sector is involved in finding a balance between sustained economic growth and social relief.

The implication is that enough measures should be in place to ensure the business sector is involved regarding matters of governance. The business sector should be particularly supportive of the broad policies of the government. According to Table 6.67, 81% of respondents agreed that the business sector must be involved in governance matters to find a balance between sustained economic growth and social relief.

One of the key factors that sets the world's richest nations apart from the rest is the extent to which they have productive relations between government and business. "A shared understanding of the national interest forces them to co-operate on the big strategic issues and fight only about the small, non-strategic issues" (Sunday Times Business Times, 13 June 2004). This is a key challenge to African political and business leadership.

Recommendation Seven

It is recommended that legislators, through legislatures or parliaments, ensure that there are mechanisms for enforcing accountability and transparency on issues of governance.

This implies that the opposition must be able to point out the failures of government and promote alternative policies. There must be a government to apply governance and be called to do the task.

The following constitutional mechanisms are used in promoting ethical and accountable behaviour of political office-bearers and public officials, and in promoting good governance: Public Protector, Auditor-General, Public Service Commission, judicial institutions, and *ad hoc* bodies like commissions of enquiry. The existence of independent statutory institutions that support democracy must lead to the creation of answerable and accountable structures to ensure that public resources are utilised efficiently and effectively.

Recommendation Eight

Governance must always be performed/undertaken to improve the general welfare of a society.

The government must, therefore, make sure that there is proper administration in the country. Administration consists of all government departments, government institutions, parastatals, and government corporations that execute legislation of parliament. There is a connection between a state, government, governance and a structure of government. Governance requires the establishment of relevant government structures within the context of a state. This will ensure that services are rendered to communities to ensure that their general welfare and quality of life are promoted.

Recommendation Nine

Governance must increase accountability and encourage citizen participation.

According to Table 6.29, 88% of respondents agreed that civil society could ensure participative governance in a democratic state. Table 6.30 indicated that 92% of respondents agreed that the government must create a friendlier environment for civil society to participate in governance structures. Transparency is a sign of good governance,

so said 88% of respondents (Table 6.34). In terms of transparency, citizens must be informed about the administration and management of national and provincial departments. Good governance must include initiatives to strengthen the institutions of government and civil society with a view to making government transparent, democratic and accountable to the public.

7.6 HOW TO DEVELOP GOOD GOVERNANCE IN THEORY AND PRACTICE?

The question is how to continue to develop good governance in theory and practice. According to the AAPAM Report (2000: 52-53) this can be done through:

- Installation of democratic institutions and structure;
- Translating the national constitution into the local languages;
- Creation of institutions and legal regulatory framework as watchdog;
- Public service reforms and continuous transformation;
- Constant research on good practice of good governance;
- Periodic evaluation of good governance programmes;
- Monitoring and evaluation of the institutions that facilitate good governance;
- Regular free and fair elections;
- Revisiting traditional institutional values and roots;
- Instituting awards systems for good governance institutions;
- Decentralisation of services;
- Citizens' participation in decision-making;
- Institute transparency and accountability;
- Establishing equity;
- Equitable distribution of resources;

- Empowerment of active civil societies;
- Sensitisation of military to appreciate good governance;
- Educating political leaders to have a better understanding of politics and power;
- Development of the national and all other resources for the good of all.

It is argued that successful governance demands the inclusion of civil society structures and representatives into a wide range of policy issues and programmes. The government of South Africa has committed itself to ensuring this. Sections 59, 72, 118 and 195 of the Constitution entrenches public participation in policy processes. Important steps must be taken by the government to help civil society to continue to flourish.

The prospects for successful governance in KwaZulu-Natal and in the whole of South Africa certainly appear to be good. If civil society structures are given their rightful place in helping to shape and monitor policies at the national, provincial and local spheres, then South Africa has the potential to contribute to the debate on good governance in Africa and internationally in an innovative ways.

7.6.1 Requirements for achieving sustainable governance in South Africa

The following conclusions, according to Cloete (1999b: 95-100), can be drawn about the implications of the general requirements for the achievement of sustainable governance in South Africa:

- Committed, honest political and administrative leadership: Stronger and more committed political leadership is needed to kick start the process towards achieving the objectives of

sustainable governance in South Africa. The Presidential Review Commission (PRC) recommended a series of steps aimed at strengthening the strategic management capacity of the central machinery of government in the President's Office.

- Agreed national vision and attainable action plans in strategic policy sectors: The PRC found an absence in government of a clear national vision for South Africa. The absence of an agreement on the role of the state in South African society leads to contradictory policies and delays, both of which have a negative effect on investors' confidence and on economic development.
- Effective strategic and operational management (policy design, implementation, monitoring, evaluation and review): A prerequisite for good governance is a systematic effort to monitor and evaluate the impacts of government policies and services, and to be responsive to the results of such exercises by systematic policy reviews.
- Availability and best use of resources (people, money, supplies and information): Although a lack of skills in certain sectors remains a serious problem, the most serious of all seems to be wastage and duplication of financial and human resources. According to the PRC, the levels of effectiveness and efficiency of service provision should be drastically improved.
- Organisational culture and work ethic: Low levels of literacy and a general absence of public commitment to growth and productivity in South Africa have led to low levels of international competitiveness in most policy sectors. This has

to change before significant improvements in the levels of development in the country will become noticeable.

- A democratic environment and a growing economy: The democratic requirement is not a problem in South Africa. Although South Africa has the strongest economy on the African continent and is one of the strongest developing countries, it still has a long way to go before it has developed sufficient capacity for sustainable governance.

7.6.2 Evaluating key governance principles

According to Mavuso and Balia (1999: 242-243) there are a number of key governance principles by which existing institutions and systems can be evaluated. These same principles underpin what is currently regarded as international good practice in public sector management. The long-term objective would be to bring the entire public sector into line with these principles.

Firstly, there needs to be systematic coherence and consistency in the design and operation of all public sector institutions and systems. This means recognising their interdependence, maximising synergies between them, and ensuring that there are coherent incentive structures in place.

Secondly, the public sector must be open to public scrutiny, that is, there must be transparency. Institutions should have systems in place to measure and report regularly and publicly on what they deliver and with what resources, their methods of delivery and the naming of beneficiaries of their services or output. In addition, administrative decisions relating to tendering, procurement, licensing, taxation, financial transfers, appointments and

promotions, should be documented properly and made available for public review.

The **third** governance principle is that politicians, acting collectively in Cabinet, should take responsibility for defining medium-term priorities and should express these in terms of desired outcomes. Individual ministers (in consultation with their departments) should then be responsible for deciding on what mix of output (public goods and services) their departments should produce in order to achieve the desired outcomes. They should also be accountable for ensuring that the allocation of resources within their portfolio is aligned with the Government's priorities. The division between political and managerial accountability needs careful attention in this regard.

The **fourth** principle points to a need for managerial control over delivery. Departmental management should be responsible for the delivery of the outputs within the budget allocated to the department. In other words, managers should be free to decide on the most appropriate method for delivering the outputs specified by the minister. In doing so they are also responsible for the efficient use of resources, that is, for ensuring "value-for-money".

This **fifth** principle places an obligation on all public institutions and systems to measure and report on their *effectiveness* in delivering on their targets, the *economy* of their chosen mode of delivery relative to other options, and the *efficiency* with which resources were used. Explicit attention should also be given to ensuring quality. To this end institutions should develop quality standards or protocols, as well as procedures for monitoring, evaluating and reporting on them.

The **sixth** principle is that public sector institutions should demonstrate a clear commitment to placing the interests of their “customers” first, whether these “customers” are ordinary members of the public, businesses, non-governmental organisations or other public sector institutions. The *Batho Pele* principles that are set out in the White paper on Transforming Public Service Delivery provide an important point of departure.

The **last** principle relates directly to the issue of good governance: there should be zero tolerance of inefficiency and corruption (Mavuso & Balia, 1999: 242-243).

7.7 KWAZULU-NATAL GOOD GOVERNANCE AWARDS

To promote good governance the KwaZuluNatal Provincial Administration has introduced the good governance awards. Founded in 1999, they are administered by the Office of the Premier, facilitated by Pricewaterhouse Coopers, and sponsored by the Standard Bank. The awards show the extent to which the public service of the KwaZulu-Natal provincial government is prepared to go to manage and allocate resources for the public good (The Mercury, February 2002: 13).

Batho Pele – people first! *Ubuntu* – humanity! These are the cornerstones of the Premier’s Good Governance Awards. The awards are a catalyst and a beacon of hope in a sea of hopelessness as people continue to navigate into a new frontier to find the promised land of peace and prosperity.

The awards play a dynamic role in encouraging provincial and public servants to strive for high standards and service excellence in the

KwaZulu-Natal province. The awards aim to recognise the achievements of those organisations in the public service, which are delivering excellent service to their customers through the principles of *Batho Pele* and Good Governance. There has been marked growth, which has come from the Good Governance Awards through the participation of the departmental components.

7.8 PROBLEMS OF GOOD GOVERNANCE

In urban areas, the population places high demands on institutions and public officials to provide services such as health services, housing, water, electricity, recreational facilities and schools. Communities, which feel to access quality public services, often experience frustration and are disillusioned with the political system (Darkey, 2003: 141).

Corruption is regarded as a societal problem. As such it is necessary to illustrate that corruption is not a problem specific to the public service and in particular to the actions and attitudes of politicians and public servants, but one that reaches far wider. It must also be realised that a focus on corruption is only one side of the coin and must be coupled with a profile on good governance.

With the advent of democracy in South Africa a decade ago, the newly government, together with the people of this country, inherited a distorted system of governance, with institutions that were in direct conflict with the imperatives for sustainable economic growth, social development and reintegration into the world economy and community of nations (Pillay, 2002: 133-134).

There is no doubt that the public service has had a major role to play in the governance process. The service areas where the success or failure of the public service may be assessed include: maintenance of law and order, management of public resources (finance, personnel), establishment of service ethics, promoting democratic values, defence and the promotion of public interest.

Civil society and the business sector place demands on the legislators. Legislators must make laws to address these demands and the public officials will have to implement these laws. If all these are not addressed properly, they create problems for good governance.

7.9 AREAS OF FURTHER RESEARCH

Research in the area of governance has been done before. It is hoped that this study will prompt further research in the area of good governance especially in this province.

Botchwey (1995: 6) argues “in all the debate and also in the actual practice of governance not enough attention had been paid to the role of political parties in fostering good governance. The parties have an important role to play in this regard, but for them to do so, they must be more than just electioneering machines in the hands of rich people, machines that are simply used to organise that you go to vote for this or that person. They must be training grounds for political education above all else so that people can be educated to make choices and conduct good criticism.”

7.10 CHALLENGES, PROBLEMS AND PROSPECTS

The current attention to 'governance' – the totality of institutional structures within a political community, as distinct from 'government', which is the state's instrument for formulating and implementing public policies – has helped to strengthen the case for institutional diversity for the production of public services in African countries. The United Nations Development Programme, for example, argues that sustainable development can be attained only when the tripod of public sector, private sector and non-governmental organisations are recognised as legitimate actors in the governance area (Adamolekun, 1995:125).

There is no doubt that great strides are being made in the majority of African countries including South Africa towards improving the quality of governance and the norms of good governance. This is being done through institutional reforms aimed at enhancing accountability and transparency. These pressures are not likely to abate. Nevertheless, according to Adamolekun (1999:156), current efforts are constrained by three critical problems.

Firstly, these are doubts about the genuineness of the support of Africa's political executives for strengthening these institutions, especially for ensuring that they become independent and self-accounting institutions. Presidents and prime ministers accustomed to the patrimonial style of governance may perceive more accountability and transparency as troublesome. The difficulties confronting the democratic project in Africa reflect this problem.

Secondly, there is the problem of having to pay the high costs of building and nurturing these institutions, not only in financial terms but also in terms of the required administrative and technical

capacity. This is paradoxical because most administrative reform programmes started out with the objective of reducing costs and numbers. Reinvigorated African public services require a motivated and well-paid core of skilled officials who are costly to attract and retain.

Thirdly, there is the challenge of developing the appropriate constitutional environment to support these types of institutions. The constitutional environment that can support the development of institutions of accountability and transparency is a polycentric one. Unfortunately, argues Adamolekun (1999:156), many African countries, including those regarded as 'democratising', seem wedded to the monocentric political model.

A polycentric governance model recognises the existence of alternative centres of power and cultivates them, providing them with competence to make binding decisions and to compete and collaborate with other centres of power in the polity. Reforms aimed at enhancing the accountability and transparency of the African public service would therefore need to empower the people through a variety of institutions that can provide leverage for the public to demand and assert accountable performance.

Such institutions, according to Adamolekun (1999:156) would include vibrant medium and small-scale private sector organisations, effective local governments that are accountable to the people rather than to the central government and independent and competent legislatures, judiciaries and civil services. To function properly and effectively, such institutions should be based on existing community structures, with responsibilities and resources shared on the basis of the principles of subsidiarity and each level of government primarily responsible to the public.

Such an arrangement, coupled with increasing levels of formal and mass education, will ensure the effective decentralisation of administration, the mobilisation of adequate resources, openness and leverage for the public to extract accountability and responsiveness from the public service (Adamolekun, 1999:157).

7.11 SUMMARY

The empirical investigation for this study primarily focused on the four categories of stakeholders in the KwaZulu-Natal province, namely legislators, civil society, public officials, and the business sector. All these stakeholders can make a contribution in promoting good governance. The conclusions drawn and recommendations proposed are based on the survey conducted among these stakeholders and on their findings. The recommendations are in line with the aims and objectives of this study, which were to discuss and review the state of governance in the KwaZulu-Natal Provincial Authority.

The study has highlighted the need for participation by all in governance. Participation is a way of receiving information about local issues, needs and attitudes. This provides affected communities with an opportunity to express their views before policy decisions are taken. When promoting good governance, participation by all is a powerful tool to inform and educate citizens. Also, participation promotes equality, fairness and reasonableness in the allocation and distribution of public resources.

Participation in the governance and administration of a country by legislators together with civil society, public officials and the business sector is indispensable if the nation is to function effectively. This prevents the abuse or misuse of administrative authority and political power. It also serves as a check on the activities of the administrators and rulers, and allows a diversity of viewpoints to be aired.

Efforts to re-specify the role of the state should include attention to the links between the different levels of governance – national, provincial and local – and interactions with other actors such as the civil society and non-governmental organizations. The relation to civil society has been identified as a key concern in governance issues. Therefore the relations between civil society organisations and pressure groups and governments require attention.

It is important to emphasise the greater role of civil society organisations and the private sector in promoting economic liberalisation and political pluralism. While the private sector pushes to secure free competition and protection of private property, civil society organisations are very active in defending civil liberties and respect for human rights. The South Africa's Constitutional court may play a significant role in asserting the legality of the new order by giving decisions in support of both economic liberalisation and pluralism whenever cases that seek to undermine either are brought before it.

Public participation in the life of a government and parliament is not just a moral obligation on the part of parliament and legislators, but is also a constitutional obligation. Good governance must include initiatives to strengthen the institutions of government and civil

society, with a view to making government transparent, democratic and accountable to the public.

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QUESTIONNAIRE (Legislators)

APPENDIX A

Questionnaire Number

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INSTRUCTIONS

1. Please be kind enough to fill in this questionnaire for the purposes of evaluating governance in the KwaZulu-Natal Provincial Authority.
2. It must be stated that this is purely for research purposes with an intention of ensuring effective implementation of governance policies in the KwaZulu-Natal Province.
3. Fill in or mark with an "X" where applicable.
4. The respondent agrees that he/she has been informed of the nature and purpose of this research project. The information given will be kept confidential, and will be used solely for research purposes.

SECTION A: PROFILE OF THE RESPONDENT

1. Where previously employed?

Government department	1
Private sector	2
Political party	3
NGO	4

2. Sex.

Female	1
Male	2

3. Age.

18 to 24 years	1
25 to 34 years	2
35 to 44 years	3
45 to 54 years	4
Over 55 years	5

4. Level of hierarchy in the organisation before becoming a legislator.

Non-supervisory level	1
Supervisory level	2
Middle management	3
Senior management	4

5. Level of education.

Secondary school (standard 8)	1
Matric	2
Tertiary (degree or diploma)	3
Postgrad (hons, M-level)	4

SECTION B: GOVERNANCE

Please mark with an X in the appropriate box.

1-Strongly Disagree; 2-Disagree; 3-Undecided; 4-Agree; 5-Strongly Agree

1.Strengthening judicial institutions should be a priority task when promoting good governance.

1	2	3	4	5
---	---	---	---	---

2.An important mechanism for enforcing accountability is the role of elected legislatures, or parliaments.

1	2	3	4	5
---	---	---	---	---

3.An important element in the governance environment is the enshrinement of the freedom of expression and of association in the constitution.

1	2	3	4	5
---	---	---	---	---

4.Legislative business must be conducted in the parliamentary committees, which must perform oversight and watchdog roles over the executive.

1	2	3	4	5
---	---	---	---	---

5.In the debate about governance there must be a government to apply governance and be called to do the task.

1	2	3	4	5
---	---	---	---	---

6.On issues of governance the opposition must be able to point to the failures of government and promote alternative policies.

1	2	3	4	5
---	---	---	---	---

7.In the KZN Provincial Authority minority parties must become stronger opposition and this will hopefully result in better governance.

1	2	3	4	5
---	---	---	---	---

8. The following is/ are definition(s) of governance?

	Disagree	Undecided	Agree
It is the mode/ manner or style of governing	1	2	3
It is the exercise of political power to manage a nation's affairs	1	2	3
It implies actions undertaken to improve the general welfare of a society	1	2	3

9. Do you think structures created by the Constitution, e.g. government departments, courts, are enough to ensure proper governance?

Yes	1	No	2
-----	---	----	---

Give reason for your answer.

10. What do you think are the objectives of governance?

11. Do you think political parties have embraced the concept of governance?

Yes	1	No	2
-----	---	----	---

12. Who do you think should be at the forefront in implementing / promoting governance?

13. Who do you think should be involved in formulating governance policies?

Give reason(s) why those you chose above should be involved.

14. Governance is also defined as how people are ruled and how the affairs of a state are administered and regulated.

Do you agree with this statement?

Yes	1	No	2
-----	---	----	---

15. Do you agree that characteristics of governance include openness, transparency, efficiency, effectiveness and accountability?

Yes	1	No	2
-----	---	----	---

Please explain.

16. On a scale of 1 to 3 (where 1 = Poor; 2 = Average; 3 = Good) how would you rate the overall quality of governance in this Province?

1	2	3
---	---	---

17. The meaning of governance relates to the three aspects of governance as determined by the World Bank:

- the form of the political regime
- the process by which authority is exercised in the management of a country's economic and social resources for development
- the capacity of governments to design, formulate and implement policies and discharge functions.

Do you agree?

Yes	1	No	2
-----	---	----	---

Please explain.

SECTION C: GOOD GOVERNANCE

1. What is good governance?

2. Do you agree that respect for fundamental human rights and ethical principles are central to good governance?

Yes	1	No	2
-----	---	----	---

Give reason for your answer.

3. What do you think are the components of good governance?

4. Are officials within your organisation promoting good governance?

Yes	1	No	2
-----	---	----	---

Give reason for your answer.

5. Good governance could be taken to refer to the efficient and effective management of public resources and problems in dealing with the critical needs of the society.

Do you agree with this statement?

Yes	1	No	2
-----	---	----	---

6. Suggest ways to promote good governance.

Please mark with an **X** in the appropriate box?

1 – Strongly Disagree; 2-Disagree; 3–Undecided; 4-Agree; 5-Strongly Agree

7. Transparency is a sign of good governance.

1	2	3	4	5
---	---	---	---	---

8. Absence of corruption is a sign of good governance.

1	2	3	4	5
---	---	---	---	---

9. Good governance necessitates that the democratic process prevails at all times.

1	2	3	4	5
---	---	---	---	---

10. Good governance cannot be discussed without alluding to the issue of corruption.

1	2	3	4	5
---	---	---	---	---

11. Good governance is defined as denoting the minimum or acceptable standards, which those who govern must apply in order to satisfy the legitimate aspirations and needs of their people.

1	2	3	4	5
---	---	---	---	---

12. Ethics play a significant role in the prevention of corruption, nepotism, maladministration, and in promoting good governance.

1	2	3	4	5
---	---	---	---	---

13. Lack of good governance hampers socio-economic development of the country.

1	2	3	4	5
---	---	---	---	---

14. Good governance promotes sustainable development and improvements in the physical and economic environment.

1	2	3	4	5
---	---	---	---	---

15. Provision of the right information is key to good governance.

1	2	3	4	5
---	---	---	---	---

SECTION D: INDICATORS OF GOOD GOVERNANCE

Please indicate with an **X** in the appropriate box.

1. The following strategies are the main thrusts for promoting good governance:

	Disagree	Undecided	Agree
Capacity building	1	2	3
Service delivery	1	2	3
Financial management	1	2	3
Management and development of human resources	1	2	3

2. Prerequisites of good governance include:

	Disagree	Undecided	Agree
In-built systems of checks and balances which provide for participatory governance	1	2	3
Development of a culture of self-discipline	1	2	3
Strengthening of institutions essential to the democratic process	1	2	3

3. Indicators of bad governance include:

	Disagree	Undecided	Agree
Lack of transparency and accountability	1	2	3
Arbitrariness (unrestrained rule)	1	2	3
Making of self-serving decisions	1	2	3

4. The following areas can make a contribution to good governance:

	Disagree	Undecided	Agree
The right of access to information by the public	1	2	3
The right to take part in the conduct of public affairs	1	2	3

5. Indicators of bad governance include:

	Disagree	Undecided	Agree
Maladministration and injustice	1	2	3
Bribery and rigging of elections	1	2	3

6. Measures to enhance good governance would require paying attention to the following:

	Disagree	Undecided	Agree
Establishment of a complaint mechanism	1	2	3
Code of good administrative practice	1	2	3
Code of practice on access to information	1	2	3

7. Emerging trends on a set of indicators for good governance suggest that they cover the following areas:

	Disagree	Undecided	Agree
Policy and public expenditure management	1	2	3
Public employment	1	2	3
Legal and judicial arrangements	1	2	3
Democratisation and transparency	1	2	3

8. The following are also important indicators associated with good governance:

	Disagree	Undecided	Agree
Good governance should be able to operate within fixed financial constraints	1	2	3
Good governance should equitably distribute available economic and social advantages	1	2	3

END

Thank you for your co-operation and support.

QUESTIONNAIRE
(Civil society/NGO)

APPENDIX B

Questionnaire Number

--	--	--

INSTRUCTIONS

1. Please be kind enough to fill in this questionnaire for the purposes of evaluating governance in the KwaZulu-Natal Provincial Authority.
2. It must be stated that this is purely for research purposes with an intention of ensuring effective implementation of governance policies in the KwaZulu-Natal Province.
3. Fill in or mark with an "X" where applicable.
4. The respondent agrees that he/she has been informed of the nature and purpose of this research project. The information given will be kept confidential, and will be used solely for research purposes.

SECTION A: PROFILE OF THE RESPONDENT

1. Where employed?

Unemployed	1
Self-employed	2
Formal sector	3
Non-governmental organisation (NGO)	4

2. Sex.

Female	1
Male	2

3. Age.

18 to 24 years	1
25 to 34 years	2
35 to 44 years	3
45 to 54 years	4
Over 55 years	5

4. Level of hierarchy in the organisation.

Non-supervisory level	1
Supervisory level	2
Middle management	3
Not Applicable	4

5. Level of education.

Secondary school (standard 8)	1
Matric	2
Tertiary (degree or diploma)	3
Postgrad (hons, M-level)	4

SECTION B: GOVERNANCE

Please mark with an X in the appropriate box

1 - Strongly Disagree; 2 - Disagree; 3 - Undecided; 4 - Agree; 5 - Strongly Agree

1. Transition to a democratic political order has provided space for NGOs and CBOs.

1	2	3	4	5
---	---	---	---	---

2. Civil society organisations can play an active role in the nurturing of the democratic political culture.

1	2	3	4	5
---	---	---	---	---

3. Public accountability means that a government must accept responsibility for what it does and is therefore accountable to society.

1	2	3	4	5
---	---	---	---	---

4. Civil society must be involved in the implementation of governance policies.

1	2	3	4	5
---	---	---	---	---

5. Civil society needs to take a stronger view than politicians on governance matters.

1	2	3	4	5
---	---	---	---	---

6. Civil society can ensure participative governance of the people in a democratic society.

1	2	3	4	5
---	---	---	---	---

7. The government must create a more friendly environment for civil society to participate in governance structures.

1	2	3	4	5
---	---	---	---	---

8. Several concerns about spending patterns need also to be discussed with civil society to promote transparency.

1	2	3	4	5
---	---	---	---	---

9. Do you think structures created by the Constitution, e.g. government departments, courts, are enough to ensure proper governance?

Yes	1	No	2
-----	---	----	---

Give reason(s) for your answer.

10. What do you think are the objectives of governance?

11. According to your assessment, is the public/community in general satisfied with the way governance matters are handled by the Provincial Government?

Yes	1	No	2
-----	---	----	---

Please explain

12. How can the Civil Society/NGOs help improve governance in the KZN Provincial Authority? Suggest ways of improving governance.

- a) _____
b) _____
c) _____

13. Name any elements of bad governance you have witnessed happening in government.

- a) _____
b) _____
c) _____

14. Give reason(s) why bad governance is occurring in government.

- a) _____
b) _____
c) _____

16. Do you think monitoring mechanisms should be put in place to ensure proper implementation of governance?

Yes	1	No	2
-----	---	----	---

17. Good governance implies that political office-bearers and public officials are expected to set an example of good judgment, ethical conduct, due diligence and accountability.

Yes	1	No	2
-----	---	----	---

18. Which of the following services/products from the Provincial government would you like to access? Tick the appropriate box (es).

Actual and expected capital expenditure of public sector	1
Financial statistics of local authorities	2
Expenditure of provincial government	3
Remuneration of government employees	4
Expenditure of national government	5

19. On a scale of 1 to 3 (where 1 = Unfavourably; 2 = Average; 3 = Favourably) how does the KZN Provincial government compare with other provinces on matters of governance?

1	2	3
---	---	---

20. How would you rate the quality of services provided/rendered by the KZN Provincial government? (1= Poor; 2= Average; 3=Good)

1	2	3
---	---	---

21. In general do you consider that services rendered by the KZN Provincial government are delivered in appropriate time?

Yes	1	No	2
-----	---	----	---

If no, please explain.

22. From which source(s) do you obtain information about services offered by the KZN Provincial government? Tick the appropriate box (es).

KZN Provincial Government publications	1
Province website	2
Province's user enquiry service	3
Newspapers, journals etc.	4
Other (please specify)	5

23. Have you encountered problems in obtaining relevant information about services provided by the Province?

Yes	1	No	2
-----	---	----	---

24. What is your opinion of the state of governance in this Province?

	Poor	Average	Good
Efficiency	1	2	3
Effectiveness	1	2	3
Transparency	1	2	3

SECTION C: GOOD GOVERNANCE

Please mark with an X in the appropriate box?

1 – Strongly Disagree; 2 - Disagree; 3 – Undecided; 4- Agree; 5 - Strongly Agree

1. Governance must promote a rising standard of human welfare

1	2	3	4	5
---	---	---	---	---

2. Transparency is a sign of good governance.

1	2	3	4	5
---	---	---	---	---

3. Absence of corruption is a sign of good governance.

1	2	3	4	5
---	---	---	---	---

4. Good governance necessitates that the democratic process prevails at all times.

1	2	3	4	5
---	---	---	---	---

5. Ethical principles are central to the promotion of good governance.

1	2	3	4	5
---	---	---	---	---

6. Good governance cannot be discussed without referring to the issue of corruption.

1	2	3	4	5
---	---	---	---	---

7. Good governance is defined as denoting the minimum or acceptable standards, which those who govern must apply in order to satisfy the legitimate aspirations and needs of their people.

1	2	3	4	5
---	---	---	---	---

8. Lack of good governance hampers socio-economic development of the country.

1	2	3	4	5
---	---	---	---	---

9. Good governance promotes sustainable development and improvements in the physical and economic environment.

1	2	3	4	5
---	---	---	---	---

10. In building an agenda for good governance, the focus should be on the entire system, ensuring that it supports the delivery of accessible and quality services.

1	2	3	4	5
---	---	---	---	---

11. Bad information is the worst enemy of good governance, given the fact that information is used as a basis for decision-making.

1	2	3	4	5
---	---	---	---	---

12. Provision of the right information is key to good governance.

1	2	3	4	5
---	---	---	---	---

13. Good governance implies the establishment of government structures within the context of a state, to ensure that services are rendered to communities to ensure that their general welfare and quality of life are promoted.

1	2	3	4	5
---	---	---	---	---

SECTION D: INDICATORS OF GOOD GOVERNANCE

Please indicate with an **X** in the appropriate box.

1. The following strategies are the main points for promoting good governance:

	Disagree	Undecided	Agree
Capacity building	1	2	3
Service delivery	1	2	3
Financial management	1	2	3
Management and development of human resources	1	2	3

2. Prerequisites of good governance include:

	Disagree	Undecided	Agree
Systems which provide for participatory governance	1	2	3
Development of a culture of self-discipline	1	2	3
Strengthening of institutions essential to the democratic process	1	2	3

3. The following areas can make a contribution to good governance:

	Disagree	Undecided	Agree
The right of access to information by the public	1	2	3
The right to take part in the conduct of public affairs	1	2	3

4. Indicators of bad governance include:

	Disagree	Undecided	Agree
Maladministration and injustice	1	2	3
Bribery and rigging of elections	1	2	3

5. Measures to enhance good governance would require paying attention to the following:

	Disagree	Undecided	Agree
Establishment of a complaint mechanism	1	2	3
Code of good administrative practice	1	2	3
Code of practice on access to information	1	2	3

6. Emerging trends on a set of indicators for good governance suggest that they cover the following areas:

	Disagree	Undecided	Agree
Policy and public expenditure management	1	2	3
Public employment	1	2	3
Legal and judicial arrangements	1	2	3
Democratisation and transparency	1	2	3

7. The following are also important indicators associated with good governance:

	Disagree	Undecided	Agree
Good governance should aim to acquire the optimum good for the optimum number of any given population	1	2	3
Good governance should be able to operate within fixed financial constraints	1	2	3
Good governance should equitably distribute available economic and social advantages	1	2	3

END

Thank you for your co-operation and support.

**QUESTIONNAIRE
(Public Officials)**

APPENDIX C

Questionnaire Number

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INSTRUCTIONS

1. Please be kind enough to fill in this questionnaire for the purposes of evaluating governance in the KwaZulu-Natal Provincial Authority.
2. It must be stated that this is purely for research purposes with an intention of ensuring effective implementation of governance policies in the KwaZulu-Natal Province.
3. Fill in or mark with an "X" where applicable.
4. The respondent agrees that he/she has been informed of the nature and purpose of this research project. The information given will be kept confidential, and will be used solely for research purposes.

SECTION A: PROFILE OF THE RESPONDENT

1. Where employed?

National government department	1
Provincial government	2
Local government	3

2. Sex.

Female	1
Male	2

3. Age.

18 to 24 years	1
25 to 34 years	2
35 to 44 years	3
45 to 54 years	4
Over 55 years	5

4. Level of hierarchy in the organisation.

Non-supervisory level	1
Supervisory level	2
Middle management	3
Senior management	4

5. Level of education.

Secondary school (standard 8)	1
Matric	2
Tertiary (degree or diploma)	3
Postgrad (hons, M-level)	4

SECTION B: GOVERNANCE

Please mark with an X in the appropriate box.

1 – Strongly Disagree; 2 – Disagree; 3 – Undecided; 4- Agree; 5 – Strongly Agree

1. Public officials and public servants should be held accountable if they overstep the boundaries of the Constitution and other legislation.

1	2	3	4	5
---	---	---	---	---

2. A rapid rise in the size of the public service can result in a corresponding increase in public expenditure, and limiting governance mechanism to deliver services.

1	2	3	4	5
---	---	---	---	---

3. Respect for the rule of law and an independent judiciary constitute key mechanisms for enforcing accountability and governance.

1	2	3	4	5
---	---	---	---	---

4. Parliamentary committees, which undertake control of government expenditures, can be effective in promoting and ensuring good governance.

1	2	3	4	5
---	---	---	---	---

5. The Office of the Public Protector can be an instrument for enforcing accountability and ensuring governance.

1	2	3	4	5
---	---	---	---	---

6. What do you understand by the word 'governance'?

7. Do you think structures created by the Constitution, e.g. government departments, courts, are enough to ensure proper governance?

Yes	1	No	2
-----	---	----	---

Give reason for your answer.

8. What do you think are the objectives of governance?

9. Do you think political parties in the KZN province have embraced the concept of governance?

Yes	1	No	2
-----	---	----	---

10. Who do you think should be at the forefront in implementing / promoting governance?

11. Who should be involved in formulating governance policies?

Give reason(s) why those you chose above should be involved.

12. Governance is defined as how people are ruled and how the affairs of a state are administered and regulated.

Do you agree with this statement?

Yes	1	No	2
-----	---	----	---

13. Do you agree that characteristics of governance include openness, transparency, efficiency, effectiveness and accountability?

Yes	1	No	2
-----	---	----	---

Please explain.

14. Principles of democracy as applicable to governance include guarantee of basic rights and freedoms of individual, and the rule of law principle.

Yes	1	No	2
-----	---	----	---

Please explain

15. On a scale of 1 to 5 (where 1 = Poor; 3 = Average; 5 = Good) how would you rate the overall quality of governance in this Province?

1	3	5
---	---	---

16. The meaning of governance relates to the three aspects of governance as determined by the World Bank:

- the form of the political regime
- the process by which authority is exercised in the management of a country's economic and social resources for development
- the capacity of governments to design, formulate and implement policies and discharge functions.

Do you agree?

Yes	1	No	2
-----	---	----	---

Please explain.

SECTION C: GOOD GOVERNANCE

1. What is good governance?

2. Do you agree that ethical principles are central to the pursuance of good governance?

Yes	1	No	2
-----	---	----	---

Give reason for your answer.

3. What do you think are the components of good governance?

4. Are officials within your organisation/department promoting good governance?

Yes	1	No	2
-----	---	----	---

Give reason for your answer.

5. Good governance is defined as denoting the minimum or acceptable standards, which those who govern must apply in order to satisfy the legitimate aspirations and needs of their people.

Do you agree with this statement?

Yes	1	No	2
-----	---	----	---

6. Suggest ways to promote good governance.

Please mark with an **X** in the appropriate box?

1 – Strongly Disagree; 2 – Disagree; 3 – Undecided; 4- Agree; 5 – Strongly Agree

7. Transparency is a sign of good governance.

1	2	3	4	5
---	---	---	---	---

8. Absence of corruption is a sign of good governance.

1	2	3	4	5
---	---	---	---	---

9. Good governance necessitates that the democratic process prevails at all times.

1	2	3	4	5
---	---	---	---	---

10. Good governance cannot be discussed without alluding to the issue of corruption.

1	2	3	4	5
---	---	---	---	---

11. Ethics play a significant role in the prevention of corruption, nepotism, maladministration, unfair action and dishonest preferential treatment, and promoting good governance.

1	2	3	4	5
---	---	---	---	---

12. Lack of good governance hampers socio-economic development of the country.

1	2	3	4	5
---	---	---	---	---

13. Good governance promotes sustainable development and improvements in the physical and economic environment.

1	2	3	4	5
---	---	---	---	---

14. In building an agenda for good governance, the focus should be on the entire system, ensuring that it supports the delivery of accessible and quality services, and bridging the gap between policy, active implementation and service delivery.

1	2	3	4	5
---	---	---	---	---

15. Bad information is the worst enemy of good governance, given the fact that information is used as a basis for decision-making.

1	2	3	4	5
---	---	---	---	---

16. Provision of the right information is key to good governance.

1	2	3	4	5
---	---	---	---	---

SECTION D: INDICATORS OF GOOD GOVERNANCE

Please indicate with an **X** in the appropriate box.

1. The following strategies are the main thrusts for promoting good governance:

	Dis agree	Undec ided	Agree
Capacity building	1	2	3
Service delivery	1	2	3
Financial management	1	2	3
Management and development of human resources	1	2	3

2. Prerequisites of good governance include:

	Disagree	Undecided	Agree
In-built systems of checks and balances which provide for participatory governance	1	2	3
Development of a culture of self-discipline	1	2	3
Strengthening of institutions essential to the democratic process	1	2	3

3. Indicators of bad governance include:

	Disagree	Undecided	Agree
Lack of transparency and accountability	1	2	3
Making of self-serving decisions	1	2	3

4. The following areas can make a contribution to good governance:

	Disagree	Undecided	Agree
The right of access to information by the public	1	2	3
The right to take part in the conduct of public affairs	1	2	3

5. Indicators of bad governance include:

	Disagree	Undecided	Agree
Maladministration and injustice	1	2	3
Bribery and rigging of elections	1	2	3

6. Measures to enhance good governance would require paying attention to the following:

	Disagree	Undecided	Agree
Establishment of a complaint mechanism	1	2	3
Code of good administrative practice	1	2	3
Code of practice on access to information	1	2	3

7. Emerging trends on a set of indicators for good governance suggest that they cover the following areas:

	Disagree	Undecided	Agree
Policy and public expenditure management	1	2	3
Public employment	1	2	3
Legal and judicial arrangements	1	2	3
Democratisation and transparency	1	2	3

8. The following are also important indicators associated with good governance:

	Disagree	Undecided	Agree
Good governance should aim to acquire the optimum good for the optimum number of any given population	1	2	3
Good governance should be able to operate within fixed financial constraints	1	2	3
Good governance should equitably distribute available economic and social advantages	1	2	3

END

Thank you for your co-operation and support.

QUESTIONNAIRE
(Business/Private Sector)

APPENDIX D

Questionnaire Number

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INSTRUCTIONS

1. Please be kind enough to fill in this questionnaire for the purposes of evaluating governance in the KwaZulu-Natal Provincial Authority.
2. It must be stated that this is purely for research purposes with an intention of ensuring effective implementation of governance policies in the KwaZulu-Natal Province.
3. Fill in or mark with an "X" where applicable.
4. The respondent agrees that he/she has been informed of the nature and purpose of this research project. The information given will be kept confidential, and will be used solely for research purposes.

SECTION A: PROFILE OF THE RESPONDENT

1. Where employed?

Formal sector	1
Informal sector	2

2. Sex.

Female	1
Male	2

3. Age.

18 to 24 years	1
25 to 34 years	2
35 to 44 years	3
45 to 54 years	4
Over 55 years	5

4. Level of hierarchy in the organisation.

Non-supervisory level	1
Supervisory level	2
Middle management	3
Senior management	4

5. Level of education.

Secondary school (standard 8)	1
Matric	2
Tertiary (degree or diploma)	3
Postgrad (hons, M-level)	4

SECTION B: GOVERNANCE

Please mark with an X in the appropriate box.

1 – Strongly Disagree; 2 – Disagree; 3 – Undecided; 4- Agree; 5 – Strongly Agree

1. There is broad agreement that a competent (efficient) administration is an important element of governance.

1	2	3	4	5
---	---	---	---	---

2. There must be a growing awareness of the linkages to the conduct of government business and the implementation of market-friendly economic reforms.

1	2	3	4	5
---	---	---	---	---

3. To promote good governance, a government must consistently implement growth-oriented and market-friendly economic policies.

1	2	3	4	5
---	---	---	---	---

4. Governance requires a high degree of political and economic participation by all.

1	2	3	4	5
---	---	---	---	---

5. The business sector must be involved to find a balance between sustained economic growth and social relief.

1	2	3	4	5
---	---	---	---	---

6. The business sector should be particularly supportive of the broad policies of the provincial government.

1	2	3	4	5
---	---	---	---	---

7. Enough measures should be in place to ensure the business sector is involved on matters of governance.

1	2	3	4	5
---	---	---	---	---

8. The following are definitions of governance?

	Disagree	Undecided	Agree
It is the mode/manner or style of governing	1	2	3
It is the exercise of political power to manage a nation's affairs	1	2	3
It implies actions undertaken to improve the general welfare of a society	1	2	3

9. Do you think structures created by the Constitution, e.g. government departments, courts, are enough to ensure proper governance?

Yes	1	No	2
-----	---	----	---

Give reason(s) for your answer.

10. What do you think are the objectives of governance?

11. Do you think the principles of Corporate Governance should be incorporated into government business?

Yes	1	No	2
-----	---	----	---

12. How can the Business/Private Sector help improve governance in the KZN Provincial Authority? Suggest ways of improving governance.

- a) _____
b) _____
c) _____

13. Name any elements of bad governance you have witnessed happening in government.

- a) _____
b) _____
c) _____

14. Give reason(s) why bad governance is occurring in government.

- a) _____
b) _____
c) _____

15. Do you think monitoring mechanisms should be put in place to ensure proper implementation of governance?

Yes	1	No	2
-----	---	----	---

Suggest any mechanism.

16. Good governance implies that senior executives are expected to set an example of good judgment, ethical business conduct, due diligence and accountability.

Yes	1	No	2
-----	---	----	---

17. Which of the following services/products from the Provincial government would you like to access? Tick the appropriate box (es).

Actual and expected capital expenditure of public sector	1
Financial statistics of local authorities	2
Expenditure of provincial government	3
Remuneration of government employees	4
Expenditure of national government	5

18. On a scale of 1 to 3 (where 1 = Unfavourably; 2 = Average; 3 = Favourably) how does the KZN Provincial government compare with other provinces on matters of governance?

1	2	3
---	---	---

19. How would you rate the quality of services provided/rendered by the KZN Provincial government? (1= Poor; 2= Average; 3=Good)

1	2	3
---	---	---

20. In general do you consider that services rendered by the KZN Provincial government are delivered in appropriate time?

Yes	1	No	2
-----	---	----	---

If no, please explain.

21. From which source(s) do you obtain information about services offered by the KZN Provincial government? Tick the appropriate box (es).

KZN Provincial Government publications	1
Province website	2
Province's user enquiry service	3
Newspapers, journals etc.	4
Other (please specify)	5

22. Have you encountered problems in obtaining relevant information about services provided by the KZN Provincial government?

Yes	1	No	2
-----	---	----	---

Please explain

23. What is your opinion of the state of governance in this Province?

	Poor	Average	Good
Efficiency	1	2	3
Effectiveness	1	2	3
Transparency	1	2	3

SECTION C: GOOD GOVERNANCE

Please mark with an **X** in the appropriate box.

1 – Strongly Disagree; 2-Disagree; 3–Undecided; 4- Agree; 5-Strongly Agree

1. Transparency is a sign of good governance.

1	2	3	4	5
---	---	---	---	---

2. Absence of corruption is a sign of good governance.

1	2	3	4	5
---	---	---	---	---

3. Lack of accountability is a sign of bad governance.

1	2	3	4	5
---	---	---	---	---

4. Good governance necessitates that the democratic process prevails at all times.

1	2	3	4	5
---	---	---	---	---

5. Good governance cannot be discussed without alluding to the issue of corruption.

1	2	3	4	5
---	---	---	---	---

6. Good governance is defined as denoting the minimum or acceptable standards which those who govern must apply in order to satisfy the legitimate aspirations and needs of their people.

1	2	3	4	5
---	---	---	---	---

7. Ethics refers to the behaviour of public officials in the performance of their daily activities.

1	2	3	4	5
---	---	---	---	---

8. Lack of good governance hampers socio-economic development of the country.

1	2	3	4	5
---	---	---	---	---

9. Good governance promotes sustainable development and improvements in the physical and economic environment.

1	2	3	4	5
---	---	---	---	---

10. In building an agenda for good governance, the focus should be on the entire system, ensuring that it supports the delivery of accessible and quality services, and bridging the gap between policy, active implementation and service delivery.

1	2	3	4	5
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11. Bad information is the worst enemy of good governance, given the fact that information is used as a basis for decision-making.

1	2	3	4	5
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SECTION D: INDICATORS OF GOOD GOVERNANCE

Please indicate with an **X** in the appropriate box.

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	Disagree	Undecided	Agree
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Service delivery	1	2	3
Financial management	1	2	3
Management and development of human resources	1	2	3

2. Prerequisites of good governance include:

	Disagree	Undecided	Agree
In-built systems of checks and balances which provide for participatory governance	1	2	3
Development of a culture of self-discipline	1	2	3
Strengthening of institutions essential to the democratic process	1	2	3

3. Indicators of bad governance include:

	Disagree	Undecided	Agree
Lack of transparency and accountability	1	2	3
Making of self-serving decisions	1	2	3

4. The following areas can make a contribution to good governance:

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Code of practice on access to information	1	2	3

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Public employment	1	2	3
Legal and judicial arrangements	1	2	3

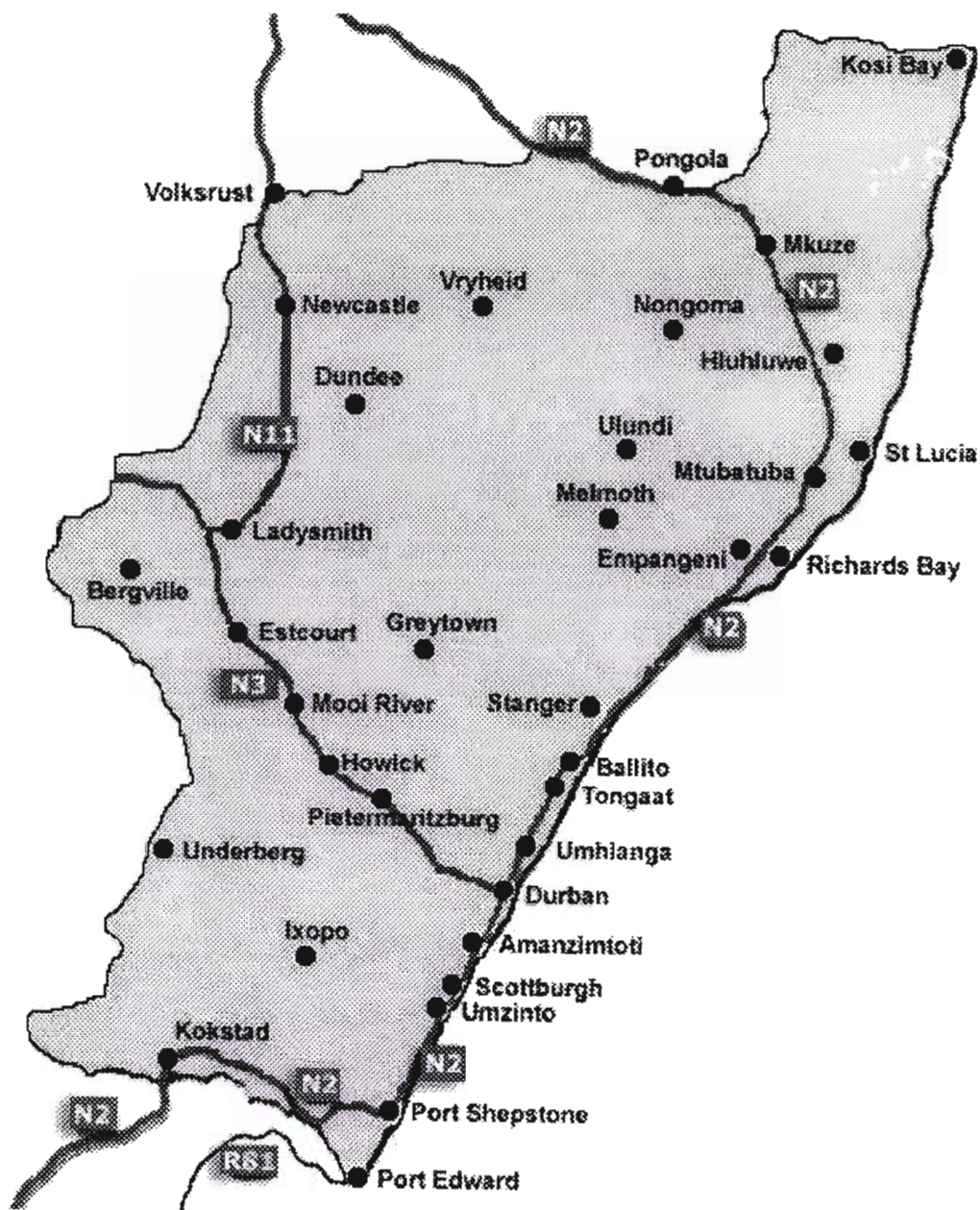
8. The following are also important indicators associated with good governance:

	Disagree	Undecided	Agree
Good governance should be able to operate within fixed financial constraints	1	2	3
Good governance should equitably distribute available economic and social advantages	1	2	3

END

Thank you for your co-operation and support.

MAP OF KWAZULU-NATAL

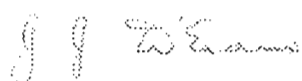


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PINETOWN
3610

TO WHOM IT MAY CONCERN

I, J J D'Eramo, have proofread the thesis submitted to me by Mr T I Nzimakwe.
Mr Nzimakwe will make the necessary alterations suggested and then submit his
thesis to his supervisor.

I retired from lecturing at Mangosuthu Technikon (Communication Department)
and have been happy to assist with this task.



10 Nov 2004

J J D'Eramo

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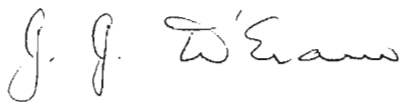
(L. Ngwenyama)

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