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Democracy, power and evidence-informed policy-making. The case of public service reform in South Africa

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About this case study

This is one in a series of four case studies written by African think tanks, commissioned as part of a research project that aims to unpack and better understand the use of different types of scientific and expert evidence in policymaking.

Each case study explores how evidence is defined, understood, and used in different national and sectoral policy contexts. This case study looks at a case of public service reform in South Africa. The other three case studies cover: (1) Benin's food security and nutrition sector (2) climate-resilient national urban policy in Tanzania (3) South Sudan's national budget process.

Case studies vary in length, style, and approach. Each offers valuable insights into the factors and actors influencing evidence use within specific national and sectoral policy contexts. The case studies will also contribute to a research paper written by Dr Jessica Espey and Giada Casarin at the University of Bristol School of Geographical Sciences, which seeks to inform how evidence is used in international deliberations, particularly within the United Nations General Assembly.

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Summary

This paper considers the evolution of policy-making in South Africa with respect to the organisation of government. In particular, it discusses the transition away from a bureaucratic model of the state (or traditional models of public administration) to one where the 'manager' and 'politician' came to figure as the *personae dramatis* of administration.

The paper draws on the notion of an 'epistemic' policy community or process. It also introduces a further concept, a 'deontic' policy community, to describe this movement. It concludes by proposing that policy-making tends to be deontic when the political system fails to incentivise objective material performance by government institutions. When it does, evidence and analysis become valued and political parties and stakeholders are more open to the work and findings of epistemic communities. In democracies, liberal freedoms and electoral competition work, although imperfectly, to send such signals to political decision-makers. In authoritarian regimes, there are fewer structural opportunities for independent, structural feedback, and so the grip of deontic policy communities tends to be stronger than in democracies. Evidence-informed policy-making, that is, is more likely to happen in democratic environments.

1. Introduction

Over the last 30 years a contradiction at the heart of government in South Africa has weakened and, in some case, destroyed public institutions. On the one hand, formative legislation from 1994 gives the ruling party control of vital, administrative functions, recruiting staff and operational decisions. At the same time, the African National Congress (ANC) was taken by the then new fashion for managerial models of public administration. They expected a new class of senior officials – managers not bureaucrats – to exercise their discretion and judgement to provide public goods efficiently and effectively. These two imperatives have clashed. Management autonomy and professionalism has been constrained and undermined by politicians exercising control over decision-making and the power of the President and Ministers has been eroded when managers have sought to exercise authority. In the euphemistic language of the National Development Plan, this situation has created 'tensions' in the political-administrative interface.

Despite that this contradiction has long been described and diagnosed in South Africa, it has not been resolved. Indeed, only now, in 2024, are there hesitant legislative efforts to deal with it. Why has it taken so long to address?

This paper will approach this question as a public policy paradox. In other words, it will consider the failure to resolve this 'tension' as symptomatic of the limits and opportunities of evidence-informed policy-making in South Africa.

This paper considers the evolution of policy-making in South Africa with respect to the administrative organisation of government. In particular, it discusses the transition away from a bureaucratic model of the state (or traditional models of public administration) to one where the 'manager' and 'politician' came to figure as the *personae dramatis* of public *administration*. The paper will draw on the notion of an 'epistemic' policy community or process and introduce a further concept, a 'deontic' policy community, to describe this movement. An 'epistemic community' refers to a network of professionals leveraging their expertise and consensus on policy matters to advocate for evidence-informed policy changes. In contrast, a 'deontic community' is chiefly preoccupied with the pursuit or reproduction of party-political **power**, and where decision-making is based on anecdotes, tradition, or mimetic practices without a strong foundation in causal evidence.

Using this distinction, we will see that over the last 30 years emerging epistemic communities in the field of public administration have been constrained or overridden by deontic practices that have preserved party-political control of government administrations. This has prevented professional and relatively autonomous government administrations coming into being. The paper will conclude by describing current developments in South Africa, which suggest that deontic forces in the field of public administration are in retreat. As we will see, this is a result of positive developments in electoral politics in South Africa.

2. Research approach and methods

If there is one point of convergence in the policy-making literature, it is that policy-making in government is difficult and that the process is convoluted at the best of times. This is hardly surprising. Reconciling diverse interests in ever more complex societies is a given of contemporary political and institutional life.

We define a policy process as one where officials and politicians 1) choose and operationalise technically workable and politically feasible solutions 2) from amongst a range of options 3) in complex environments to 4) achieve a given goal (Serban, 2015: 4; Foster et al., 2010: 522; Cunningham and Weschler, 2022: 105-106). At stake in these deliberations are three key elements: beliefs about norms or principles, about causes and about validity. When these beliefs are shared by a group of people with a common policy enterprise (that is, working on a common project), an 'epistemic community' comes into being (Haas, 1992: 3). Haas defines such a community as "a network of professionals with recognised expertise and competence in a particular domain and an authoritative claim to policy relevant knowledge within that domain or issue-area" (Haas, 1992: 3). In clarifying how 'epistemic communities' are different to interest groups or think tanks, Haas has stressed a shared belief in *causality* (Antoniades, 2003: 25).

We will interpret Haas (1992: 2-3) to distinguish between a genuine policy making process and one that is merely mimetic. A genuine public process exists to the extent that a community of experts emerges that makes *arguments* about the *causes* of what they seek to redress/ change/ effect and then devises interventions (laws, processes, institutions) to eliminate or moderate these elements or to bring them on. That is, a genuine policy process is analytical, making arguments about causes and marshalling evidence, and is conducted by an epistemic community. A process that is mimetic is one which resembles a policy process in that people are brought together, there are meetings and deliberations, and documents are written but, ultimately, there is no analysis (that is, no discussion of causes) and/or proposals are inconsistent with the analysis. In such situations, thinking is often normative and axiomatic and only evidence that confirms *apriori* conclusions is tolerated. Such mimetic policy-making is produced by what we can call, in contrast to an epistemic community, a deontic one. In this context, almost anything can be justified, provided that it resonates with the *apriori* beliefs held by those making key decisions. Isomorphic mimicry in policy making is also a phenomenon of deontic policy communities, especially when policy solutions are copied from elsewhere without properly analysing their appropriateness in local circumstances.

We can thus evaluate between genuine and mimetic policy processes on the basis of the quality of their reasoning and on the kinds of evidence that they mobilise. An evidence-informed policy-making process happens when policy is made in and through epistemic communities (Espey, 2020: 13).

	Analytical policy process	Mimetic policy process
Epistemic community	Engages in policy-making grounded in analysis and empirical evidence. This community seeks to deeply understand the relationships at play and to develop policies that are directly informed by this comprehensive understanding.	Adopts evidence and analyses selectively to support pre-conceived or borrowed policy solutions, often favouring what is seen as successful elsewhere without fully analysing local applicability.
Deontic community	Uses traditional knowledge or anecdotal evidence to inform policy-making, relying on established norms and practices without necessarily seeking empirical validation.	Imitates policies and practices from other contexts with little adaptation, driven by the belief in their inherent success or appropriateness, leading to a form of policy-making that prioritizes conformity over critical analysis of local needs and conditions.

An *epistemic policy community* thus exists to the extent that the policy recommendations and/or the choices made are based on the identification of the relevant causal elements and on analysis of the causal relationship between them[1].

While similar in appearance, a *deontic policy community* consists of a network of professionals also with expertise and authority in their fields, but who make suggestions not so much on causal analysis but on the basis of mimicry and substitution. Their preference for one option over another is based more on what has produced positive results elsewhere (isomorphic mimicry) and/or commonly, on intellectual fashion and even on personal preference. Deontic policy communities are more vulnerable to capture by self-interested communities because their mode of decision-making is less argumentative and is open, therefore, to improper bias.

The distinction between an epistemic and deontic community draws attention to the policy process as a dialogue based on making claims and asserting propositions. Moreover, it places the focus not on the social character of the policy community (its class origins, for example) but on its mode of reasoning. Actual policy communities are complex phenomenon, where the quality of expertise varies and, when deciding what is to be done, relations of power are usually more important than relations of knowledge. Nonetheless, as a 'ideal type' it a useful reference concept. Here, the distinction is used heuristically.

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[1] This argument is used to refer to a form of dialogue that consists of an exchange of reasons, consisting of acts of premising, which assert propositions and an act of concluding, which follows from the premise. In the policy context, the premises refer to claims about the causes of a policy problem, where the propositions refer to the reasons or evidence for supporting the claim (Dutilh Novaes, 2022).

3.   Periodising policy-making in South Africa

After 1994 there was a flourishing of policy-making in South Africa, touching almost every domain; from advancing Black economic empowerment to bringing the police under civilian control, and everything in between. Very often these initiatives were accompanied by investments in research and evidence-gathering (often at universities and other research institutions), the development of Green and White Papers and in the creation and charging of ministries and government departments to draw such analysis into the policy-making processes. It is not surprising, therefore, that Goldman and Pabari found that the South African government has some of the most developed evidence-informed decision-making processes on the African continent (Goldman and Pabari, 2021: 7).

For, at least, the first ten years of democracy this public policy landscape yielded impressive results. In 2000, the United Nations Development Programme (UNDP) observed that "there is evidence of change and improvement – from a de-racialised school system and free medical care for small children and pregnant mothers, to electricity grids and water lines that now reach households living in new houses built with state subsidies" (UNDP, 2000: vii).

However, dark policy clouds were already gathering. In 1999, the government of South Africa moved to modernise the military by procuring new hardware for the army, navy and airforce. Coming so soon after the end of Apartheid when the developmental challenges of the country were keenly in focus, it was a controversial endeavour. Moreover, it soon came under intense scrutiny for widespread corruption. It is often cited as a critical juncture for the African National Congress (ANC) government, casting shadows over the reasonableness of its decision-making, as well as the competence and integrity of key role-players (Grootes, 2011). Former President Jacob Zuma still faces criminal charges arising from evidence of corruption from this time.

In the late 1990s, furthermore, President Thabo Mbeki and his administration began challenging the growing international consensus that HIV was the cause of AIDS (Nature, 2008; 545). The Treatment Action Campaign (TAC) was formed in 1998. One of its first campaigns was to challenge the then government's refusal to provide antiretrovirals to infected pregnant mothers so as to prevent mother-to-child transmission (Giliomee, 2007: 419). It is estimated that Mbeki's "misguided" policies resulted in 330 000 premature deaths. At least 35 000 babies were born with avoidable HIV infections Roeder, 2009). Then came the years of state capture under President Jacob Zuma, which saw networks with "criminal intent", drawn from and linked to the ruling African National Congress, "infiltrate key departments, state-owned companies, private companies, law enforcement bodies and security services to loot vast amounts of public funds". Such capture seriously weakened and, in some cases, debilitated vital state institutions, including parastatals responsible for electricity generation (Eskom) and logistics (Transnet) (Ramaphosa, 2022: para. 9). The link between argument, evidence and policy-making was breaking. But why?

President Ramaphosa's response to the findings of the Zondo Commission into state capture are indicative of the general approach in South Africa. Policy failures are seen as stemming from criminal actions, including the criminalisation of government administrations and state-owned companies (Pauw, 2017; Shaw, 2019; Myburgh, 2019; McCarthy-Jones and Turner, 2022). It goes hand in hand with a further claim that many government officials lack the skills and competencies to do their jobs in a general workplace environment "ambivalent to skill" (Von Holdt, 2010).

This explanation does not adequately describe what was happening in government policy circles, however. They were not simply driven astray by criminals and/ or incompetents. Indeed, at the very same time as the Zuma administration was cosying up to the Gupta brothers, it also established the National Development Commission, staffed with often excellent scholars and experts, to improve policy-making in and for government.

In the following section, I will consider this paradox of policy-making in South Africa by focusing on the case of public service reform.

4. Political control over public administration

In 1994, the African National Congress became the national governing party. It also won elections in eight of the nine provincial governments. The following year it won the elections in all nine metropolitan governments, as well as in the majority of municipal councils across the country. This massive election victory also presented the party with complex challenges of government. So-called 'sunset clauses' agreed to during the negotiated political settlement guaranteed existing civil servants, the majority of whom were White, Afrikaans men, job security (Maphunye, 2002: 2). Compounding problems, it also inherited the autonomous administrations of the nominally independent states of the Transkei, Bophuthatswana, Venda and Ciskei as well as those of the self-governing territories of KaNgwane, KwaNdebele, KwaZulu, Lebowa, and QwaQwa. The ANC thus inherited multiple civil services that it did not trust to implement its policies.

By allowing directors-general of the Apartheid regime to remain in their positions, writes Maserumule, the ANC government failed to insulate the public service from the improper influence of the Nationalist Party, the architect of Apartheid itself. In this way it committed a "faux pas" (Maserumule, 2007: 153). In mitigation, ANC policy-makers chose to maximise their party's own control over public administrations (Mafunisa, 2003: 99). One of the ANC's first and most consequential legislative acts was the passing of the Public Service Act of 1994. In Section 3 of the Act, it made the President and relevant national and provincial ministers responsible for human resource and operational decisions in government. An executive authority, the Public Service Act (PSA) declared, has all those powers and duties necessary for-

(a) the internal organisation of the department concerned, including its organisational structure and establishment, the transfer of functions within that department, human resources planning, the creation and abolition of posts and provision for the employment of persons additional to the fixed establishment; and

(b) the recruitment, appointment, performance management, transfer, dismissal and other career incidents of employees of that department, including any other matter which relates to such employees in their individual capacities (PSA, 1994: Section 3).

In effect, the Public Service Act makes of each and every public servant in South Africa a political appointment, potentially. The situation in municipalities is even more acute. Not only are all administrative appointments made by elected politicians (councillors) but councillors themselves perform these administrative tasks. In this way the post-Apartheid system of government failed to instantiate the separation between political and administrative office (Cameron, 2010: 685-688). Then in 1997, the ANC introduced a 'Cadre Policy and Development Strategy', which provided for the "deployment of ANC cadres to strategic positions in the organs of government" (Maserumule, 2007: 55). Such Tammany Hall arrangements were made possible because recruitment was

already a power of the Executive Authority. At the same time as party-political control in administrative affairs was locked down in law and in practice, public administration policy-makers were moving in the opposite direction.

Management autonomy

In South Africa, the field of public administration has an insalubrious history. It was an academic subject largely taught at the historically Afrikaans-speaking universities (Stellenbosch, Pretoria and the then *Randse Afrikaanse Universiteit,* now the University of Johannesburg), and some of the Bantustan universities, to train Apartheid-era public servants and to solve problems of government arising from the architecture of Apartheid. The subject was not taught at the English-speaking universities, whose academics tended to be more liberal in their politics and some of whom were actively involved in the resistance, either pedagogically and/or in the underground Chipkin and Lipietz, 2012: 5).

Within the African National Congress, whose political culture was strongly informed by Marxism-Leninism, the constant invocation of the role of the state in managing the economy and in providing public goods did not translate into an interest in the mechanics of government. Indeed, the first ANC position paper on what a post-Apartheid public service should look like was written in 1990, the year that the organisation was unbanned (Chipkin and Lipietz, 2012: 10).

This meant that the circle of scholars focusing on public administration at the time of the political transition from Apartheid was relatively small. It was also an unlikely community, made up of several former activists aligned to the African National Congress and a larger number of academics drawn mainly from the Afrikaans-speaking universities. Despite the differences amongst them, what they shared was a critique of bureaucracy, an enthusiasm for managerial models of public administration and a focus on values rather than rules. In 1991, these disparate groups came together at a conference just outside Johannesburg and issued a manifesto of sorts, the Mount Grace Resolution.

> "Public administration teaching and theory in South Africa is experiencing a paradigm shift. There is an attempt to move away from a descriptive, academic approach which emphasises processes and procedures to a *value-oriented public management approach*" (McLellan and Fitzgerald, 1991: 8) (emphasis added).

The new managerialism found expression in the organisation of government, especially after the 1996 Constitution came into effect. The following year, many public service regulations were repealed as well as the staff code (Public Service Laws Amendment Act 47, 1997). These were the guidelines, regulations and directives that defined the public service as a rules-based bureaucracy and their abolition signalled a radical ambition; to transform public servants *qua* bureaucrats into public servants qua managers

(Presidential Review Commission (PRC), 1998)[2]. The Public Finance Management Act passed in 1999 was the culmination of this process, giving wide financial discretion to managers in their departments. As noted by Mashupye Maserumule in 2007, while the Public Finance Management Act empowers managers, the Public Service Act grant ministers' substantial control over government departments (Maserumule, 2007: 161). This goes a long way to explain why, after 1996, there were so many conflicts between ministers and senior officials in government departments. Senior officials could not do their jobs unless their political superiors allowed them to. The likelihood of conflict was built into the very structure of government (Chipkin and Leite, 2023; Chipkin, 2023; Chipkin, Le Roux and Leite, 2022).

This contradiction between management autonomy in the public service and tight political control has created an enduring antagonism in the structure of government in South Africa. This arrangement, moreover, made state capture possible.

State capture

In 2015, the Public Protector of South Africa, an office created by the Constitution to give the public a means to directly raise concerns about the way government was working and to have these concerns investigated formally, published a report called the 'State of Capture'. It found merit to the claims that a newly immigrant family, the Guptas, had ingratiated itself with the President. In particular, Thuli Madonsela found that there was compelling evidence that the Guptas had offered the then Deputy Minister of Finance, Mcebisi Jonas, the position of Minister of Finance, together with a massive bribe, if he would agree to do their bidding (Public Protector, 2016: 10-11).

In March 2017, under the State Capacity Research Project, Mark Swilling, this author and several others, published the 'Betrayal of the Promise' report. This collaboration, leveraging journalistic exposes and government sources, aimed to elucidate the complex dynamics of state corruption in South Africa. The publication received widespread attention (De Waal, 2018) and had a large impact on the public discourse – many of its terms (repurposing institutions, shadow state) have entered the everyday of the South African political lexicon (Olver, 2020: 348). Moreover, the report was further validated by the Zondo Commission's findings, underscoring its significant role in driving civil and political actions against corruption.

One of the central arguments made at the time was that state capture was not simply driven by self-interest and by greed. Deeply dissatisfied with the pace of economic 'transformation', politicians and senior government officials, especially in the then Department of Trade and Industry, saw in the procurement budgets of the state power company, Eskom, and the state rail company, Transnet, a way of displacing existing White firms. They did this by ending their contracts to supply goods and services, allowing space for a new generation of Black owned and controlled companies (Chipkin and Swilling, 2018: 43-48).

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[2] For a dissenting view see Cameron (2009).

The *Betrayal of the Promise* report noted: "[R]adical economic transformation referred to an ambitious project, not simply to create Black-owned small- and medium-sized enterprises, but to control the leading heights of the economy. Here was a vision of economic transformation that was not contingent on the reform of White business and that did not depend on the goodwill of Whites to invest in the economy, to employ Black people and to treat them as equals". (State Capacity Research Project, 2017: 42). Yet, this enterprise was quickly exploited by business executives and companies with political ties, including the President. They repurposed critical institutions—such as Eskom and Transnet, along with regulatory bodies like the South African Revenue Service (SARS)—to siphon off significant revenues and to fund political campaigns. What was the mechanism that made capture possible? Politicians had wide discretion to appoint their allies to key positions, including in state owned enterprises. As the Betrayal of the Promise report noted:

> "The fragmentation of power across the State and its retreat into shadowy networks outside the formal architecture of government has been compounded by the ballooning of the public service in the Zuma period. [...] What is more, the organisation of the state comes to be based less on functional criteria than on political ones, and has been accompanied by the politicisation of state administrations. Of central importance in this regard has been the Senior Management Service Programme" (State Capacity Research Project, 2017: 50).

The subsequent judicial enquiry into state capture, known as the Zondo Commission (after Judge Zondo), further revealed how the ANC had politicised administrations through its 'cadre deployment' policy. As mentioned earlier, the latter refers to the conscious placement of ANC-aligned officials by the party's 'deployment committee' into key positions in government administrations and state-owned entities. Judge Zondo described the committee as a "triangle at the heart of the country's corruption" (Haffajee and Chipkin, 2023: 296).

5. The political-administrative interface

The effect of the Zondo Commission was to take arguments about the organisation of government out of academic circuits and bring them to the attention of a much wider audience. This audience was comprised of lawyers, legal scholars, judges, journalists, business executives, civil society organisations and a general public. However, within government the dangers of a politicised administration had been identified very early on in the transition.

We have discussed two, key features of the model of public administration in South Africa. On the one, hand, it is highly politicised by design, giving the President and relevant ministers legal discretion over appointments and operational decisions in departments. On the other hand, it seeks to instantiate the principle of management autonomy by transforming officials into managers by giving them discretion over how to implement policy. As they say in (Newtonian) physics, however, two physical bodies cannot occupy the same space at the same time. In South Africa, the legal and regulatory frameworks usher politicians and managers into the same departmental space without expecting a crash.

At stake were tacit arguments about causality and about what drove performance or failure in government entities.

As we have seen, political control of public administrations was justified on the basis that there was a high risk of "political sabotage" from incumbent officials from the Apartheid period, whose jobs has been safeguarded by 'sunset clauses' in the negotiated settlement between the then National Party and the African National Congress. Initially there was support for such arrangements from progressive policy-making circles (see, for example, Mafunisa, 2003: 98-99). The Presidential Review Commission noted, for example, that:

> "It was hardly surprising that the new political leadership viewed its inherited public service with a degree of suspicion and scepticism. Nor was it surprising that one of the top priorities for the new Government was the appointment of new senior public servants from within its loyal political ranks. The Commission acknowledges that there was a threat, real or perceived, of political sabotage by intractable incumbents of the previous dispensation. We also acknowledge the need for "political appointments" within the service as a cushion against unsupportive public servants" (PRC, 1998: Section 2.1.3).

In the first few years, conflicts between ministers and senior officials were pronounced. It did seem that White officials were effectively refusing to implement the policies of the ANC government. Yet it did not take long for the limits of the argument to reveal itself. "What was particularly perplexing," writes Maserumule, "was that most of the directors-general that had conflicts with their ministers or [Provincial] premiers were ANC cadres and came from the same political struggle background" (Maserumule, 2007: 157).

In 1998, the government appointed a commission to undertake a thorough study of government. The policy community that emerged from this appointment is what we have called an epistemic one. It included a diversity of senior scholars and experts from South Africa and around the world. Government departments were invited to make submissions, of which 19 out of 32 national departments did. Senior delegations from 5 of the 9 provinces made presentations, as did the Offices of the President and Deputy President. The South African Revenue Services, the Central Statistical Services, the Public Service and Financial and Fiscal Commission made contributions. Organised labour in the form of COSATU was present. Study teams appointed by the commission produced reports on departmental structures, composition, organisational design, human resource management and financial administration. There were analyses of the racial, gender and occupational distribution of public service employees in the provincial and national departments. The commission conducted 'process studies' on recruitment and selection, service delivery, national and provincial budget processes and public procurement. The commission conducted focus groups. There were international, best-case reviews in public management reform, human resource management, financial planning and so on. (PRC, 1998: Section 1.6).

The report noted:

> "A weakness in our present system of governance is the uncertainty, even confusion, as to the relative responsibilities of ministers and MECs on the one hand, and senior officials on the other. [...] If ministers and MECs act as managers, involving themselves in details of administration, and if senior officials act as politicians, involving themselves in political processes outside their departments, this is to the detriment of their proper and necessary roles" (PRC, 1998).

Moreover, it has "become evident ," it continued, "that some of those new [political] appointees have not been able to offer much beyond political loyalty, due to the lack of skills". It concluded with a vital recommendation:

> "While we understand the rationale for political appointments into the public service, we feel that this should be an interim and not permanent feature of the service, and wish to emphasise that skill and competence, rather than political loyalty, should be the guiding norm in future, especially as the threat of political sabotage diminishes" (PRC, 1998: Section 2.1.3) (emphasis added).

"From the standpoint of the citizen," the commission noted, "the result has been a growing gulf between popular aspirations and expectations on the one hand, and government performance on the other" (PRC, 1998: Section 2.1.3).

The report itself proposed that this tension be managed by the development of a Code of Conduct for politicians and for officials clearly setting out their roles. By 2000, conflicts in what became known as the 'political administrative interface' had become acute. In that year, the government introduced a Senior Management Service intended to create a high-capacity leadership echelon in the public service. These elite officials

would "manage competing policy priorities and mandates, in complex organisational environments inhabited by people who bring with them a wide range of backgrounds, cultures and experiences" (Department of Public Service and Administration (DPSA), 2003).

The handbook developed by the Department of Public Service and Administration at the time proposed 'selection principles' for 'senior managers', including merit (skills, experience, abilities, personal attributes, competencies, representation, diversity) and job-related criteria (competencies acquitted through past experiences, training, learning potential), insisting that 'educational qualifications should not be the sole determinant of suitability' (DPSA, 2003: S8(2)(B)).

Curiously, the document also suggested that the "[Head of Department] who is responsible for the administration and management of his/her department, is also responsible for the recruitment programmes of the department" (DPSA, 2003: S6.3(1)(a-e)). The vagueness of the wording here was deliberate because HODs may be responsible for 'recruitment programmes', whatever this meant, but they were not responsible for recruitment, and especially not for senior managers. We have already seen how in South Africa the Public Service Act unambiguously gives these powers and functions to the political executive.

A major crisis was emerging in government over the roles and responsibilities of, on the one hand, the President and cabinet ministers and, on the other, senior officials appointed precisely to lead their units. This included diverging views on how departments should be structured, who should work there and how they should be run. In 2011 the National Development Plan again drew attention to this problem, noting that the "current emphasis on 'political deployment' needs to be replaced by a focus on building a professional public service that serves government, but is sufficiently insulated from political patronage" (Presidency, 2013: 365).

The findings and recommendations of the PRC were ignored. When they were taken up again in the 2012 National Development Plan they were ignored again. Various ANC administrations continued to act as if the case for politicisation had been made once and for all. Even now, the ANC continues to defend Tammany Hall- like practices, saying only that "interventions will be implemented to [...] hold government and ANC deployees accountable for delivering on commitments" (ANC Election Manifesto, 2024: 52). It is not good enough to say that the ANC lacked the 'political will' to make the necessary changes.

Instead, the will to power overrode the recommendations of various epistemic policy communities. ANC policy-makers, constituting a deontic policy community, preferred a politicised administration, which gave the party privileged access to state resources and regulatory powers.

6. A new dawn?

In December 2020, the National School of Government (NSG) published what it called the National Framework Towards the Professionalisation of the Public Sector. In 2022, the framework was approved by the South African cabinet. It promised to "depoliticise" administrations and to create the conditions for a meritocratic and non-partisan public service (NSG, 2020: 43 - 49). Then at the beginning of 2023 the Minister of Public Service and Administration introduced a bill to parliament, proposing amendments to the Public Service Act of 1994. Suddenly and unexpectedly there was momentum building for reforming the system of public administration.

Of chief importance, the bill proposes to amend Section 3 of the Public Service Act. Earlier, we saw how these provisions made the President and/or national or provincial ministers responsible for the recruitment of public servants and for operational decisions in departments and state entities. The amendment reduces direct party-political control of public administrations and shifts the power to appoint staff and to decide on the organisation of departments to directors general and to heads of departments. In other words, it rebalances power relations in government, away from politicians to public managers. In and of itself, this reform will not improve the capacity of government entities, which will require a pipeline of suitably trained and formed candidates. As we have discussed, it does represent a fundamental change, nonetheless.

On the 27th of February, the National Assembly passed the Bill. It still has to clear another house of parliament (for provincial governments). It still also needs the assent of the President of the Republic. The fact that it has made it so far is, nonetheless, a historical achievement; one as potentially significant as the passing of the Pendleton Act in the US or the Trevelyan reforms in Britain, at the end of the nineteenth century.

Through most of 2023 it seems to have languished in the parliamentary system, lacking a champion. In December, moreover, it was removed from the parliamentary calendar, triggering a protest from the official opposition that the ANC had "killed" the bill (Democratic Alliance: 2023). Then suddenly and unexpectedly it was presented to the National Assembly where it was adopted. Why has the bill passed now?

What is most likely is that South Africa's parliamentary system is starting to work, at least, in one key respect. The ANC's poor performance in government is catching up with it electorally. Political meddling in recruitment and operations has weakened and, in some cases, wrecked state organs, including those vital for poor and working households. The rich and the middle classes have largely been able manage through self-provision (from private security, to private health, to private education) but working people and the vast army of the unemployed are heavily dependent on public services for survival. In this context, performance in government has become, for the first time, a salient political topic – either as a liability or as a selling point. Opposition parties are canvassing for support either on their existing records or on the promise of excellent government.

7. Conclusions

This paper has argued that policy-making involves making choices about what is technically workable and politically possible to solve complex social, economic and/or political challenges. It has drawn from the literature on epistemic communities to argue that the quality of the choices made depends on the kind of policy community that comes into being in respective policy fields.

The paper defined an *epistemic policy community* as one where what is selected or recommended is based on a process of analysis and argument, involving the identification of the relevant causal elements and on analysis of the causal relationship between them. In contrast to an epistemic community, this paper has introduced the notion of a *deontic policy* community, which superficially resembles an epistemic community in that it consists of a network of professionals also with expertise and authority in their fields, but instead of reasoning through argument and evidence, the pursuit or maintenance of party-political power is the overriding concern.

In considering the case of public service reform, we have seen that on several occasions over the last 30 years, epistemic communities have emerged, which have diagnosed a contradiction at the heart of government in South Africa, between, on the one hand, party-political control of government administrations and on the other, moves to grant managers authority and autonomy to design and operate their departments as they see fit. Until recently, proposals to resolve this contradiction have come to nothing. Instead, policy-makers in government have preferred to reproduce the ANC's direct control of the public service and of other public administrations, even when the consequences for service delivery have been disastrous. Deontic tendencies have trumped epistemic communities.

What does this say about the conditions for evidence-informed policy making in South Africa, and beyond? Policy-making tends to be deontic when the political system fails to incentivise objective material performance, whether it be in the provision of water or electricity to households, neighbourhood security or the promotion of the arts. When it does, evidence and analysis become valued and political parties and stakeholders are more open to the work and findings of epistemic communities. In democracies, liberal freedoms and electoral competition, work, imperfectly, to send such signals to political decision-makers. In authoritarian regimes, there are fewer structural opportunities for independent, structural feedback and so the grip of deontic policy communities tends to be stronger than in democracies. In other words, evidence-informed policy-making is more likely to happen in democratic environments.

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