

GROWING TRENDS AND TENDENCIES OF CORRUPTION IN THE SOUTH AFRICAN PUBLIC SERVICE: NEGATIVE CONTRIBUTION TO SERVICE DELIVERY

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ABSTRACT

Corruption is one of the elements that is plaguing the public sector and de-accelerating service delivery. Government departments, through public servants, are meant to be foot-soldiers of public service delivery; however, they are susceptible to corruption. Among the many challenges facing public service institutions in developing countries, corruption remains one of the most pervasive and the least confronted. Historically, donor agencies and their clients accepted the inevitability of corruption in public service delivery; and, it was at worst accepted as a necessary evil and at best the “grease” essential to move the wheels of economic development. Corruption needs to be understood as an unlawful arrangement between two or more parties who give or take in exchange for mutually beneficial favours and gains. In South Africa, “cadre deployment” and the tendering system (supply chain) evidently result in poor workmanship, nepotism and poor service provision. This paper examines how corruption, in its differing forms, affects service delivery in the South African public services.

INTRODUCTION

Corruption in public service has been examined by many agencies, writers and researchers with the intention to provide solutions and strategies to combat this virus that is spreading continuously within the public service. The strategies are not necessarily a cutting stone as corruption remains a virus. Combating corruption is likely to be achievable if governments are ready to adhere to sound administration and clean governance. When the government expands its strategies to deal with the pandemic of corruption, the opposite strategies are developed by perpetrators on how to adjust their corrupt relationships and activities to counteract what government intends to correct. This paper therefore investigates the contribution of corruption to paralysing government’s intention to provide service delivery

to South African citizens. In keeping with its objectives, the paper looks at the conceptualisation of corruption, public service delivery, twenty years of service delivery and corruption, cadre deployment and corruption, tendering systems and corruption and voter confidence.

The political discussion on corruption and public service delivery remains relevant in today's academic discourse on the basis that the primary role of the government is to deliver services to citizens in order to better their lives. The above view is significant as the scourge of corruption is growing and has become institutionalised and an attempts made to determine how ordinary citizens, the poor and the downtrodden are affected by the growing trends and tendency of corruption that is practised by public officials and politicians at the higher echelons of government. Many countries are experiencing a growth in democracy, which is supposed to provide better conditions of life for the people, yet corruption is undermining the gains of service delivery and destroying innocent communities with the social excesses created by democracy. It is therefore the intent of this paper to examine how human life is being undermined and government institutions are collapsing due to the corruption pandemic.

CONCEPTUALISING CORRUPTION

Ngwakwe (2012) claims that corruption in Africa is viewed as a cancer in the public service. Transparency International (2010) has also listed African governments as topping the international list on corruption practices. There are many scholars who have contributed their analysis in an attempt to define what corruption is and what it is all about. Reviewing this literature on corruption is an attempt to follow the important work done by scholars; corruption is understood as "sale of government property for private gain" and is a persistent feature of human societies. Yet, societies in which corruption thrives at one point in time are not necessarily destined to that state forever; there are other consequences such as the downfall of the economy and military takeovers which threaten democratic stability in countries and their neighbours. The road from corrupt to honest politics is, however, intertwined in complex ways with economic and political transitions (Paldam, 2002). Political scandals in countries across the globe have sparked public outrage against corruption in recent years, and in dozens of countries discredited governments have been forced out of office. That has been a major concern in developing countries and has in most instances created continuous instability and constant military takeovers for those that do not recognise the new regime. At the same time, corruption is viewed as one of the main obstacles faced by post-democratic and communist countries attempting to consolidate democratic institutions and open market economies (Shleifer, 1997).

On the basis of the above arguments in an attempt to define corruption, it can be said to be an activity against the public interest to advance the minority in an unlawful manner. It is therefore argued that in South Africa corruption can also be defined as apartheid of its own special type, especially if argued politically that the previous apartheid South African government created the homeland system, which was deeply rooted in corruption funded by the apartheid government and promoted among the black elite of the homeland governments. The comparison rests on the basis that both (corruption and apartheid) take place through an exclusion of the majority through unlawful arrangements, and while apartheid is viewed as a violation of human rights as defined by democratic principles, corruption in its own way represents the same unlawful intentions of the apartheid system.

Corruption in the public service is a form of acting dishonestly in the execution of one's professional duties (Mafunisa & Sebola, 2014). It is in these instances that the tax payer's funds are embezzled unlawfully to enrich the privileged minority who is given responsibility and authority to provide services to the public. Such people are entrusted with public resources to act in the best interests of the people. In general, while the opening of the democratic space has been consolidated, vestiges of authoritarianism still remain (Bertelsmann, 2012) in the public service. Corruption is then understood as the abuse of power, and often used against the consolidation of efforts to provide public services to the community for private and individual gain or benefiting certain identified groups of the identified cartel.

The seriousness of the pandemic has given rise to much literature interpretation (Nye, 1967) which reflects on corruption as behaviour that deviates from the formal duties of the public role because of private gain (personal, close family and private cliques). It then becomes dominant to such an extent that there are various dimensions of variables which prove the differing shapes of corruption taking place. This paper then reflects on the extent to which corruption affects the social wellbeing of the citizens, with specific attention to tendering systems (supply chain), nepotism, and cadre deployment as a form of providing employment for political reinforcement of the elite ruling class. The above are examined to determine how backwardness or progression affects the lives of poor citizens who have invested their votes in the democratic government that they believe will be able to move them out of poverty to improved conditions of life. The *Constitution of the Republic of South Africa, 1996* regards service provision and access to socio-economic advancement as a right rather than a privilege to the extent that the public have the right to protest against the government if they feel that the service provided to them is of an inferior standard.

THE SOUTH AFRICAN GOVERNMENT AND PUBLIC SERVICE DELIVERY

The South African government has committed itself to service delivery provision through the enactment of various legislative frameworks and the creation of an enabling environment for service delivery. The legislative frameworks include those enacted at the national, provincial and local level. The legislative frameworks are as follows, though not limited to, the *Constitution of the Republic of South Africa*, 1996, *Public Service Act* 103 of 1994, the *White Paper on Batho Pele* of 1998, the *Municipal Systems Act* 32 of 2000, and the *Municipal Structures Act* 117 of 1998.

Service delivery

The concept service delivery is arguably linked to government's intent to satisfy its clients through provision of good and quality service (Sebola, 2012). The clients of the government in this context refer to members of the public. The concept of service delivery as understood from the governance perspective to imply the incentives, accountability arrangements and rules that affect the way key actors, including policy-makers, provider organisations and their managers and staff, are held accountable for their actions and ability to deliver high-quality services with efficiency and responsiveness (Ringold *et al.*, 2012; Sebola, 2014a). Service delivery in the South African context is a constitutional obligation and should be fulfilled without bias. It is constitutionally supposed to be provided in a manner that is equitable, fair and without discrimination.

A social obligation of the South African public sector is to deliver basic services to society without bias as articulated by the *Constitution of the Republic of South Africa*, 1996. This social obligation therefore refers to the fact that a public institution is obliged to meet its legal, social, political and economic responsibilities (Fox, 2012) without compromise. The use of public position to pursue any personal agenda is unacceptable ethically and politically in the public service (Lewis *et al.*, 2005), especially because South Africa is an emerging democracy, which if it gives in to the pressure of corrupt activities, is likely to experience economic downfall before citizens can enjoy the fruits of democracy. It is therefore fundamental that public service delivery be understood as a process of meeting the obligations of societal needs guided by the ethical consideration within the constitutional democracy adopted by the South African government.

Service delivery, although a constitutional requirement in South Africa, does not prevail as easily as expected by the government in power. There have been a recorded number of public service delivery protests in the country. Theletsane (2012) declares that most of the protests emanate from poor leadership and management by political office bearers. If that is the case, then the solution to the service delivery protests could be what Manyaka and Sebola (2013) suggest: only training will solve the problems facing the public and politicians in public offices. A great deal of literature on public service delivery has associated the source of

public protests with corruption practices at government level rather than any other source.

Mpehle (2012) notes that in 2008 South Africa still had communities that lacked basic shelter, proper sanitation, electricity and safe and affordable transport. This, according to many sources, may not be dissociated from poor management, leadership and corruption as dependent variables. Politics of advantage has not been ruled out as a source of public service delivery protests. This is because some ANC politicians such as Gwede Mantashe cautioned society to be aware that public service delivery protests were often carried out in municipalities that have delivered the most required services (Mafunisa, Sebola & Tsheola, 2012). This has fuelled the theory that there are third forces involved in influencing public protests rather than corruption. But with the highest level of reported cases of poor service delivery being corruption practices in the tendering and procurement processes in both municipalities and public departments, it becomes difficult to believe the third force theory against corruption as a source of public protests for service delivery.

TWENTY YEARS OF SERVICE DELIVERY VERSUS CORRUPTION TRENDS

During the 2010/2011 financial year, only thirteen (13) of the two hundred and eighty-three (283) municipalities in South Africa, including district municipalities and metropolitan municipalities, achieved a clean audit (Deloitte & Touche, 2012). This provides empirical evidence as to how rooted irregularities and corruption in particular public sector institutions can undermine progress in a democratic government. In the past two years, five provincial departments in Limpopo were put under administration under section 100(1)(a&b) of the *Constitution of the Republic of South Africa, 1996*, where the National Executive had to intervene when the affected provincial departments were about to reach chronic financial collapse, which threatened the political administration of the province. The important question to ask is the extent to which ordinary citizens are affected by these scourges of irregularities. It is important to examine these irregularities against service delivery by government to determine how society is affected by such malpractices, which unnecessarily impoverish citizens. The intention of this paper is not to undermine the work done to advance service delivery in South Africa but to caution people on actions that undermine the significance of this discourse.

A number of papers presented by national academics some of which were selected for publication by the *Journal of Public Administration* (March issue) for the SAAPAM 14th Annual Conference held during 26-28 March 2014 in Mokopane also demonstrated that after twenty years of South Africa's democracy, negligible transformation seems to have been achieved economically, socially or politically.

Corruption has dominated all levels of government and very little has been done about the identified perpetrators of such ill practices in which the law rarely takes its course. The difficulty in dealing with perpetrators is mainly that most of them belong either to the political elite or are highly related or connected to the political elite; hence the interferences and interventions in both departmental disciplinary and legal processes in order to save the skins of those involved.

CADRE DEPLOYMENT AS CORRUPTION AND POLITICAL REINFORCEMENT

The ruling party (in this case the African National Congress (ANC)) believed since its 50th National Congress that the cadre deployment policy strategy should directly relate to the National Democratic Tasks as set out in the Strategy and Tactics document. This was argued by public speakers as a strategy to swell the ranks in all spheres of power and ultimately in government administration to give space to loyalists who would in return create space for the inclusion of the political ideology of the ruling party. While this may have been created with good intentions, the question remains whether or not it was manipulated as a gate-pass to corrupt employment by the ruling class or by individuals to create patronage and gate-keeping using government employment. It should be noted from the outset that the Cadre Deployment Policy is not aimed at employing qualifying cadres against those who are unqualified (Mafunisa, 2004; Mashabela & Sebola, 2008; Sebola, 2010).

Like all other policies, the Cadre Deployment Policy is not immune to unintended negative consequences. Thus far it is very clear that it has opened up a way for corruption in the employment of public servants, which ultimately promotes nepotism, favouritism, poor service levels and brutal gate-keeping against the non-loyalists in government service. The recent appointment of a senior official of the South African Broadcasting Corporation (SABC) has provided evidence of how appointments are made with less consideration of educational qualifications in the field as basic requirements of any employment at a senior level.

The critical question poses a challenge of whether these cadre deployments, regardless of what the intention was, resulted in another form of corruption or abuse of office to benefit undeserving political loyalists, and therefore the ticket to employment remains a positive relationship an individual holds with the ruling class. Often senior positions were advertised with lowered requirements so as to suit undeserving candidates politically identified so as to promote nepotism in employment opportunities. This has been done to suit the candidates of choice regardless of the nature of the responsibilities of the post requirements. Such are malpractices that have undermined the intellect and intentions of genuine cadres who died for the true liberation of the African community by fighting both the injustice of the apartheid government and corruption through the homeland system.

TENDERING SYSTEM VERSUS CORRUPTION

Competitive bidding and accountability in procurements remain critical challenges, according to the Value for Money (VFM) audit report by the Uganda government on corruption trends, 2011. The audit reveals that in the procurement sector, a lack of required needs assessment, wastage of funds, lack of community participation and ownership, procuring outside of procurement plans, entering into contracts without confirmation of availability of funds, manipulations of the bidding process to limit bidders, lack of procurement documentation, weak transparency, lack of compliance with statements of requirements and use of direct procurement in non-exceptional circumstances characterise the whole procurement culture of Uganda. It therefore provides a reason why corruption in Uganda is widespread and seen as one of the greatest obstacles to the country's economic development as well as to the provision of quality public service (Martine, 2013). The challenges of the procurement process in Uganda are common to all tender fraudster practices in government within the African continent and beyond. These are dynamic and unlawful manifestations of attempts to stifle resources to advance the minority in authority, while the majority, who should benefit, are left in appalling conditions that are against the basic principles of democracy underpinned by human rights.

Outsourcing of services is a well-known concept and has been accepted as implemented by organisations across the globe. The alternative to this is insourcing, which is supported by the majority, in particular from labour and left wing forces of the struggle within African history, in that the model will alternatively cut the costs of service delivery, create jobs for local communities, and further serve as the solution to the problem of control and hidden costs with the tendering system (Ngwakwe, 2012; Tsheola & Sebola, 2012). Building state capacity remains instrumental to acceleration of public service delivery, as compared to the abuse of the entrepreneurial system created by democracy in the form of the tendering system.

Worldwide there is a concern about the lack of transparency in public procurement services in African countries (Ngwakwe, 2012). They are said to be highly incapable in this regard and thus far procurement systems in African countries including South Africa have been a source of many corrupt activities. Corruption through procurement in South Africa has to a larger extent been practised by or involved with people at or connected to higher political office, therefore making it impossible for it to be curbed. In South Africa, even though anti-corruption agencies exist, they have limitations that make their function and effectiveness difficult. Sebola (2012) indicates that most South African oversight institutions such as the Public Service Commission and the Auditor-General have their effectiveness limited by their advisory and recommendatory role rather than as institutions with power to enforce implementation. It is a problem that in most instances the findings of oversight institutions are not implemented by government

after final analysis. Often the government department fails to implement the recommendations because this would not fit the political or administrative notion of the ruling government.

GOVERNMENT ACTION ON CORRUPTION

Corruption is a universal problem that undermines growth and development by diverting resources away from development programmes, and while the government has provided a number of policy frameworks and intervention strategies to manage the situation, the important question is whether the strategies are effective (Moeti, 2014). This often results in public protests which sometimes lead to violence and destruction of government and private property (Mle, 2012). Corruption has consequences reaching further than what we see when it is practised. Corruption manifests itself in various ways, including the inflation of government contracts in return for kickbacks, fraud and falsification of accounts in the public service, examination malpractices in education institutions, including universities, the taking of bribes and the perversion of justice among the police, the judiciary and other organs for administering justice (Political Bureau Nigeria, 1987; Mafunisa & Sebola, 2014). South Africa and other countries of the globe claim to have taken a tough stand on corruption, but little seems to have had effect. Corruption Watch and Transparency International have on numerous occasions released shocking statistics about the status of corruption in South Africa and other developing countries. On numerous occasions international financial institutions such as the World Bank and International Monetary Fund have taken a tough stand against countries listed as corrupt, but little progress seems to have been achieved as corruption in those countries is never reduced.

THE IMPACT OF CORRUPTION ON SERVICE DELIVERY

The term “corrupt” refers to a condition of mental depravity that, *inter alia*, presents itself in acts of immorality and dishonesty, while the term “corruption” refers to the act of being corrupt and of corrupting someone else, and therefore in the process of corruption, two parties are involved (Fox, 2010), whose intention is to act dishonestly by abusing the authority of their office by using public resources for what they are not intended for. While minorities monopolise the resources and space, the important point here is how the service delivery is affected by this malpractice. From the policy framework, one of the principles of *Batho Pele*, drafted under the Transformation of Public Service delivery is about value for money; the fundamental impact remains the value of money diverted to feed the habits of the corrupter and corruptee relations instead of channelling the resources for improvement of the public lives of society.

Creating a distance between the corrupter and the corruptee is currently difficult in most developing countries. On the one hand, public officials find it difficult to resist the temptation of kickbacks from corrupt public members, and the legal system, on the other hand, has in many cases failed to prove beyond doubt the crimes of corruption committed by either public officials or politicians (Sebola, 2014b). In instances where the legal system has been successful, the perpetrators were not directly found guilty of corruption, but were instead found guilty of corruption-related crimes such as fraud.

EFFECT OF CORRUPTION ON VOTER CONFIDENCE

In South Africa the voters shows their disapproval of corruption by the ruling party through a drop in voter turnout. The important question on this aspect is whether the drop in voter turnout is related to an increasing perception of corruption in public service. Does the ruling party take care in testing the will of the people against the pandemic of corruption in the society? The responses from the public to this are varied; the recent evidence in South Africa about the formation of new and breakaway parties also grows as a result of competing elected leaders as to who benefits from this scourge of private gain over public interest; and continuous public protests and political infighting in the ruling class.

There are contrary views on the whole question of voter confidence. Karahan (2006) reveals that in cases where supervisors of elections in countries where candidates promised or delivered favours to particular interests more people participated in the elections. Contrary to this view (Bratton *et al.*, 2005) perceive corruption as a strong mobilising agent in elections, which is a decisively different explanation as to why corruption in the public sector might increase voter turnout. These views are proven in countries with a young democracy such as South Africa, where breakaway parties, particularly those who break from the ruling party, enjoy the space by exposing the corruption of the government in power, and therefore gain many sympathisers' support, while others may decide not to participate as a result of feeling hopeless about any government. Those that have no hope that change can be brought about by the new breakaway factions either join a different new political party or simply choose not to vote again.

CONCLUSION

Corruption and public service delivery have a competing space in developing countries. The paper presented both theoretical and empirical evidence of the competing nature of these two related concepts, and showed that the bigger the growth in corruption, the more service delivery is paralysed and ultimately the community are the ones to suffer. The above reflection was presented in the paper

and demonstrated that wastage of resources of government decelerates service delivery by diverting resources from their original purpose instead of accelerating service delivery. These activities take African countries backwardness instead of building state capacity and community satisfaction, which are models that need to be reinforced in order to ensure the capping of poor workmanship. Cadre deployment is a policy statement of the ruling party and it is therefore recommended by the study to apply it in party deployment, not government appointment. This action will assist in the separation of powers between the ruling party and the state. It is, however, recommended that in case there are qualifying cadres the political leadership should screen such appointment and deploy relevant cadres rather than unqualified ones. The study on corruption and public service delivery is important and will remain a work in progress.

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