

The strange disappearance and return of administration in South Africa

How the conditions for reform have reemerged



HISTORIES OF GOVERNMENT

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Intervention and diagnosis

The challenges of administrative reform in South Africa are urgent and practical. They need to be engaged from the perspective of practitioners, seeking to better manage relationships, process design, and institutions. But practical solutions are not a given. Nor are they matters simply of 'doing'. We should push back against the idea that the challenge in our context is simply one of 'implementation', as if implementation is mainly a task of tangible work with outputs and deliverables. It is also a matter of theoretical reflection. We need to understand the conditions under which practical thinking becomes possible.

This is because many of the challenges we face in relation to public administration in South Africa are related to failures or weaknesses of *analysis*. Let me share a personal anecdote, one which is currently on my mind. At my home, we have been without electricity on-and-off for three weeks now. It is a recurring problem. It is simple to describe: the switch at the top of the electricity pole in our road keeps tripping. We log a call with the municipality and eventually a team from the power utility comes to reset it. It trips again a few hours later, or, if we are very lucky, a few days later. Then the process starts over. It is now clear that

the switch is tripping because there is a fault in the line. This is where the challenge of *diagnosis* comes in. It is not simply a matter of individual capability, but an institutional one. The technicians that come to reset the switch are able to determine very quickly that there is a fault in the line. But they are sent out to reset a switch and do not have equipment to locate or repair faults. That requires a different team. In other words, the day-to-day operational system needs a mechanism by which to learn that the problem is not simply one of *resetting a switch* but of *repairing a fault*.

My point is that the practical challenge of managing relationships or designing processes must happen in relation to a diagnosis of the problem. Otherwise we endlessly reset the switch without addressing the underlying faults.

The Public Service Amendment Act of 2026

The New South Institute organised the Statecraft 2026 Congress to celebrate and consider the implications of an important development in South Africa. In April this year, President Cyril Ramaphosa signed into law the Public Service Amendment Act. This Act removes key administrative powers from Ministers in the National Government and Members of Executive Councils in the Provinces and allocates them to heads of government departments (Directors-General at a national level and Heads of Departments at provincial level). For the first time since 1997, Directors-General will have the power to make decisions about human resources and to exercise authority over day-to-day departmental operations. Until now, this had only been possible if the political executive chose to *delegate* those responsibilities to senior officials, a state of affairs that set up a struggle between political authorities and senior departmental officials, especially Directors-General. The exercise of administrative powers by politicians also made it possible for parties to 'deploy' party officials, members or sympathisers into departments, agencies and entities of the state.

This legal development is not simply a change in the law or an event in public administration. The Public Service Amendment Act of 2026 represents the abandonment of the idea of the state embodied in South Africa's 1996 Constitution, and makes possible a return to the quite different state imagined in the 1993 interim constitution. This is a matter often missed in accounts of the South African transition. In the short three years between 1993 and 1996 the state was reimagined in the obscure language of public administration.

Two conceptions of the state

A little bit of background will be useful. Typical of government systems influenced by the British Westminster model, South Africa established a Public Service Commission shortly after Union in 1910. Its role was to advise on civil service staff appointments, remuneration, promotions and the organisation of departments. By the late 1970s, the Public Service Commission had become a powerful statutory body with, effectively, executive authority in departments. Its merit was that it constrained party-political interference in the selection of government officials. So even though the apartheid administration was not meritocratic (it was restricted to whites and mostly men) it was also not primarily patrimonial.

South Africa's Interim Constitution was passed in 1993. It was a result of negotiations between the National Party, the African National Congress (ANC), and other parties. It created the legal foundation for the first inclusive, democratic elections in 1994 and ensured that the political transition did not simply *culminate* in a constitution, but would be *guided* by constitutional principles too. This constitution had a distinct vision of administration. It called for a public service that was "efficient, non-partisan, career-oriented" and "broadly representative" of South Africans. The public service was required to "serve all members of the public in an unbiased and impartial manner" and to "loyally execute the lawful policies of the government of the day".

To achieve this, the 1993 Constitution provided for a Public Service Commission (PSC) with powers to “recommend” and to “direct” departments in respect of organisation and administration, conditions of service and personnel practices, including appointments, promotions, transfers, discharge and other career events. It also stipulated that the PSC’s recommendations or directions had to be implemented within six months. Effectively, the appointment and promotion of public servants was vested in a constitutional body accountable to parliament, though relatively autonomous from the political executive. Relative autonomy, however, was not independence. The autonomy of the PSC from the political executive was relative to the political disposition of the President, who appointed the five PSC commissioners. In a concession to provincial sceptics worried about the power of a centralised system, the establishment of provincial public service commissions was left to the discretion of provincial legislatures.

The 1993 Interim Constitution thus imagined the post-apartheid state as structured around a binary distinction between *political* office and *administrative* office, or in terms of two related but distinct fields of work: political work as done by politicians and administrative work as done by public servants. This distinction has been fundamental to state formation in Western Europe, parts of Asia and in Latin America. In his account of the origins of political order, Francis Fukuyama finds its origins in China. He writes that in the third century before the common era, “China had already invented a system of impersonal, merit-based bureaucratic recruitment that was far more systematic than Roman public administration”. In this account, modern bureaucracy – a permanent administrative cadre selected on the basis of ability rather than family or political connections – emerged “unplanned”, as a spontaneous response to the chaos arising from a period of unrelenting war.

Its development in Europe was much later and more deliberate. Translations of Confucian texts had been in circulation in Europe since

the seventeenth century. The intellectual historian Eun-Jeung Lee argues that the German cameralists, the eighteenth-century theorists of administrative science, admired the Confucian emphasis on rational order, virtue, and merit in government, in which office is attained through learning and examination rather than through birth or political patronage. In Prussia, the idea of the moral, educated official (*Beamter*) was rooted in Enlightenment moral philosophy and the image of the Confucian scholar-official. Weber was the heir to this tradition.

These ideas were central to Woodrow Wilson's famous essay on 'The Study of Public Administration', published in 1887, articulating the need for a distinct science adequate to what he called 'the province of administration'. What is this 'province'? Wilson's answer is by now canonical: "*administration lies outside the proper sphere of politics*. Administrative questions are not political questions" (emphasis added).

It is not far-fetched to imagine that in 1993, the drafters of South Africa's Interim Constitution had American and German voices and texts in their heads, if not explicitly, then in the general air of ideas and conceptions of the state and how it should be appropriately organised.

But within a year, these were no longer the reference points. We see the change clearly in the provisions of the final 1996 Constitution. Firstly, the PSC is stripped of any executive authority. It has no jurisdiction over appointments, promotions or conditions of service. Secondly, it becomes an advisory body, largely confined to dealing with grievances, monitoring, evaluation, and research.

In 1997, the Public Service Act was amended to abolish the provincial service commissions and create a single, national body. In clause after clause, this amendment diminishes the authority of the PSC and transfers its powers to an 'executing authority', meaning either the President, the Minister of Public Service and Administration or a portfolio minister in the national government, or a Member of the Executive Council (MEC) at Provincial level.

The heart of the amendment is in Section 6. It is worth quoting in full because, given what we know about the 1993 Interim Constitution and its conception of the state, we can now appreciate just how radical it is:

The appointment of any person or the promotion or transfer of any officer or employee in the employ of a [national] department [or provincial administration] shall be made by the relevant executing authority or by an officer or officers to whom [such] authority has delegated his or her power of appointment, promotion or transfer.

In other words, ministers and MECs were given the power to appoint, promote and transfer *any* officer or employee. What we see, therefore, expressed in technical provisions about the power of the PSC and the role of the executing authority is nothing less than a fundamentally new conception of the post-apartheid state. This is a conception of the state that explicitly rejects the idea of administration as a domain outside the sphere of politics. Instead, administrative functions, especially the power to recruit and employ staff, were made a responsibility of politicians. There are provisions that make it possible for a minister or MEC to delegate these responsibilities to senior departmental officials, but also to take them back. In other words, the field of administration was made a discretionary feature of political office, rather than a constituent element of the state itself.

The critique of bureaucracy

Debates and developments within the ANC at around this time give us a sense of what was inspiring these changes. In 1996, the ANC's internal journal, *Umrabulo*, published a paper by Joel Netshitenzhe called "The National Democratic Revolution—Is It Still on Track?". There he noted

that the “democratic forces in South Africa are not yet in control of all layers of power”. He was especially concerned about the public service and tentatively mooted the idea of the ANC making “strategic deployments” into the civil service, army, police, and intelligence services.

Within a year these ideas had hardened. At the party’s 50th conference in 1997, it noted the “need to *deploy cadres to various organs of the state*, including the public service and to other centres of power in society” (emphasis added). The conference then resolved to “put in place a deployment strategy”, which would identify the “key centres of power” and establish “deployment committees” to “discuss the deployment of comrades to areas of work on behalf of the movement, including the public service, parastatals, structures of the movement and the private sector”. By 1998, these ideas had further solidified into a self-confident doctrine about the State. In *The State, Property Relations and Social Transformation*, a paper perhaps not written by former President Thabo Mbeki, but definitely influenced by him, the ANC asserted: “The N[ational] L[iberation] M[ovement] cannot (...) lay hands on the apartheid state machinery and hope to use it to realise its aims. The apartheid state has to be destroyed in a process of fundamental transformation”. This transformation of the state required “extending the power of the NLM over all levers of power: the army, the police, the bureaucracy, intelligence structures, the judiciary, parastatals, and agencies such as regulatory bodies, the public broadcaster, the central bank and so on”.

The language of this document is clearly reminiscent of Lenin in *State and Revolution*, where, following Marx, he calls on the revolutionary movement to “smash” the “ready-made state machinery” and the “bureaucratic-military machine”. Listen to Lenin:

“to smash the old bureaucratic machine at once and to begin immediately to construct a new one that will make possible the gradual abolition of all bureaucracy—this is not a utopia, it is the (...) the direct and immediate task of the revolutionary proletariat”.

This critique of bureaucracy is scattered throughout the work of Marx and Engels but finds its most thorough expression in Marx's 1843 polemics against Hegelian philosophy and 'On the Jewish Question'. There he frames the problem of bureaucracy in terms of *political alienation*. That is, Marx and Engels viewed the state and its bureaucracy as an institution that had established its independence from society and that ruled over it, falsely claiming to represent the general interest. Marx and Engels were confident that socialist revolution would sweep away this alienated apparatus. Trotsky would later take up this notion to develop his own critique of the Soviet Union, arguing by 1929 that there had been a transfer of political power to the bureaucracy, which had become a ruling “bureaucratic caste”.

At the very time (the early 1990s) that actually-existing socialism was being abandoned in the rest of the world, the deep scepticism about bureaucracy characteristic of the Marxist tradition found expression in the statecraft of the ANC. At the very least, its political culture de-emphasised questions of administration and privileged the imperative to exercise political control over departments and officials. This is what we can see in the provisions of the 1996 Constitution and the changes to the Public Service Act of 1994. In other words, between 1993 and 1996 a fundamental political and conceptual change had taken place regarding how the post-apartheid state was to be organised. This constituted a deliberate move to interrupt the emergence of a professional and relatively autonomous administration in South Africa and to impose party-political control over all of the 'levers of power'.

This move to limit and even erase the field of administration in the post-apartheid state was not a consequence of neglect or oversight, nor did it just happen in passing, by accident. It reflected the rise in government and in policy circles of a certain idea of the state. It has been most acute in local government in South Africa where the field of administration has hardly emerged at all. This is why party branches, regional structures and national executive committees, not just of the ANC, but also of organisations that share this view of the state, have deemed it legitimate, necessary even, to constrain officials, to give them instructions, especially regarding the award of tenders, and why political executives often fail to fill vacancies, keeping officials in limbo in 'acting' roles.

This is by no means a South African anomaly. Such practices are common in post-colonial and post-socialist contexts where an autonomous administration is contested and constrained by conceptions and practices which privilege the state as a primarily political entity. Similarly, one finds vernacular equivalents of the classical critique of political alienation across contemporary populist movements. Donald Trump's "deep state" and "swamp," Javier Milei's *casta*, Andrés Manuel López Obrador's *mafia del poder* and Viktor Orbán's "Brussels bureaucrats" all describe public institutions as having become detached from the people and appropriated by a self-reproducing elite. Delegated public power is said to have hardened into an alien apparatus that pursues its own privileges while presenting its interests as the common good.

Both indispensable and dangerous

Weber's own view was to admit that bureaucracy is both indispensable and dangerous. Its technical superiority makes modern government possible, but also gives permanent officials the capacity to dominate elected politicians and citizens. Weber's solution, however, was not to abolish or erase administration, but to subject it to robust parliamentary scrutiny.

The signing into law of the Public Service Amendment Act in April this year is not just an event in public administration. It reflects a fresh recognition of the field of administration *per se*, and the willingness to take institutions and governing seriously as issues distinct from the pursuit and holding of political power.

It is in this context that it becomes possible to discuss practical ways to better manage the political-administrative interface - how to appoint senior officials and heads of departments, how to run state-owned enterprises and govern cities - with a prospect that these discussions and the proposals that come out of them will produce meaningful change in the institutions, routines and processes of public institutions in South Africa. As Wilson put it, writing in the USA in 1887:

“we are now rectifying methods of appointment; we must go on to adjust executive functions more fitly and to prescribe better methods of executive organization and action. Civil-service reform (...) is clearing the moral atmosphere of official life by establishing the sanctity of public office as a public trust, and, by making the service unpartisan”.

This is the space that is opening in South Africa and elsewhere, which the NSI celebrates and seeks to hold and expand going forward.

This essay is based on Ivor Chipkin's opening keynote address at NSI's International Congress on Civil Service Reform and Democracy, Statecraft 2026, held in Johannesburg on 22–23 September 2026.