


Foreword

Mashupye H. Maserumule 

*Executive Dean, Faculty of Humanities at the
Tshwane University of Technology and a member of
South Africa's National Planning Commission*

Once a skank shunned for its inhuman way of managing public affairs, South Africa ultimately redeemed itself when “the long nightmare of apartheid [ended], and the horrors of four decades of racial oppression began to give way to the bright hopes that had seemed such a distant dream to so many for so long”.¹ The country became a democracy in 1994. Its tryst with destiny was consummated on the 27th of April. This day marked that moment that “comes but rarely in history, when an age ends, and the soul of a nation, long suppressed, [found] utterance”.² Here, I am paraphrasing Jawaharlal Nehru’s words, an icon of India’s long struggle for freedom. He said this on 14 August 1947, as India was preparing for her independence from colonialism. His words to his fellow country men and women aptly define that moment when many South Africans said, “yesterday is a foreign country tomorrow belongs to us”.³

For the first time the universal suffrage became a democratic praxis that birthed a new country. This was what the liberation struggle has been calling for, as stated in the Freedom Charter and adopted by the Congress of the People in Kliptown on 26 June 1955: “Every man and woman shall have the right to vote for and stand as a candidate for all bodies

1 Donald Woods, 2004. *Rainbow nation revisited: South Africa's decade of democracy*. :01).

2 Jawaharlal Nehru. 1947. *Tryst with destiny*. Indian Prime Minister’s Inaugural Address made on the eve of India’s independence, 14 August.

3 Thabo Mbeki. 1999. Prologue. In Malegaburu William Makgoba(ed.) *African renaissance*. Cape Town: Tafelberg Publishers pp. xiii–xxi.

which make laws”.⁴ Nelson Mandela reiterated this in his Rivonia Trial of 1963-1964. He did not equivocate in his call for freedom from the dock despite the odds stacked against him. The apartheid justice system decided his fate harshly. It imprisoned him for more than two decades in Robben Island but failed to obliterate the idea that he stood for. For, its time had come. The struggle for freedom continued relentlessly. Ultimately, South Africa became a democracy with Mandela its first black president. His stewardship and the stellar steering of the transition from apartheid to democracy instantiated the fecundity for nation-building and social cohesion, including institution building for a democratic system of government.

Mandela’s leadership was the aura of hope. By signing into law the Constitution of the Republic of South Africa on 10 December 1996, Mandela set the country on an irreversible trajectory of optimism. His deputy at that time, Thabo Mbeki, spoke about the adoption of this constitution earlier on 8 May 1996 as the earth-shattering moment and the achievement of African ingenuity.⁵ In their study of constitutional models across the world, American legal scholars David Law and Mila Versteeg, found the South Africa’s constitution to be one of the best in the world.⁶ Likewise, the American jurist Ruth Bader advised the Egyptians to look up to the South African constitutional model when they design their own. Its veneration is largely because of its protection of the socioeconomic rights. And this is where the substantive essence of democracy lies - the state’s commitment to improve the quality of life by providing basic services and necessities such as food, shelter, health care and social protection, especially for those who are in the margin of

4 Freedom Charter, 26 June 1955, as adopted at the Congress of the People, Kliptown.

5 Thabo Mbeki. 1996. I am an African. A speech he made on behalf of the African National Congress on the occasion of the passing of the new Constitution of South Africa, Cape Town: Parliament.

6 David Law and Mila Versteeg. 2012. The declining influence of the United States Constitution. *New York University Law Review*, 87(3):762-858.

Foreword

society.⁷ However, as the 28th American President Woodrow Wilson once said, at the centennial year of his country's constitution in 1887, "it is harder to run a constitution than to frame one".⁸ The prescience of this reverberates in the contemporary efforts of organizing society.

In 2012, all the political parties in Parliament embraced the National Development Plan (NDP) as the country's lodestar for socioeconomic transformation and development. The NDP was intended to guide national efforts towards the vision of better life for all as envisaged in the Constitution. The Constitution and the NDP are but some of many important interventions for the evolution of the post-apartheid state against which to measure its progress. It is against this background this question arises: How did the country fare, thirty years into democracy? Various answers abound in the surging body of literature on South Africa's democracy coming of age. This book adds to this. It provides an empirical analysis of the evolution of the post-apartheid South Africa from the perspective of public administration and governance focusing on aspects as key as ethics, leadership and innovative governance. Its case study approach gives a nuanced analysis. It goes to the granularity of the issues. The book shows that South Africa's thirty years of democracy is the tale of antinomies.

In the earlier years of its evolution, great strides in nation-building, social cohesion and policy reforms were achieved. This was followed by efforts to build institutional capability to optimise the country's democratic system of government. South African Revenue Services (SARS) became one of the good stories to tell. It beat revenue collection targets and became one of the most important lessons on institutional reforms and public sector governance for modern

7 Mashupye H Maserumule. 2022. Has freedom day become a reflection of our discontent? *News24*, 27 April.

8 John Rohr. 1986. *To run a constitution. The legitimacy of the administrative state.* Lawrence: University Press of Kansas.

civilisations.⁹ Coupled with this, especially in the first decade of democracy, the economy performed relatively well.¹⁰ All look good for the country set for greatness. However, in the decades of democracy that followed, its developmental lustre started to dim. Along this came public discontent. It is surging; hence, many ask: Is our democracy in danger? Inextricably linked to this question is: How did the country's democracy lose its developmental lustre? This book engages these questions.

Various surveys show how state institutions have lost the confidence of the people. Trust in these has plummeted to its lowest. And this not only relates to the executive arm of government but to parliament, judicial system and the constitutional bodies established to promote constitutional democracy.¹¹ This does not bode well for the country's constitutional democracy. Many attribute the fate of the country's democracy to corruption in all its manifestation, including narrow concentration of power in the governing elites who often give in to the temptations to organise society according to their interests in the guise of serving the public good. This has always been the thesis of various studies on why nations fail. However, perhaps the analysis needs to go beyond this and look at other important variables for re-theorising the post-apartheid state.

In the early days of South Africa's democracy, the focus has always been on building a democratic state. The logic that undergirded this was that democracy is the condition

9 Mashupye H Maserumule. 2022. South Africa has a plan to make its public service professional. It's time to act on it. *The Conversation*, 28 August.

10 Ricardo Hausmann, Tim O'Brien, Andres Fortunato, Alexia Lochmann, Kishan Shah, Lucila Venturi, Sheyla Encio-Valdivia, Ekaterina Vashnskaya, Ketan Ahuja, Bailey Klinger, Fredrico Sturzenegger, and Marcelo Tokamna. 2023. *Growth through inclusion in South Africa*. Working papers. Centre for International Development at Harvard University.

11 Plus 94 Research. 2021. *Afrobarometer Round 8 Survey in South Africa*.

Foreword

for development rather than its outcome.¹² Only later, an attempt was made to correct this through the NDP by giving democracy a developmental slant. Unfortunately, this was not immediately followed by institutionalising statecraft. It was odd. Building “a state that is capable of playing a developmental and transformative role”¹³ needs highly skilled and professional bureaucracy. This is a critical imperative of statecraft.¹⁴

At the anniversary of the country’s 30 years of democracy, the NDP’s timeline falls in less than six years while much of what it sought to achieve is still outstanding. Poverty and unemployment continue to exacerbate inequality. However, this book says it cannot be all gloom and doom. In their ideational profundity, authors of its different chapters make this clear, including in the propositions they are making for policy consideration. And these are the coterie of the thinking community that says South Africa can be, and must be, a success story.

-
- 12 Mashupye H Maserumule. 2019. Effective state must first undo ‘dirty history’ of colonialism and apartheid. *New Agenda*, 19: 30-34.
- 13 National Planning Commission. 2012. *National Development Plan*. Pretoria: Presidency.
- 14 Mashupye H Maserumule & Ricky Mukonza. 2023. Only a focused return to statecraft can arrest the degeneration of SA’s democracy. *Daily Maverick*. 19 July.