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## **INTERROGATING BASIC VALUES AND PRINCIPLES GOVERNING 'IDEALLY' PUBLIC ADMINISTRATION: A CASE OF SOUTH AFRICAN PUBLIC SECTOR**

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### **Abstract**

Section 195 of the Constitution of the Republic of South Africa, 1996, lays out the fundamental values and principles that should guide how the public sector operates to ensure a sustainable public sector and uninterrupted public service delivery. The South African government has been criticized for poor public service delivery, as evidenced by service delivery protests, which have become the norm in the public sector. South Africa, as a developing country, bears a burden in the public sector of citizens who rely on the government due to high unemployment, poverty, inequality, and an economy that does not provide economic benefits to citizens. The reality is that South Africans cannot escape poverty because of the country's stagnant economy, and the demand for service delivery will keep on rising and further burden the government that already has many deficiencies. The author, on the other hand, agrees that the South African government has had many accomplishments and landmarks over the years. Unfortunately, the government is no longer able to respond to every citizen's needs, and local government, as the sphere closest to the public, lacks the capacity to provide services to all local communities. The purpose of this paper is to examine how the government has failed to live up to Chapter 10 of the constitution, which specifies the ideal public administration in the country that could have met all citizens' basic needs as promised by the constitution. This paper contends that the fundamental values and principles that should guide how the public sector operates to ensure a sustainable public sector and uninterrupted public service delivery are just in the document and not in practice. The government has failed to maintain democratic governance and has failed the poor and vulnerable.

*Keywords: Citizens, Constitution, Government, Public Administration, Service Delivery*

### **Introduction**

Worldwide, public sectors are experiencing difficulties and public sector reforms have been largely ineffective. To avoid hampered economic growth and development, the public sector, a critical component of every economy, must properly address its concerns. South Africa's public sector must be more effective in resolving its problems (Fourie and Poggenpoel, 2017). The euphoria that greeted the birth of a new South Africa has given way to rising frustration with the government's incapacity to offer the services that most of the population desired. The post-1994 administration continues to face problems such as poverty, poor health care, a severe housing shortage, declining educational standards, and others, despite having performed significantly better than the pre-1994 administration. The slow delivery of services and the sub-standard quality of those provided have been attributed to a lack of expertise. (Nengwekhulu, 2009).

It cannot be denied that government commitment to collective will, compassion, and respect is required for the delivery of public services. Because the public has a legitimate right to obtain excellent services under democratic principles, the government is held accountable to the public in carrying out its obligations (Nirmala, 2010). Like in the Apartheid era, public service has been replaced by politics in this rapidly shifting and complicated context. As public employees viewed legislation through the lens of their own ideologies and/or personal interests, as well as those of their relatives and friends, loopholes were exploited.

The difficulties caused by corruption in management flow down the ranks and are exacerbated throughout the public sector. To protect their position, inept bosses select even less qualified subordinates (Franks, 2014). Reforming the public sector in South Africa is now more necessary than ever. This is due to the

nation's inability to provide public services that meet international standards and demonstrate the advantages of economic development. Numerous ethical issues, such as the deployment of cadres, have damaged South African public sector administration (Sithole,2015). Commissions like Zondo and Mokgoro, for instance, have shown that South Africa's public administration is in difficulty due to the prevalence of unethical and corrupt behaviour among those holding public office. The ability of government departments and entities to deliver public services effectively and efficiently is hampered by this plague. Numerous challenges, such as lack of accountability, openness, and efficiency, face South African public administration. The systems used by the government for public procurement have developed into a haven for fraud and bad management (Shava and Mazenda,2021).

## Methodology

This study interrogates the application and feasibility of basic values and principles that govern public administration in the South African public sector. These basic principles and values are outline in Section 195 of the Constitution of the Republic of South Africa, 1996, and serve as guidelines to the ideally sustainable and effective public sector. To answer the underlying problem of the study and achieve the objectives of this paper, secondary sources that directly addressed the issues that hinder the ideally public administration as set out in the Constitution of the Republic of South Africa, 1996 were carefully selected. The qualitative approach was used by reviewing recent literature to benefit this study.

### **Discussion -Basic Values and Principles of Ideally South African Public Administration evaluated:**

#### **A high standard of professional ethics must be promoted and maintained.**

A high level of professionalism and ethics must be established and upheld as the fundamental constitutional principle of public administration in South Africa. Given that this is a constitutional mandate, it means that not only governmental institutions, but also local governments, public businesses, and those who do business with the government must act on a higher moral and ethical standard. Even if the South African government has taken sufficient steps to create a legal environment in which public officials may operate, unethical behaviour in the public sector persists as if there were no regulations in place (Sebola,2018).

Maintaining strong ethical leadership in South African public administration has been a difficult task due to widespread corruption and political intervention in public enterprises. In South Africa, local government workers are often found guilty of money laundering, fraud, and corruption, making it harder to get public goods and services to the people who need them. Local governments in South Africa are too affected by politics, making decisions less fair (Shava and Mazenda, 2021). The moral and ethical crisis in South Africa has gotten so bad that institutions within the government and semi-government must re-evaluate where they stand on morality, moral behaviour, accountability, and professionalism.

Stopping the culture of corruption, a lack of responsibility, and unprofessional behaviour that has taken hold in the public sector is urgently necessary (Edwards,2008). Members of the public sector must act ethically to build a viable democratic government that adheres to the constitutional values of accountability, openness, and professional ethics. However, in the years after South Africa's return to democracy, the government has been hampered by widespread corruption and poor management on the part of government employees and powerful politicians (Nanabhay,2014).

#### **The efficient, economic and effective use of resources must be promoted.**

The provision of public services is negatively affected by the state of public finance management in South Africa, which is characterized by corruption, unauthorised expenditure, and mismanagement of public funds. The South African Auditor General of South Africa (2022) alluded that most dire financial conditions are found in the major service delivery departments (health, education, and public works), which hinders their capacity to provide services to the general population. These departments accounted for 90% of all total unauthorized spending and their deficits totalled R15,65 billion. Deficits totalling R6.2 billion existed in five provincial health departments. South Africa is one of the African nations with an abundance of people and natural resources. However, these resources have not been used successfully due to acts such as rising corruption, terrible mismanagement, and anti-government policies. Consider the problematic case of President Zuma's private estate in his hometown being refurbished with public and government funding totalling around 250 million rands (Banda and Choga, 2015).

Kimi Makwetu, then auditor general, revealed in the 2018/19 fiscal year that municipal audit results showed an overall deterioration in auditing outcomes from the preceding reporting period. He gave an unfavourable picture of municipal funds being managed "in ways that are antithetical to the

prescripts and recognized accounting procedures (Dlamini and Weir-Smith,2022). According to the Public Protector, Tina Joematt-Pettersson, the former minister of agriculture, was shown to have wasted government money.

In an inquiry into alleged wrongdoing by her and her department related to the awarding of a R800 million contract, which turned up evidence of collusive tendering and/or bid rigging, the Minister acted unethically and tried to interfere (Munzhedzi,2016). The mismanagement of funds in South Africa is largely perpetuated by public office bearers. In support of Merten (2019) indicated that the cost of State Capture is estimated to be over R1.5 trillion over President Jacob Zuma's second term. The overall financial loss caused by these substantial errors was estimated to be R3,9 billion, of which R1,6 billion was lost by municipalities who had invested in VBS Mutual Bank (Auditor General of South Africa,2022).

#### **Public administration must be development oriented.**

The South African public sector is far from being development-oriented; this is because there are skill shortages there, skilled workers leave due to unfavourable working conditions, and staff performance in the public sector has been deemed ineffective due to subpar service delivery and employees who lack the necessary skills and expertise. The South African public sector has a professionalization problem, which shows that there is still a long way to go before it becomes an employer that prioritizes development. Auditor General South Africa (2022) indicated that municipal governments spent R154 million on consultants in 2020-21 and R663 million on consultants in the previous five years. The major explanation provided was a lack of skills, even though municipalities were typically fully capacitated.

Poor human resource management, inadequate procurement processes, incompetent public workers, a lack of accountability, bad human resource practices, and a lack of ethical leadership are among the difficulties hindering service delivery in the public sector of South Africa (Poggenpoel, 2017). According to the Ministry of Public Service and Administration, more than 25% of top government personnel lacked the necessary qualifications at the beginning of 2022 (Daniel,2022). The South African public sector cannot be considered development-oriented if crucial positions critical to public service delivery are filled by people who are not qualified and competent.

#### **Services must be provided impartially, fairly, equitably, and without bias.**

The audit results, together with non-compliance with legislation, represent the status of local government's financial and performance management. This circumstance resulted in major financial losses for certain communities, as well as significant harm when governments were unable to fulfil their duty and provide public services (South Africa Auditor General, 2022). Non-compliance with legislation will result in poor service delivery, and impartially, fairly, and equitably service delivery will be a pipe dream, as the state of local government funds and performance will be negatively impacted due to a lack of accountability and transparency in local government. According to Lancaster (2018), social injustice, poor service delivery to marginalized communities in towns, villages, and squatter settlements, corruption, unemployment, poverty, bad governance, and leadership, as well as South Africa's actual circumstances, all contribute to service delivery protests. Service delivery in South Africa is neither impartial, fair, nor equal due to the continuous complaints of underprivileged people against inadequate service provision. Poverty, unemployment, widespread public employee corruption, nepotism, a lack of governance, inappropriate use of state funds, political infighting and interference, public mistrust of politicians and office holders, and the deterioration of local government in South Africa are identified as key drivers of service delivery protests and associated crimes in the Tshwane region by Makhomole et al., 2022. These factors are just a few of the ones that contribute to service delivery protests. Auditor General of South Africa (2022) agrees that citizens are denied essential services that may help them maintain and improve their quality of life due to poor budget and performance management in the major service delivery departments. Service delivery is a major problem for all South Africans, particularly since that there are not enough resources to meet the growing demand for services brought on by the Covid-19 pandemic.

Thusi, et al. (2022) alluded that South Africa is classified as a developing country, with inhabitants relying more heavily on government services. This is because developing economies have less economic prospects, leading to increased unemployment, poverty, and social inequality. This is also true in South Africa, where most people are underprivileged and without work and socioeconomic disparity is common. This makes service provision that is impartially, fairly, equitably and not bias even more essential in South Africa.

#### **People's needs must be addressed, and the public must be encouraged to participate Participate in policymaking.**

In South Africa, various protests took place since and before the dawn of democracy. However, after the democratic dispensation in the south and, more particularly, after the African National Congress (ANC) has taken its reigns from the apartheid regime sloganeered 'the dawn of democracy', much hope was instilled in many and in many forms in the black community that freedom has come. Where many heroes and icons have chanted and formed many of liberations songs, with some of the artists releasing songs that further perpetuated the sense of hope for many black South Africans, for example Brenda Faye's 'freedom *is coming tomorrow*'. Therefore, the hope of the South African communities that the suffrage of the past has come to an end was deeply instilled differently. However, this appeared and still appears to be a fallacy even in the current democratic dispensation. Today in South Africa, 29 years after the attainment of democracy, masses still protest and strike towards government offices and institutions. This principle advocate that 'people's need must be responded to'; while this is the case in South Africa, many remote communities are facing a variety of challenges amongst others; the shortage of water, electricity, infrastructure, shelter, high employment rates, high levels of illiteracy.

This is supported by Mamokhere, Musitha, and Netshizivhani (2021), who argue that when citizens perceive their demands are not being satisfied, protest actions are more likely to succeed because they believe that they are not being heard. Consequently, this theory argues that the fundamental purpose of government is to give a better life to all. This may be done through responding to people's needs. People's needs are related to government services, which are further codified in the (Bill of Rights) and should thus be considered rights rather than privileges (Public Service Commission; n.d.). Furthermore, the same concept indicates that public interaction should become an inherent component of public service delivery. To ensure that the perspectives of the largest possible public are heard and considered throughout service delivery, the public sector must actively cooperate with people (Public Service Commission; n.d.). People should not be considered as consumers or beneficiaries of government services, but as active participants in determining which services should be offered and how they should be supplied. Therefore, planning formats must allow for the translation of people's voices into public service initiatives. Including communities in decision-making empowers them to own the process, produces critical buy-in and credibility, and lends legitimacy to decision-making.

#### **Public administration must be accountable.**

In South Africa, public administration is mostly reflected within the domain of the executive branch. This, in terms of parliament, is represented through the presidents and the cabinet. These political structures heads are often referred to as political office bearers (Mafunisa, 2003). In democratic politics, parliaments are required to preserve responsibility in their actions by referring to their mandates as outlined in state constitutions. In today's world, governments cannot afford to pretend that they do not need educated, active, and dedicated parliamentary parties whose objective is to safeguard democratic ideals as well as the state's national interests (Adetiba & Asuelina, 2018). On the other hand, the ANC of today is a long cry from the enviable organization it once was, due to some recognition that its lack of accountability would almost surely lead to the collapse of parliament, if not the whole country (Adetiba & Asuelina, 2018).

The Mail & Guardian (18 July 2022) provided an example of how the government continues to shirk its responsibilities as South Africa lurches from crisis to catastrophe. In two recent incidents, the minister of public enterprises, Pravin Gordhan, lashed out in a statement following his keynote address at the Wits Public School of Governance, and the minister of police, Bheki Cele, lost his cool during a community meeting in Gugulethu, Cape Town, to discuss crime and prevention strategies. These are not isolated incidents; similar trends pervade all domains of government and plainly demonstrate the bleak status of the citizen-government relationship. On the one hand, there are angry people who are fed up with our government's bad governance and inefficiency. On the other hand, there are arrogant and out-of-touch authorities who either do not understand or actively disregard responsibility. When a member of the public, a white male, confronted the police minister about the horrific crime rate and his unwillingness to handle crime in certain hotspots around Cape Town, he saw it as an opportunity to play race politics, stating "Don't treat me like a garden boy." "Shut up and leave!" As a result, he was thrown out of a public gathering (Mail & guardian, 18 July 2022). Accountability and supervision are constitutional responsibilities at all levels of government in the Republic of South Africa, as stated in the 1996 Constitution. All branches of government have a fundamental obligation to deliver public services. The quantity of responsibility and provision of public services is also tied to a specific sphere's competency. The need to expose, explain, and defend conduct is called accountability (Munzhedzi, 2016). The police minister's acts, according to this view, were contradictory and unreasonable. This is not the same as public accountability. The government must encourage accountability and transparency to foster good governance and improve the status of the public sector. Many South Africans depend on the government to provide services because the delivery of public services is crucial. This emphasises the significance of the government placing public service delivery first (Thusi and Selepe, 2023).

**Transparency must be fostered by providing the public with timely, accessible, and accurate information.**

The Republic of South Africa's 1996 Constitution, which is in line with this, declares that citizens shall be given timely, accessible, and accurate information based on the concept of transparency. The principle of transparency has a direct impact on the liability of public authorities towards citizens by allowing citizens to acquire all information relevant to their action. The degree of efficiency, effectiveness, and responsiveness in public administration is increased through openness, which has a substantial impact on public administration reform (Jashari & Pepaj, 2018). Transparency represents the development of good governance and public trust in a cutting-edge, democratic public administration. In modern and democratic public administration, the notion of transparency acts as a check against bad governance and corruption. It also encourages effective governance and accountability to protect the public interest and people's rights. In this case, the idea of openness in the public sector has drawn a lot of scholarly and popular criticism. Transparency, for example, is perhaps one of the most crucial moral precepts in any procurement system at the local government level. The Local Government: The Municipal Systems Act (2000 Act) mandates that South Africa's public procurement procedures be fair, open, egalitarian, and competitive. The increased scrutiny of public procurement is the result of program evaluations, technological breakthroughs, and political and public demands for service improvements (Eyaa & Oluka, 2011; Ndebele & Mdlalose, 2021). On the same line, South Africa has, during and at the peak of the covid-19 pandemic, sought the amount of R500 billion from the international institutions in the quest to minimise the severity of the pandemic in the country. Among other intentions of the government was to procure Personal Protection Equipment (PPEs) for 'essential workers' and for the affected. The latter was praised as a good initiative, coupled with some of the civil society and interest groups contributing to the purse to mitigate the damage from the pandemic. However, it became a daily debate where citizens have raised a great value of disenchantments and worry about how the resources were procured and allocated. This denotes that the principle of 'transparency' is challenged. According to Mail & Guardian (19 April 2021), 'President Cyril Ramphosa has repeatedly cited governance reforms among his top priorities, reforms increasingly important for addressing the confluence of crises related to the pandemic, including the Covid-19 vaccination strategy' furthermore, Mail & Guardian (19 April. 2021) stated that the president has indicated that 'The president regularly speaks about the need to take action on corruption related to the R500 billion Covid-19 funds...' given this assertion, the president has further indicated that 'implementing greater fiscal and contract transparency shines a light on how public funds are used and strengthens public trust.' Such openness is a deterrent against corruption. Open spending and open contracting empower citizens, journalists, and civil society to follow the money and become the government's eyes and ears on the ground' (Mail & Guardian). 19 April. 2021). This reflects the fact that a lot may be taking place in the public office. If information on procurement processes and procedures involving public funds and other resources is not made available to the public, the growth of public trust in the government may be a dream to end.

**Good human resource management and career development practices must be cultivated to maximise human potential.**

In the public sector, managing human resources, or what is now known as "human capital," has been a source of concern. According to this idea, the public service's ability to uphold sound administration, provide services to residents, and create and carry out development programs all contribute to its success. Skills, performance, integrity, and best practices in personnel administration in the public sector all depend on these characteristics. These include hiring, career management, performance management, and investment in ongoing professional development. First and foremost, the purpose of the practice must be considered when evaluating the efficacy of personnel practices, as must compliance with all labour laws and people administration standards (Mello et al. 2018). When examining this principle, various ethical conundrums in the South African public sector are categorized, such as corruption, nepotism, favouritism, javelin throwing, post-employment, bribery, conflicts of interest, improper use of insider information, and use and abuse of confidential information for personal gain (Puiu, 2015).

In enhancing good human resource in the public sector, first, areas such as employment on merit and the need for appropriate qualifications, merits, and skill should be advocated for. In South Africa, due to the nature of politics-administration, the practice of good human resource might be compromised. The ANC has developed the cadre deployment policy in 1996. For which this policy advocates for the deployment of party-stewards amongst other, such an initiative makes it difficult to professionalise human resource in the public sector. Therefore, the principle will only be side-ways, more practiced on the administrative counterparts. Unethical practices such as bribery, nepotism, etc. also contribute to a professional human resource management practice wherein fair and just human resource management is mostly tackled and overpowered by the political power in the public sector institutions.

According to Thusi and Chauke

(2023), the South African School of Government and government agencies have done insufficient to encourage training in the public sector, but the private sector provides training to its personnel, giving it a competitive edge. To strengthen staff abilities and encourage the retention of scarce talents by employees, the government should improve its staff training regulations. The South African public sector has been characterised by unproductive, unprofessional, unethical, and inept public officials. This is problematic, since most South Africans rely on government services. The inefficiency of government employees has been felt most sharply in local government, which is the closest to the public (Mlambo et al.,2022).

## Discussion

The essential values and guiding principles of public administration have the capacity to improve the performance of the public sector of South Africa. The primary problem in the public sector in South Africa is the lack of political will. Lack of political will has hurt the public sector's reputation, and people frequently demonstrate against government service delivery to express their unhappiness. Nowadays, corruption, lack of consequence management, poor service delivery, and financial mismanagement are all present in the public sector of South Africa. The main reasons for this are a lack of political will and a lack of professionalism in the public sector. The South African government has a responsibility to offer services to its citizens but has recently failed. Most elected officials and members of the ruling and opposition parties of governmental personnel are more interested in advancing their own agendas than serving the public. This is evident from how those in power have taken control of public institutions.

The first principle of the constitution is the promotion and upholding of a high standard of professional ethics. But the South African public sector lacks professionalism and because of the potential for corruption, professionals, particularly those in the financial industry, look for opportunities in the private sector. Cadre deployment, which enables individuals without any training or qualifications to assume crucial roles in government, also has an impact on the sector. This corresponds to the other concept, according to which public administration must be developmentally oriented; nevertheless, the use of untrained workers because of political connections shows that this ideal is only in theory and not in actual use.

The second element is accountability and transparency. Corruption and theft of public money have plagued the industry, making it difficult for the government to offer services to the public. The fulfilment of people's requirements is indicated by the other important concept, however, for the impoverished people living in the nation, this is not the case. The government's methods of operation have drawn criticism from the populace. These ideas are essentially fairy tales in South Africa today.

## Concluding Remarks

The South African government must recognize the reality that is unfolding throughout the country. People are suffering and the government is powerless to intervene because state funds are mismanaged. Poor public service delivery is felt by all poor people in democratic South Africa, whereas political office bearers and parliament officials are well compensated, with numerous perks and benefits. Our government must promote a culture of public service as government officials and representatives, rather than a culture of self-enrichment at the expense of citizens across the country. To be accountable and responsive to citizen needs, the government must return to the fundamental values and principles that govern public administration. To promote a sustainable public sector, the government must professionalize the public sector and eliminate cadre deployment, nepotism, and corruption. To deal with individuals who enrich themselves at the expense of citizens, the government must promote public accountability, responsiveness, and consequences management approaches.

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