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ANALYSIS: RETHINKING SOUTH AFRICA'S PUBLIC SERVICE COMMISSION (PSC): LESSONS FROM THE MADLANGA COMMISSION

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Abstract: The purpose of this study is to critically examine the effectiveness of the Public Service Commission (PSC) in promoting ethical governance, accountability, and anti-corruption within South Africa's public service. The study further evaluates proposals advocating for the restructuring or strengthening of the PSC using lessons derived from the Madlanga Commission model and assesses whether such reforms could improve institutional effectiveness, public trust, transparency, and consequence management. Despite South Africa having a comprehensive constitutional and legislative framework supported by numerous oversight institutions, corruption, maladministration, procurement irregularities, weak consequence management, and declining public confidence continue to undermine public administration and service delivery. Questions therefore arise regarding whether the Public Service Commission possesses adequate constitutional authority, institutional independence, and enforcement capacity to fulfil its mandate effectively or whether comprehensive institutional reforms are necessary to strengthen accountability and combat corruption more effectively. The study adopted a qualitative research approach using a systematic desktop literature review and documentary analysis. Secondary data were collected from the Constitution of the Republic of South Africa, legislation, Public Service Commission reports, Auditor-General South Africa reports, the Judicial Commission of Inquiry into Allegations of State Capture (Zondo Commission), policy documents, government publications, international governance reports, and peer-reviewed academic literature. Thematic analysis was employed to identify recurring governance challenges, institutional weaknesses, and opportunities for reform. The study found that the Public Service Commission possesses a comprehensive constitutional mandate but has limited enforcement authority because many of its recommendations are advisory rather than binding. Persistent corruption, procurement irregularities, financial misconduct, and governance failures indicate weaknesses in implementation rather than deficiencies in legislation. The study further found that weak consequence management, limited institutional coordination, and insufficient implementation of oversight recommendations undermine the effectiveness of the public accountability system. Lessons from the Zondo Commission and the Madlanga Commission highlight the importance of institutional independence, transparent investigations, merit-based appointments, and stronger oversight mechanisms. Rather than replacing the PSC, the findings support strengthening its legal powers, investigative capacity, monitoring systems, and collaboration with other oversight institutions. The study concludes that strengthening the effectiveness of the Public Service Commission is essential for improving ethical governance, accountability, and public sector integrity in South Africa. Sustainable governance reform requires stronger institutional independence, effective consequence management, transparent public administration, and political commitment to implementing oversight recommendations. By enhancing the PSC's institutional capacity and aligning governance practices with constitutional principles and international best practices, South Africa can strengthen democratic governance, improve service delivery, combat corruption more effectively, and restore public confidence in state institutions.

Keywords: *Public Service Commission (PSC), Public Administration, Good Governance , Accountability , Ethical Governance , Public Sector Integrity , Corruption, Anti-Corruption, Institutional Reform, Constitutional Governance, State Capture, Consequence Management.*

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Introduction

Corruption remains one of the most significant obstacles to good governance, ethical public administration, sustainable development, and economic growth worldwide. It weakens democratic institutions, erodes public trust, distorts public procurement, undermines service delivery, and diverts scarce public resources away from critical sectors such as education, healthcare, policing, housing, and infrastructure. According to the Organisation for Economic Co-operation and Development (OECD), corruption reduces investor confidence, weakens institutional legitimacy, and negatively affects economic performance and social cohesion. South Africa continues to face serious governance challenges arising from corruption and state capture despite having an extensive legislative and institutional framework designed to promote accountability and integrity.

The Constitution of the Republic of South Africa, 1996 establishes the Public Service Commission (PSC) as an independent Chapter 10 institution responsible for promoting constitutional values and principles governing public administration. Section 196 of the

Constitution mandates the PSC to investigate, monitor, evaluate, advise, and report on the organisation and administration of the public service, promote professional ethics, investigate grievances, and oversee personnel practices. The PSC also manages the National Anti-Corruption Hotline and conducts investigations into maladministration, unethical conduct, and corruption within the public service.

Despite this constitutional mandate, concerns have increasingly emerged regarding the effectiveness of the PSC in addressing systemic corruption. Public debates have intensified following the work of the Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector (commonly known as the Zondo Commission) and, more recently, the Madlanga Commission. These commissions demonstrated the value of independent inquiries in exposing governance failures, recovering evidence of corruption, and recommending institutional reforms. Consequently, proposals have emerged suggesting that South Africa should fundamentally reform or strengthen the PSC by adopting some of the investigative, disciplinary, and transparency mechanisms demonstrated by these commissions.

The article analysed in this study reflects this growing public discourse by proposing that the Madlanga Commission should replace or substantially reform the PSC to create a more robust anti-corruption institution capable of improving accountability, merit-based appointments, ethical leadership, and consequence management within the South African public service.

Background

Since the advent of democracy in 1994, South Africa has developed one of the most comprehensive anti-corruption legislative and institutional frameworks in Africa. These include the Constitution of the Republic of South Africa, the Public Service Act (1994), the Public Finance Management Act (1999), the Prevention and Combating of Corrupt Activities Act (2004), the Protected Disclosures Act (2000), the Promotion of Administrative Justice Act (2000), and the National Development Plan (Vision 2030). These policy instruments collectively seek to promote transparency, accountability, ethical governance, and responsive public administration.

Several oversight institutions support this framework, including the Public Service Commission (PSC), the Public Protector South Africa, the Auditor-General South Africa, the Special Investigating Unit (SIU), the National Prosecuting Authority (NPA), the Directorate for Priority Crime Investigation (Hawks), and parliamentary oversight committees. Although these institutions have recorded important successes, numerous reports indicate that implementation gaps, weak consequence management, political interference, and institutional capacity constraints continue to undermine the fight against corruption.

The PSC's constitutional mandate includes promoting professional ethics, monitoring public administration, investigating grievances, conducting inspections, evaluating service delivery, and recommending corrective measures. However, questions continue to be raised regarding the implementation of PSC recommendations by government departments. Previous PSC reports have shown recurring patterns of procurement irregularities, fraud, bribery, financial misconduct, appointment irregularities, and abuse of public resources. One PSC analysis of reports received through the National Anti-Corruption Hotline identified 7,766 corruption-related complaints between 2004 and 2010, with fraud and bribery (1,511 cases), financial mismanagement (870 cases), procurement irregularities (720 cases), and appointment irregularities (627 cases) emerging as the most common forms of corruption.

The State Capture Commission chaired by Chief Justice Raymond Zondo fundamentally changed South Africa's anti-corruption landscape. Its findings exposed extensive political interference in state institutions, procurement systems, state-owned enterprises, and criminal justice agencies. The Commission recommended stronger institutional independence, professional public administration, improved procurement oversight, enhanced investigative capacity, and more effective consequence management. The OECD similarly concludes that corruption and state capture have weakened institutional performance, undermined economic growth, and reduced public confidence in democratic governance.

Internationally, anti-corruption is recognised as a prerequisite for sustainable development. The United Nations Convention against Corruption (UNCAC) encourages states to establish independent anti-corruption institutions, strengthen public sector integrity, protect whistle-blowers, enhance transparency, and improve international cooperation. The World Bank, OECD, Transparency International, and the United Nations Office on Drugs and Crime (UNODC) consistently report that corruption disproportionately affects developing countries by increasing poverty, reducing investment, weakening institutional legitimacy, and undermining service delivery.

South Africa continues to perform below the global average on several governance and corruption perception indicators. According to Transparency International's Corruption Perceptions Index (CPI), South Africa has experienced persistent challenges in improving public sector integrity over the past decade. Similarly, OECD assessments emphasise that strengthening institutional independence, improving prosecution of corruption, protecting oversight institutions, and ensuring implementation of commission recommendations remain essential priorities for rebuilding public trust and accelerating inclusive economic growth.

Against this background, the proposals presented in the article advocate for far-reaching institutional reforms aimed at transforming the Public Service Commission into a stronger, more transparent, and more independent accountability institution. While several recommendations are constitutionally and politically contentious, they contribute meaningfully to the broader debate on strengthening governance, restoring ethical leadership, and improving public sector accountability in South Africa.

Problem of the Statement

South Africa has developed one of the world's most comprehensive constitutional, legislative, and institutional frameworks to promote ethical governance, accountability, and the fight against corruption. Institutions such as the Public Service Commission (PSC), the Public Protector, the Special Investigating Unit (SIU), the Auditor-General of South Africa (AGSA), the National Prosecuting Authority (NPA), and the Directorate for Priority Crime Investigation (Hawks) were established to strengthen public administration and uphold the constitutional values of transparency, accountability, and integrity (Republic of South Africa, 1996). Despite these institutional arrangements, corruption, maladministration, procurement irregularities, political interference, and weak consequence management continue to undermine effective governance and service delivery across all spheres of government (Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State, 2022).

The Public Service Commission, established under Section 196 of the Constitution, is mandated to promote professional ethics, investigate grievances, monitor public administration, evaluate personnel practices, and combat corruption within the public service. However, several PSC annual reports have repeatedly identified persistent governance failures, including financial misconduct, irregular appointments, procurement fraud, conflicts of interest, and poor implementation of disciplinary recommendations by government departments (Public Service Commission, 2024). Similarly, the Auditor-General South Africa (2024) continues to report billions of rand in irregular expenditure, weak internal controls, poor financial management, and recurring audit findings across national, provincial, and local government institutions.

The findings of the Judicial Commission of Inquiry into Allegations of State Capture (the Zondo Commission) exposed systemic corruption, political patronage, institutional capture, procurement fraud, and governance failures across major state institutions. The Commission concluded that existing oversight and accountability mechanisms had failed to prevent or effectively respond to widespread corruption, recommending comprehensive institutional reforms, stronger investigative capacity, improved consequence management, and greater independence of oversight bodies (Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State, 2022).

International evidence further reinforces these concerns. Transparency International's Corruption Perceptions Index (2024) indicates that South Africa continues to face significant challenges in improving public sector integrity and reducing corruption. Likewise, the Organisation for Economic Co-operation and Development (OECD, 2025) notes that corruption and state capture have weakened institutional effectiveness, reduced investor confidence, constrained economic growth, and undermined citizens' trust in democratic governance. The United Nations Office on Drugs and Crime (UNODC, 2024) similarly emphasises that effective anti-corruption systems require independent oversight institutions, transparent public administration, strong enforcement mechanisms, and effective implementation of anti-corruption legislation.

Against this backdrop, public debate has increasingly questioned whether the current institutional architecture is adequate to combat systemic corruption. The article analysed in this study proposes replacing or fundamentally restructuring the Public Service Commission by adopting elements of the Madlanga Commission model, including independent appointments, transparent recruitment processes, public disciplinary hearings, stronger investigative powers, and enhanced consequence management. While these proposals seek to strengthen public accountability, they also raise important constitutional, legal, governance, and administrative questions regarding the feasibility, effectiveness, and implications of restructuring a constitutionally established institution.

Central Problem Statement

The central problem addressed by this article is that despite South Africa having an extensive constitutional and legislative framework, together with multiple oversight institutions designed to combat corruption and promote ethical public administration, persistent corruption, weak implementation of accountability mechanisms, inadequate consequence management, and declining public trust continue to undermine effective governance. This raises critical questions regarding whether the current Public Service Commission possesses sufficient institutional capacity, independence, authority, and enforcement powers to fulfil its constitutional mandate, or whether comprehensive institutional reforms are required to strengthen public sector accountability and combat corruption more effectively.

Research Objectives and Research Questions

The research objectives and questions are aligned with the study's aim of critically evaluating the effectiveness of the Public Service Commission (PSC) in promoting ethical governance, accountability, and combating corruption in South Africa, while assessing the institutional reform proposals advanced in the article. The objectives are informed by the constitutional mandate of the PSC (Republic of South Africa, 1996), the recommendations of the Judicial Commission of Inquiry into Allegations of State Capture (2022), the Public Service Commission's oversight reports (PSC, 2024), and international governance frameworks such as the United Nations Convention against Corruption (United Nations, 2004) and the OECD Principles of Public Governance (OECD, 2025).

Research Objectives	**Research Questions**
Objective 1: To examine the constitutional mandate, legislative framework, and institutional role of the Public Service Commission in promoting ethical governance, accountability, and professional public administration in South Africa.	**Research Question 1:** What is the constitutional and legislative mandate of the Public Service Commission in promoting ethical governance, accountability, and integrity within the South African public service?
Objective 2: To evaluate the effectiveness of the Public Service Commission in preventing corruption, promoting professional ethics, and enforcing consequence management within the public service.	**Research Question 2:** How effective has the Public Service Commission been in combating corruption, promoting professional ethics, and ensuring consequence management in the South African public service?
Objective 3: To analyse the governance failures and institutional weaknesses identified by the Zondo Commission, Auditor-General South	**Research Question 3:** What governance failures and institutional weaknesses contribute to persistent corruption and weak

Research Objectives	Research Questions
Africa, and Public Service Commission reports that continue to undermine public sector accountability.	accountability within South Africa's public service?
Objective 4: To critically evaluate the institutional reform proposals presented in the article, including replacing or restructuring the Public Service Commission using elements of the Madlanga Commission model.	**Research Question 4:** To what extent could the proposed institutional reforms strengthen transparency, accountability, independence, merit-based appointments, and anti-corruption efforts within the South African public service?
Objective 5: To compare South Africa's public sector accountability framework with international anti-corruption principles and best practices advocated by organisations such as the United Nations, OECD, and Transparency International.	**Research Question 5:** How do South Africa's public sector accountability mechanisms compare with international best practices for promoting integrity, transparency, and good governance?
Objective 6: To develop evidence-based recommendations for strengthening the Public Service Commission and improving governance, ethical leadership, and institutional accountability in South Africa.	**Research Question 6:** What policy and institutional reforms can be implemented to strengthen the Public Service Commission and improve governance, accountability, and ethical leadership within the South African public service?

Scholarly Basis for the Objectives

These objectives are informed by:

- **The Constitution of the Republic of South Africa, 1996**, particularly Section 195 (Basic Values and Principles Governing Public Administration) and Section 196 (Public Service Commission), which establish the constitutional foundation for ethical, accountable, and professional public administration.
- **The Public Service Commission Annual Report (2023/2024)**, which identifies recurring challenges relating to ethics, misconduct, corruption, and implementation of PSC recommendations.
- **The Judicial Commission of Inquiry into Allegations of State Capture (Zondo Commission, 2022)**, which recommends strengthening oversight institutions, enhancing consequence management, and protecting institutional independence.
- **The United Nations Convention against Corruption (UNCAC, 2004)**, which encourages states to establish effective and independent anti-corruption institutions.
- **The OECD Economic Survey: South Africa (2025)**, which emphasises institutional reform, improved governance, transparency, and accountability as prerequisites for economic growth and public trust.

Significance of the Study

This study is significant because it provides a comprehensive evaluation of the effectiveness of the Public Service Commission (PSC) as South Africa's principal constitutional oversight institution responsible for promoting ethical governance, accountability, transparency, and professionalism within the public service. At a time when corruption, maladministration, state capture, and declining public confidence continue to undermine democratic governance and service delivery, the study offers timely evidence on the institutional strengths and weaknesses of the PSC and proposes practical pathways for reform.

From an academic perspective, the study contributes to the body of knowledge in Public Administration, Governance, Political Science, Constitutional Law, and Anti-Corruption Studies by critically examining the relationship between constitutional oversight institutions and effective public sector governance. It integrates constitutional principles, governance theories, commission reports, policy documents, and international best practices to develop a comprehensive understanding of institutional accountability. Furthermore, the study identifies knowledge gaps relating to the implementation of PSC recommendations and provides a foundation for future empirical research on oversight institutions in South Africa.

From a policy perspective, the findings provide valuable evidence for Parliament, the Presidency, the Department of Public Service and Administration (DPSA), the Public Service Commission, and other oversight institutions regarding the need to strengthen institutional independence, investigative capacity, monitoring systems, and consequence management. The recommendations may inform future legislative reviews and public sector reform initiatives aimed at improving governance and reducing corruption.

From a practical perspective, the study provides actionable recommendations for improving merit-based appointments, ethical leadership, transparency, disciplinary processes, inter-agency collaboration, and monitoring of PSC recommendations. These recommendations may contribute to a more capable, professional, and accountable public service that delivers quality services to citizens. The study is also significant for anti-corruption efforts because it highlights the importance of strengthening oversight institutions rather than relying solely on the creation of additional structures. It demonstrates that effective implementation, institutional coordination, and political commitment are fundamental to combating corruption and restoring integrity in public administration.

At a broader level, the study contributes to the achievement of Section 195 of the Constitution, the National Development Plan (NDP) 2030, the National Anti-Corruption Strategy (2022–2030), the African Union Agenda 2063, and the United Nations Sustainable Development Goal 16 (Peace, Justice and Strong

Institutions) by promoting accountable, transparent, and effective public institutions.

Research Gaps of the Study

Although South Africa has established an extensive constitutional, legislative, and institutional framework to combat corruption and promote ethical public administration, significant knowledge and policy gaps remain regarding the effectiveness of the Public Service Commission (PSC) and the need for institutional reform. Existing studies have predominantly focused on corruption, state capture, public sector ethics, and governance failures, while limited scholarly attention has been given to evaluating whether the current constitutional mandate, powers, and institutional capacity of the PSC are sufficient to address contemporary governance challenges (Public Service Commission, 2024; Republic of South Africa, 1996).

The first research gap relates to the limited empirical evaluation of the Public Service Commission's effectiveness. Although the PSC publishes annual reports and investigates complaints relating to maladministration and corruption, relatively few academic studies have critically assessed the extent to which its recommendations are implemented, its investigations result in meaningful consequence management, or its interventions improve ethical governance across the public service (PSC, 2024).

Secondly, there is insufficient research examining whether the PSC possesses adequate constitutional powers and institutional independence to effectively investigate, enforce accountability, and combat systemic corruption. The findings of the Judicial Commission of Inquiry into Allegations of State Capture (Zondo Commission) demonstrated that institutional weaknesses, political interference, and weak enforcement mechanisms significantly contributed to governance failures, yet limited research has examined whether strengthening or restructuring the PSC could address these deficiencies (Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector Including Organs of State, 2022).

A third gap concerns the absence of studies evaluating alternative institutional models for public sector accountability. The proposals presented in the article—including replacing or restructuring the PSC using elements of the Madlanga Commission model—represent an emerging public policy debate. However, there is little scholarly literature assessing the constitutional feasibility, governance implications, benefits, risks, and practical implementation of such reforms within the South African public administration context.

Another important gap is the limited comparative analysis between South Africa's oversight institutions and international best practices. Although organisations such as the United Nations (UNCAC), the Organisation for Economic Co-operation and Development (OECD), Transparency International, and the World Bank advocate for independent anti-corruption institutions, merit-based appointments, transparent disciplinary systems, and strong consequence management, few South African studies systematically compare the PSC's institutional design with successful international accountability models (OECD, 2025; United Nations, 2004).

There is also a policy implementation gap. South Africa has numerous anti-corruption policies, legislation, commissions of inquiry, and oversight institutions, yet corruption, procurement irregularities, financial misconduct, and weak consequence management continue to persist. Existing literature has focused extensively on identifying corruption but has paid comparatively less attention to why oversight recommendations are often poorly implemented and how institutional coordination can be strengthened among the PSC, Auditor-General South Africa (AGSA), Special Investigating Unit (SIU), National Prosecuting Authority (NPA), Public Protector South Africa, and other accountability institutions (Auditor-General South Africa, 2024).

Furthermore, there is limited research on public confidence in the Public Service Commission. While several perception studies examine trust in government generally, few have specifically investigated citizens' confidence in the PSC, its visibility, accessibility, effectiveness, and perceived independence in addressing corruption and maladministration. Finally, there is a limited body of research exploring innovative governance reforms such as public disciplinary hearings, independent appointment commissions, specialised anti-corruption tribunals, and the reinvestment of recovered corruption proceeds into strengthening oversight institutions. These proposals remain underexplored in the South African context despite growing public debate regarding institutional reform following the Zondo Commission and other judicial commissions of inquiry.

This study seeks to address these gaps by critically examining the constitutional role, effectiveness, and institutional capacity of the Public Service Commission, evaluating the reform proposals advanced in the article, comparing South Africa's oversight framework with international best practices, and developing evidence-based recommendations to strengthen accountability, ethical governance, transparency, and anti-corruption efforts within the South African public service.

Summary of the Research Gaps

The study addresses the following key gaps:

1. **Limited empirical research** evaluating the effectiveness and impact of the Public Service Commission.
2. **Insufficient assessment** of whether the PSC has adequate constitutional powers, independence, and enforcement capacity.
3. **Lack of scholarly analysis** of proposals to restructure or replace the PSC using alternative institutional models such as the Madlanga Commission.
4. **Limited comparative studies** between South Africa's accountability institutions and international anti-corruption best practices.
5. **Persistent implementation gap** between anti-corruption policies, commission recommendations, and actual consequence management.
6. **Limited research** on public confidence in and perceptions of the PSC.
7. **Insufficient evidence** on innovative governance reforms that could strengthen oversight, transparency, and accountability in the South African public service.

Theoretical Framework

Definition of a Theoretical Framework

A theoretical framework is the conceptual foundation upon which a research study is built. It comprises established theories that explain, predict, and interpret the relationships among variables under investigation. A theoretical framework provides the lens through which the researcher examines the research problem, guides data interpretation, and supports the formulation of conclusions and recommendations. According to Creswell and Creswell (2018), a theoretical framework explains the underlying assumptions of a study and connects research questions to existing bodies of knowledge. Similarly, Saunders, Lewis, and Thornhill (2019) argue that a theoretical framework assists researchers in explaining organisational behaviour, institutional performance, governance systems, and policy implementation by providing a systematic analytical perspective.

In public administration research, theoretical frameworks are particularly important because they explain how institutions function, why governance failures occur, and how accountability mechanisms can improve public sector performance. Since this study examines the effectiveness of the Public Service Commission (PSC) and evaluates proposals for institutional reform, theories relating to governance, accountability, ethics, institutional performance, and principal-agent relationships provide an appropriate conceptual foundation.

Theoretical Framework Underpinning the Study

This study is underpinned by four complementary theories:

1. Principal–Agent Theory
2. Good Governance Theory
3. Institutional Theory
4. Public Integrity Theory

Together, these theories explain why oversight institutions exist, how they should function, and why corruption persists despite constitutional and legislative safeguards.

Principal–Agent Theory

Principal–Agent Theory was developed by Michael Jensen and William Meckling (1976). The theory explains the relationship between principals (citizens and elected representatives) and agents (public officials entrusted with exercising public authority). It argues that corruption, maladministration, and abuse of power arise when agents pursue personal interests rather than the interests of the principals they serve.

In the public sector, citizens delegate authority to government officials to manage public resources honestly, efficiently, and transparently. However, where oversight mechanisms are weak and accountability is limited, officials may engage in corruption, fraud, procurement irregularities, or political patronage.

The Public Service Commission functions as an oversight institution intended to reduce these agency problems by promoting ethical conduct, monitoring compliance, investigating misconduct, and recommending corrective action. Nevertheless, persistent corruption identified by the Zondo Commission suggests that agency problems remain significant within the South African public service (Judicial Commission of Inquiry into Allegations of State Capture, 2022).

Relevance to the Study

Principal–Agent Theory is relevant because it explains:

- why oversight institutions are necessary;
- why corruption persists despite legal controls;
- why effective monitoring and consequence management are essential; and
- why stronger institutional independence may reduce opportunities for abuse of public office.

Good Governance Theory

Good Governance Theory emerged from the work of the World Bank, the United Nations Development Programme (UNDP), and the Organisation for Economic Co-operation and Development (OECD) during the 1990s. The theory argues that effective governance depends on transparency, accountability, participation, responsiveness, effectiveness, equity, adherence to the rule of law, and ethical leadership (World Bank, 1992; UNDP, 1997; OECD, 2025).

South Africa's Constitution reflects these principles in Section 195, which requires public administration to maintain high standards of professional ethics, efficient use of resources, accountability, transparency, fairness, and responsiveness (Republic of South Africa, 1996).

The PSC is constitutionally mandated to promote these governance principles. However, recurring audit findings, procurement irregularities, state capture, and weak consequence management indicate gaps between constitutional ideals and practical implementation.

Relevance to the Study

Good Governance Theory provides the conceptual basis for evaluating whether:

- the PSC promotes transparency;
- accountability mechanisms function effectively;
- ethical leadership is strengthened;
- institutional reforms can improve governance; and
- public confidence in government can be restored.

The article's proposals for independent appointments, transparent disciplinary hearings, and stronger anti-corruption mechanisms are directly aligned with Good Governance Theory.

Institutional Theory

Institutional Theory, advanced by John W. Meyer and Brian Rowan (1977) and later expanded by Paul J. DiMaggio and Walter W. Powell (1983), argues that organisational behaviour is shaped by formal rules, norms, structures, and institutional cultures. Institutions become effective only when formal structures are supported by capable leadership, organisational legitimacy, and implementation capacity.

Although South Africa possesses numerous oversight institutions, legislation, and anti-corruption agencies, governance failures continue to occur because institutional effectiveness depends not merely on legal mandates but also on leadership, resources, political independence, organisational culture, and enforcement.

Institutional Theory therefore helps explain why constitutional institutions may exist without necessarily producing effective governance outcomes.

Relevance to the Study

Institutional Theory assists this study by explaining:

- why institutional design matters;
- why constitutional mandates alone cannot eliminate corruption;
- why organisational capacity influences performance;

- why institutional reform may be necessary; and
- why strengthening the PSC could improve governance outcomes.

Public Integrity Theory

Public Integrity Theory focuses on promoting ethical behaviour, preventing corruption, strengthening accountability, and protecting the public interest. According to the OECD (2020; 2025), integrity systems require coherent institutions, ethical leadership, transparent recruitment, effective enforcement, conflict-of-interest management, and robust oversight mechanisms.

Rather than focusing solely on punishment, Public Integrity Theory emphasises creating organisational cultures that encourage honesty, professionalism, fairness, and public trust.

The PSC's constitutional mandate aligns closely with Public Integrity Theory because it is responsible for promoting professional ethics, investigating misconduct, evaluating personnel practices, and encouraging integrity within the public service.

Relevance to the Study

Public Integrity Theory is directly relevant because this study evaluates:

- ethical governance;
- corruption prevention;
- institutional accountability;
- merit-based appointments;
- disciplinary systems; and
- reforms aimed at strengthening integrity within the South African public service.

Integration of the Theoretical Framework with the Study

The four theories collectively provide a comprehensive framework for analysing the effectiveness of the Public Service Commission.

- **Principal–Agent Theory** explains why corruption occurs when oversight is weak.
- **Good Governance Theory** provides benchmarks for evaluating transparency, accountability, responsiveness, and ethical leadership.
- **Institutional Theory** explains how institutional design, organisational culture, and implementation capacity influence governance outcomes.
- **Public Integrity Theory** emphasises ethics, professionalism, consequence management, and anti-corruption measures as essential elements of effective public administration.

Together, these theories support the study's central argument that South Africa's governance challenges are not solely the result of inadequate legislation but also reflect weaknesses in institutional effectiveness, implementation, accountability, and enforcement. They also provide a sound conceptual basis for assessing the article's proposals to strengthen or reform the Public Service Commission while remaining mindful that any reforms must be constitutionally compliant, balanced by appropriate checks and balances, and practically implementable.

Literature Review

This literature review examines existing scholarship, government reports, commission findings, policy documents, and international best practices relating to the effectiveness of the Public Service Commission (PSC), public sector accountability, ethical governance, institutional reform, and anti-corruption initiatives in South Africa. The review critically analyses constitutional provisions, legislative frameworks, oversight institutions, and governance theories that underpin the study. It further integrates South African and international literature to identify knowledge gaps and establish the scholarly foundation for evaluating proposals to strengthen or reform the PSC.

The literature is organised into thematic areas, including public administration and good governance, the constitutional mandate of the PSC, corruption and accountability, institutional weaknesses, state capture, international best practices, and institutional reform.

Public Administration and Good Governance

Public administration refers to the implementation of government policies, management of public resources, and delivery of public services to citizens. According to Denhardt and Denhardt (2015), modern public administration extends beyond bureaucratic management to include democratic governance, ethical leadership, citizen participation, transparency, and accountability. Similarly, Cloete and Thornhill (2018) argue that effective public administration is fundamental to achieving sustainable development, public trust, and responsive governance.

The Constitution of the Republic of South Africa, 1996 provides the normative framework for public administration. Section 195 requires public administration to uphold high standards of professional ethics, efficient use of resources, accountability, transparency, fairness, responsiveness, and developmental orientation (Republic of South Africa, 1996). These constitutional principles provide the foundation upon which the Public Service Commission performs its oversight responsibilities.

Internationally, the Organisation for Economic Co-operation and Development (OECD, 2025) identifies transparency, institutional integrity, accountability, professionalism, and effective oversight as essential characteristics of good governance. Likewise, the United Nations Development Programme (UNDP, 1997) argues that democratic governance depends upon participation, responsiveness, equity, effectiveness, and the rule of law.

The literature therefore demonstrates that effective governance cannot be achieved solely through legislation but requires capable institutions with sufficient authority, independence, and implementation capacity.

Constitutional Mandate of the Public Service Commission

The Public Service Commission (PSC) is established under Section 196 of the Constitution of the Republic of South Africa, 1996 as an independent constitutional institution responsible for promoting constitutional values and principles governing public administration.

According to the Constitution, the PSC must:

- Promote professional ethics.
- Investigate grievances.
- Monitor and evaluate public administration.
- Recommend corrective measures.
- Promote accountability.
- Evaluate personnel practices.
- Investigate corruption and maladministration.

The Public Service Commission Annual Report (2023/2024) indicates that the Commission continues to investigate corruption, monitor ethics management, conduct inspections, evaluate service delivery, and oversee implementation of constitutional values across government departments. Despite these efforts, recurring governance failures continue to affect many government institutions, raising questions regarding the Commission's overall effectiveness (PSC, 2024).

The National Development Plan (NDP) 2030 similarly recognises that South Africa requires a capable, ethical, developmental, and professional public service supported by strong oversight institutions (Republic of South Africa, 2012).

Corruption and Accountability in South Africa

Corruption remains one of the greatest threats to democratic governance and economic development in South Africa. Transparency International (2024) notes that corruption undermines public confidence, weakens state institutions, reduces investor confidence, and diverts resources away from essential public services.

The Public Service Commission (2024) reports recurring cases involving:

- procurement irregularities;
- financial misconduct;
- abuse of public resources;
- conflicts of interest;
- irregular appointments;
- unethical conduct.

Similarly, the Auditor-General South Africa (2024) continues to identify:

- irregular expenditure;
- fruitless and wasteful expenditure;
- material irregularities;
- weak financial controls;
- poor governance;
- recurring audit findings.

These reports suggest that despite numerous oversight institutions, accountability mechanisms have not consistently translated into improved governance outcomes.

The OECD (2025) further concludes that corruption and institutional weaknesses continue to undermine economic growth, democratic legitimacy, and effective public administration in South Africa.

State Capture and Institutional Failure

One of the most significant contributions to understanding governance failures in South Africa is the Judicial Commission of Inquiry into Allegations of State Capture (Zondo Commission).

The Commission found widespread:

- political interference;
- procurement fraud;
- abuse of executive authority;
- institutional capture;
- corruption within state-owned enterprises;
- failures of oversight institutions.

The Commission concluded that existing accountability mechanisms were insufficient to prevent large-scale corruption and recommended stronger oversight institutions, professional public administration, improved procurement systems, and effective consequence management (Judicial Commission of Inquiry into Allegations of State Capture, 2022).

These findings reinforce concerns regarding whether existing oversight institutions, including the PSC, possess adequate authority and enforcement capacity.

Challenges Facing the Public Service Commission

Although the PSC performs numerous oversight functions, the literature identifies several institutional challenges.

Firstly, the Commission's recommendations are largely advisory rather than legally binding (Republic of South Africa, 1996).

Secondly, implementation of PSC recommendations by government departments remains inconsistent (PSC, 2024).

Thirdly, weak consequence management has contributed to recurring unethical conduct and corruption.

Fourthly, overlapping mandates among oversight institutions create duplication and coordination challenges.

Finally, several scholars argue that institutional independence should be strengthened to improve accountability and public confidence (Cloete & Thornhill, 2018).

These challenges have generated increasing debate regarding institutional reform.

International Best Practices

International organisations advocate independent anti-corruption institutions supported by strong legal frameworks.

The United Nations Convention against Corruption (UNCAC) requires member states to establish:

- independent anti-corruption bodies;
- transparent public administration;
- merit-based recruitment;
- whistle-blower protection;
- effective investigations;
- international cooperation (United Nations, 2004).

The OECD Public Integrity Handbook (2020) similarly recommends:

- ethical leadership;
- integrity management;
- conflict-of-interest systems;
- accountability;
- transparency;
- effective disciplinary mechanisms.

The World Bank (1992) further argues that governance reforms should strengthen institutional independence, accountability, and administrative effectiveness rather than merely expanding bureaucracy.

These international principles align closely with several reform proposals discussed in this study.

Institutional Reform and the Madlanga Commission Proposal

Recent public discourse has questioned whether the Public Service Commission should be strengthened or fundamentally restructured.

The article analysed in this study proposes:

- independent commissioners;
- retired judges leading investigations;
- public disciplinary hearings;
- merit-based appointments;
- stronger investigative powers;
- dedicated anti-corruption structures.

While these proposals seek to strengthen accountability, scholars caution that constitutional reforms should preserve the separation of powers, due process, labour rights, and institutional checks and balances (OECD, 2025).

Consequently, institutional reform should focus on improving effectiveness while remaining constitutionally compliant.

Research Gap Emerging from the Literature

The reviewed literature demonstrates that considerable attention has been devoted to corruption, state capture, public administration, and ethical governance.

However, limited research has specifically:

- evaluated the effectiveness of the Public Service Commission;
- examined implementation of PSC recommendations;
- assessed proposals for restructuring the PSC;
- compared the PSC with international oversight institutions;
- investigated public perceptions of PSC performance.

This study addresses these gaps by critically evaluating the institutional effectiveness of the PSC while assessing proposed reforms aimed at strengthening accountability, transparency, and anti-corruption governance. The literature review demonstrates that South Africa possesses a comprehensive constitutional and legislative framework promoting ethical governance and accountability. Nevertheless, recurring corruption, weak consequence management, procurement irregularities, and governance failures continue to undermine public administration. The Public Service Commission plays a central oversight role but faces challenges relating to enforcement powers, implementation of recommendations, institutional capacity, and public confidence.

International literature emphasises that successful anti-corruption systems require independent institutions, professional public administration, transparent recruitment, effective investigations, and strong accountability mechanisms. These findings provide the theoretical and empirical foundation for evaluating the proposed institutional reforms discussed in this study.

Discussion and Findings

The analysis of the article, together with the reviewed literature, constitutional provisions, government reports, and international governance frameworks, reveals that while South Africa possesses a comprehensive legal and institutional framework for promoting ethical governance and combating corruption, the effectiveness of the Public Service Commission (PSC) remains constrained by structural, legal, and operational challenges. The discussion is organised according to the major themes that emerged from the study.

The Public Service Commission has a Strong Constitutional Mandate but Limited Enforcement Powers

The study found that the PSC has a broad constitutional mandate under Sections 195 and 196 of the Constitution to promote professional ethics, investigate grievances, monitor public administration, and advise government on improving governance (Republic of South Africa, 1996). However, the Commission's recommendations are largely advisory rather than legally binding. Consequently, departments may fail to implement PSC recommendations without significant legal consequences. This institutional limitation weakens the Commission's ability to enforce accountability and ensure effective consequence management.

Finding: The PSC's constitutional mandate is comprehensive, but its limited enforcement powers reduce its practical effectiveness in combating corruption and maladministration.

Corruption Remains a Persistent Challenge Despite Multiple Oversight Institutions

The study found that corruption, procurement irregularities, financial misconduct, abuse of public resources, and unethical behaviour continue to affect many government institutions. Reports by the Auditor-General South Africa (2024), the Public Service Commission (2024), and the Zondo Commission (2022) demonstrate that governance failures remain widespread despite the existence of numerous oversight institutions.

The persistence of these challenges suggests that South Africa's anti-corruption problem is not caused by a lack of legislation but by weaknesses in implementation, institutional coordination, and consequence management.

Finding: Existing accountability institutions have not sufficiently reduced corruption or significantly improved ethical governance across the public service.

Weak Consequence Management Undermines Accountability

The study found that disciplinary action against senior public officials is often delayed, inconsistent, or absent. Although investigations frequently identify misconduct, implementation of disciplinary recommendations remains uneven. The Zondo Commission concluded that weak consequence management enabled state capture and institutional corruption to flourish.

Finding: Weak implementation of disciplinary measures contributes to recurring corruption and undermines public confidence in government institutions.

Institutional Capacity Does Not Always Translate into Institutional Effectiveness

The study found that the PSC has a significant institutional footprint, comprising **14 Commissioners**, a national office, provincial offices in all nine provinces, and professional staff responsible for investigations, research, monitoring, ethics management, and administration. However, despite these resources, corruption, maladministration, and governance failures remain widespread.

This finding does **not** imply that the PSC alone is responsible for these governance failures. Rather, it suggests that institutional capacity must be matched by stronger legal authority, effective implementation of recommendations, and coordinated action with other oversight and law enforcement agencies.

Finding: Institutional resources alone are insufficient to achieve effective governance without stronger implementation and enforcement mechanisms.

The Zondo Commission Demonstrated the Value of Independent Investigations

The literature indicates that the Judicial Commission of Inquiry into Allegations of State Capture exposed systemic corruption through extensive investigations, public hearings, witness testimony, and documentary evidence. The Commission demonstrated the importance of institutional independence, transparency, and robust investigative powers.

The article's proposal to strengthen the PSC using elements of the Madlanga Commission reflects growing public demand for more effective and independent oversight institutions.

Finding: Independent commissions with strong investigative powers can significantly strengthen accountability and expose systemic governance failures.

Merit-Based Appointments Remain Essential for Professional Public Administration

The study found that political patronage, irregular appointments, and conflicts of interest continue to undermine professionalism within the public service. Both the National Development Plan (2030) and the OECD advocate merit-based recruitment, ethical leadership, and professional public administration as essential components of effective governance.

Finding: Strengthening merit-based recruitment and protecting appointments from undue political influence could improve institutional performance and public confidence.

International Best Practices Support Strong Independent Oversight Institutions

International literature reviewed in this study demonstrates that countries with effective anti-corruption systems generally possess:

- ➢ Independent oversight institutions
- ➢ Transparent recruitment systems
- ➢ Effective disciplinary mechanisms
- ➢ Professional public services
- ➢ Strong consequence management
- ➢ Independent prosecutorial systems

These principles are reflected in the United Nations Convention against Corruption (UNCAC), OECD Public Integrity Framework, and Sustainable Development Goal 16.

Finding: South Africa's governance framework broadly aligns with international standards, but implementation remains the primary challenge.

Public Confidence Depends on Visible Accountability

The study found that public confidence in government institutions is closely linked to visible accountability and consistent enforcement of ethical standards. Citizens expect oversight institutions not only to investigate misconduct but also to ensure meaningful corrective action.

The article's proposals for greater transparency, independent appointments, and stronger disciplinary systems reflect broader public concerns regarding accountability rather than merely institutional restructuring.

Finding: Restoring public trust requires demonstrable improvements in accountability, transparency, and ethical governance.

Practical Recommendations

Based on the findings of this study, the following practical recommendations are proposed to strengthen the effectiveness of the Public Service Commission (PSC), improve ethical governance, enhance accountability, and reduce corruption in South Africa.

Recommendations to the President of South Africa

The President should champion the professionalisation of the public service by strengthening the independence, capacity, and effectiveness of the Public Service Commission. The Presidency should ensure that appointments of Commissioners are transparent, merit-based, and free from political interference. Furthermore, the President should ensure that all recommendations arising from commissions of inquiry, including the Zondo Commission and other governance investigations, are implemented within clear timeframes to restore public confidence in government.

Recommendations to Parliament

Parliament should strengthen oversight over the Public Service Commission by requiring annual implementation reports on PSC recommendations from all national and provincial departments. Parliamentary Portfolio Committees should summon Accounting Officers and Executive Authorities who fail to implement PSC recommendations and should conduct periodic reviews of the Commission's institutional performance. Parliament should also consider legislative amendments that strengthen the implementation and follow-up of PSC recommendations while preserving constitutional safeguards.

Recommendations to the Public Service Commission (PSC)

The PSC should strengthen its monitoring, investigation, and evaluation systems by:

- ➢ Conducting regular compliance audits of government departments.
- ➢ Publishing departmental implementation scorecards on PSC recommendations.
- ➢ Expanding the National Anti-Corruption Hotline and digital reporting platforms.
- ➢ Strengthening ethics investigations through specialised forensic and legal expertise.
- ➢ Increasing public awareness of the PSC's constitutional role through national communication campaigns.
- ➢ Producing annual governance performance indices measuring ethics, accountability, and integrity across all departments.
- ➢ Strengthening collaboration with the Auditor-General South Africa (AGSA), the Special Investigating Unit (SIU), the Public Protector, the National Prosecuting Authority (NPA), the Hawks, and the Financial Intelligence Centre (FIC).

Recommendations to National and Provincial Government Departments

Government departments should institutionalise ethical leadership by ensuring full implementation of PSC recommendations. Accounting Officers should establish internal governance monitoring units responsible for tracking ethics compliance, disciplinary processes, and implementation of oversight recommendations. Departments should also strengthen risk management systems, internal audit functions, procurement controls, and whistle-blower protection mechanisms to reduce opportunities for corruption and maladministration.

Recommendations to the Department of Public Service and Administration (DPSA)

The DPSA should accelerate the professionalisation of the South African public service by strengthening competency-based recruitment, leadership development, ethics training, and performance management systems. Recruitment and promotion should prioritise merit, qualifications, competence, and integrity while limiting opportunities for political patronage. Continuous ethics education should become mandatory for all Senior Management Service (SMS) members.

Recommendations to Political Parties

Political parties should promote ethical leadership by supporting merit-based appointments and refraining from undue political interference in public administration. Parties should strengthen internal integrity systems, encourage accountability among elected representatives, and publicly support anti-corruption initiatives that reinforce constitutional governance and public confidence.

Recommendations to Anti-Corruption Agencies

The Special Investigating Unit (SIU), Hawks, National Prosecuting Authority (NPA), Public Protector South Africa, Financial Intelligence Centre (FIC), South African Police Service (SAPS), Auditor-General South Africa (AGSA), and the PSC should strengthen inter-agency cooperation through integrated anti-corruption task teams, joint investigations, intelligence sharing, and coordinated monitoring systems. This integrated approach will reduce duplication of investigations and improve prosecution and asset recovery outcomes.

Recommendations to Public Servants

Public servants should uphold the constitutional values contained in Section 195 of the Constitution by demonstrating professionalism, impartiality, accountability, honesty, and integrity. Officials should declare financial interests accurately, avoid conflicts of interest, comply with procurement legislation, and actively report corruption through protected whistle-blower mechanisms. Ethical conduct should become an integral part of performance assessments.

Recommendations to Civil Society, Academia and the Media

Civil society organisations, universities, professional bodies, and investigative media should continue monitoring government accountability and promoting transparency. Academic institutions should expand research on governance reform, institutional accountability, and public sector integrity, while the media should continue exposing corruption responsibly and informing citizens about the role of constitutional oversight institutions.

Recommendations for Institutional Reform

The study recommends strengthening the effectiveness of the Public Service Commission through targeted institutional reforms rather than replacing it entirely. These reforms should include:

- Reviewing the legislative framework governing the PSC to enhance implementation of its recommendations.
- Strengthening the investigative, monitoring, and evaluation capacity of the Commission.
- Introducing digital governance systems to monitor departmental compliance in real time.
- Establishing measurable institutional performance indicators linked to governance outcomes.
- Conducting independent external performance evaluations of the PSC every five years.
- Improving transparency by publishing departmental compliance reports and governance scorecards accessible to the public.
- Strengthening the appointment process for Commissioners to reinforce independence, credibility, and public confidence.

Expected Practical Outcomes

If these recommendations are implemented effectively, they are expected to:

- Strengthen ethical governance across the South African public service.
- Improve implementation of Public Service Commission recommendations.
- Enhance accountability and consequence management.
- Reduce corruption, maladministration, and procurement irregularities.
- Improve transparency and institutional integrity.
- Strengthen merit-based recruitment and professional public administration.
- Increase coordination among oversight and law enforcement institutions.
- Improve public confidence in constitutional institutions.
- Enhance service delivery and responsible use of public resources.
- Support the implementation of the National Development Plan (NDP) 2030, the National Anti-Corruption Strategy (2022–2030), African Union Agenda 2063, and Sustainable Development Goal 16 (Peace, Justice and Strong Institutions).

These recommendations provide a practical roadmap for strengthening governance, reinforcing constitutional democracy, and building a capable, ethical, transparent, and accountable public service in South Africa.

10. OVERALL FINDINGS OF THE STUDY

The study reached the following principal findings:

1. The Public Service Commission has a comprehensive constitutional mandate but limited enforcement authority.
2. Persistent corruption demonstrates weaknesses in implementation rather than deficiencies in legislation alone.
3. Weak consequence management remains one of the greatest obstacles to ethical public administration.

4. Institutional effectiveness depends not only on organisational size and resources but also on legal authority, independence, leadership, and implementation capacity.
5. The findings of the Zondo Commission reinforce the need for stronger oversight, institutional independence, and coordinated anti-corruption efforts.
6. Merit-based appointments and ethical leadership are essential for building a capable and professional public service.
7. International best practices support stronger oversight institutions, but reforms should preserve constitutional principles, due process, and the separation of powers.
8. Strengthening the PSC may be more practical and constitutionally feasible than replacing it entirely, provided reforms enhance its investigative capacity, implementation of recommendations, coordination with other oversight bodies, and public accountability.

Overall Impact of the Study

This study makes a significant contribution to the field of Public Administration, Governance, and Anti-Corruption Studies by critically evaluating the effectiveness of the Public Service Commission (PSC) in promoting ethical governance, accountability, and transparency within South Africa's public service. By analysing the constitutional mandate of the PSC alongside contemporary governance challenges and the institutional reform proposals inspired by the Madlanga Commission, the study provides a timely and evidence-based assessment of the strengths and weaknesses of South Africa's public accountability framework.

The study contributes to the growing body of knowledge on constitutional oversight institutions by highlighting the gap between constitutional ideals and practical implementation. It demonstrates that while South Africa has comprehensive legislation and multiple oversight bodies, corruption, maladministration, weak consequence management, and governance failures continue to undermine public confidence and service delivery. The study therefore advances the discourse on institutional effectiveness, accountability, and public sector reform.

Furthermore, the study has practical value for policymakers, Parliament, oversight institutions, government departments, anti-corruption agencies, and civil society by providing recommendations that may strengthen the effectiveness of the PSC, improve implementation of oversight recommendations, enhance institutional coordination, and promote a capable, ethical, and professional public service. The study also contributes to international discussions on public integrity by aligning its findings with the principles of the United Nations Convention against Corruption (UNCAC), the OECD Public Integrity Framework, and Sustainable Development Goal (SDG) 16, which promotes peace, justice, and strong institutions (United Nations, 2004; OECD, 2025).

Ultimately, the study supports South Africa's constitutional vision of building a democratic state founded on accountability, transparency, responsiveness, ethical leadership, and the rule of law.

Community Impact (CO Impact) of the Study

The study has important **community-oriented (CO) impacts** because it focuses on strengthening institutions responsible for protecting citizens' constitutional rights through ethical governance and accountable public administration.

Firstly, the study promotes improved service delivery by advocating stronger oversight and accountability mechanisms that can reduce corruption and ensure that public resources reach communities rather than being lost through fraud and maladministration.

Secondly, by encouraging greater transparency and ethical leadership, the study contributes to rebuilding public confidence in government institutions, thereby strengthening democratic participation and social cohesion.

Thirdly, the study supports community empowerment by encouraging citizens to make greater use of accountability mechanisms such as the National Anti-Corruption Hotline, whistle-blower protection systems, and public oversight processes.

Fourthly, stronger governance institutions can contribute to improved socio-economic development by ensuring that government funds intended for education, healthcare, housing, policing, infrastructure, and social development are utilised efficiently and responsibly.

Finally, the study contributes to achieving the National Development Plan (NDP) 2030, African Union Agenda 2063, and United Nations Sustainable Development Goal 16, all of which emphasise accountable institutions, reduced corruption, effective governance, and inclusive public administration.

Limitations of the Study

Although this study provides valuable insights into the effectiveness of the Public Service Commission and institutional reform, several limitations should be acknowledged.

The study is based primarily on a qualitative analysis of constitutional provisions, legislation, government reports, commissions of inquiry, policy documents, academic literature, and the article under review. Consequently, it does not include primary empirical data collected through interviews, surveys, or questionnaires with Public Service Commissioners, public servants, policymakers, or members of the public.

Secondly, the study relies heavily on secondary data sources, including reports from the Public Service Commission, Auditor-General South Africa, the Judicial Commission of Inquiry into Allegations of State Capture, OECD, United Nations, and Transparency International. While these are credible and authoritative sources, they may not capture all perspectives or recent developments.

Thirdly, the study focuses specifically on the Public Service Commission and does not undertake a comprehensive evaluation of the performance of other constitutional and statutory oversight institutions such as the Public Protector, Special Investigating Unit (SIU), National Prosecuting Authority (NPA), or the Hawks, except where relevant for comparative purposes.

Fourthly, several institutional reform proposals discussed in the article, including restructuring or replacing the PSC, remain conceptual and normative. The study evaluates their potential benefits and challenges but does not assess their practical implementation through empirical testing or constitutional litigation.

Finally, governance and anti-corruption are dynamic policy areas. Future legislative amendments, institutional reforms, judicial decisions, or political developments may influence the relevance and applicability of some findings over time.

Despite these limitations, the study remains robust because it integrates constitutional analysis, public administration theory, government reports, commission findings, policy documents, and international governance frameworks to provide a comprehensive assessment of the Public Service Commission and its role in promoting ethical governance and accountability.

Key Takeaways

The study demonstrates that while the Public Service Commission (PSC) is constitutionally mandated to promote ethical governance, accountability, and professional public administration, its impact has been constrained by limited enforcement powers, weak implementation of recommendations, and persistent governance failures. The findings indicate that South Africa's challenge is not the absence of laws or oversight institutions but rather inadequate consequence management, institutional coordination, and implementation of anti-corruption measures. The study concludes that strengthening the PSC through enhanced investigative authority, greater institutional independence, improved monitoring systems, stronger collaboration with other oversight institutions, and merit-based public sector appointments would be more constitutionally feasible than replacing the Commission entirely. Ultimately, restoring public confidence requires ethical leadership, political commitment, transparent governance, and effective accountability mechanisms.

Successes of the Public Service Commission (PSC) Since Its Establishment

The **Public Service Commission (PSC)** has played an important role in promoting constitutional democracy, ethical governance, accountability, and professionalism within South Africa's public service since its establishment under the **Constitution of the Republic of South Africa, 1996**. Although the Commission has been criticised for limited enforcement powers, it has achieved several notable successes in strengthening governance systems and public administration.

Promotion of Constitutional Values and Principles

One of the PSC's greatest achievements has been promoting the constitutional values contained in **Sections 195 and 196** of the Constitution. Through monitoring, investigations, evaluations, and advisory reports, the Commission has consistently advocated for:

- Professional ethics
- Accountability
- Transparency
- Efficient public administration
- Fair human resource practices
- Citizen-centred service delivery

These principles remain central to South Africa's public administration framework.

Establishing Ethics and Integrity Systems

The PSC has made a significant contribution to institutionalising ethics management across government by:

- Monitoring financial disclosures by senior public servants.
- Investigating conflicts of interest.
- Promoting integrity management systems.
- Developing ethics guidelines.
- Encouraging compliance with the Financial Disclosure Framework.

These initiatives have strengthened awareness of ethical leadership and accountability throughout the public service.

Investigating Corruption and Maladministration

Since its establishment, the PSC has investigated thousands of complaints relating to:

- Corruption
- Maladministration
- Abuse of authority
- Unfair labour practices
- Service delivery failures
- Recruitment irregularities

Its investigations have resulted in recommendations to departments for disciplinary action, policy improvements, and governance reforms.

Establishment of the National Anti-Corruption Hotline (NACH)

One of the PSC's most recognised achievements was establishing and managing the National Anti-Corruption Hotline, which provides citizens and public servants with a confidential mechanism to report corruption.

The hotline has:

- Increased public participation.
- Improved reporting of corruption.
- Assisted departments in investigating allegations.
- Promoted whistle-blowing within government.
- Although implementation of recommendations varies, the hotline remains an important anti-corruption mechanism.

Improving Public Service Recruitment and Human Resource Management

The PSC has published numerous reports and recommendations on:

- Merit-based recruitment.
- Recruitment and selection processes.
- Performance management.
- Promotion practices.
- Human resource planning.
- Professionalisation of the public service.

Many departments have revised internal policies following PSC recommendations.

Monitoring Service Delivery

The Commission has conducted extensive:

- Service delivery inspections.
- Citizen satisfaction surveys.
- Monitoring and evaluation studies.
- Assessments of government departments.

- Oversight visits to service delivery centres.

These studies have identified weaknesses in frontline government services and informed recommendations for improvement.

Promotion of Professional Public Administration

The PSC has consistently advocated for:

- Merit-based appointments.
- Professional ethics.
- Skills development.
- Competency-based recruitment.
- Depoliticisation of the public service.
- Professionalisation initiatives.

These efforts have influenced broader public sector reform debates, including recent professionalisation initiatives.

Strengthening Monitoring and Evaluation

The PSC has produced hundreds of reports evaluating:

- Governance systems.
- Human resource management.
- Ethics compliance.
- Service delivery.
- Labour relations.
- Public administration performance.

These reports have become important reference documents for Parliament, government departments, researchers, and policymakers.

Providing Independent Advice to Parliament and Government

As an independent constitutional institution, the PSC has regularly advised Parliament and the Executive on:

- Public administration reforms.
- Governance challenges.
- Human resource policies.
- Ethical leadership.
- Anti-corruption measures.
- Public sector professionalisation.

Its reports have informed legislative reviews and administrative reforms.

Maintaining Good Institutional Governance

Despite overseeing governance across the public service, the PSC has generally maintained sound internal governance. Its annual reports indicate a consistent record of **clean audit outcomes** over several financial years, reflecting prudent financial management and compliance within the Commission itself.

Overall Assessment

Overall, the study finds that the PSC has made important institutional and governance contributions since its establishment by:

- Promoting constitutional values and principles.
- Strengthening ethics and integrity systems.
- Investigating corruption and maladministration.
- Establishing the National Anti-Corruption Hotline.
- Improving recruitment and human resource management practices.
- Monitoring service delivery.
- Producing influential governance reports.
- Advising Parliament and government on public administration reform.
- Supporting the professionalisation of the public service.
- Demonstrating sound internal governance through clean audit outcomes.

However, these achievements have not consistently translated into measurable reductions in corruption or significant improvements in accountability across the public service. The principal constraint has been the PSC's limited enforcement authority: its recommendations are generally advisory rather than binding, and implementation by departments has often been inconsistent. Thus, while the PSC has been successful in shaping governance norms, monitoring performance, and identifying weaknesses, its overall impact has been constrained by implementation and enforcement challenges rather than by a lack of constitutional mandate.

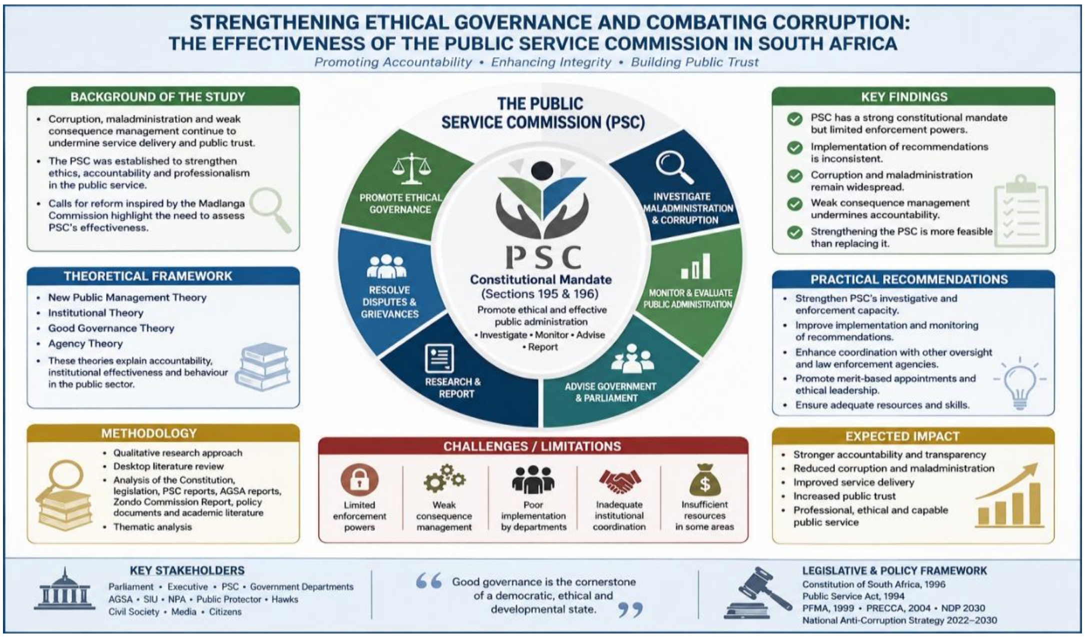

FIgure1: illustrating the study

Conclusion

This study critically examined the effectiveness of the Public Service Commission (PSC) in promoting ethical governance, accountability, transparency, and professionalism within South Africa's public service while evaluating proposals for institutional reform inspired by the Madlanga Commission. The findings demonstrate that although the PSC has made important contributions since its establishment—including promoting constitutional values, investigating maladministration, monitoring ethics, managing the National Anti-Corruption Hotline, and advising government on governance reforms its overall impact has been constrained by limited enforcement powers, inconsistent implementation of its recommendations, and weak consequence management.

The study found that South Africa's governance challenges are not primarily the result of inadequate legislation or a lack of oversight institutions. Rather, the central challenge lies in the implementation of existing laws, the coordination of oversight mechanisms, the enforcement of accountability, and sustained political commitment to ethical governance. Reports of the Auditor-General South Africa, the Public Service Commission, and the Judicial Commission of Inquiry into Allegations of State Capture consistently demonstrate that corruption, maladministration, procurement irregularities, and governance failures continue to undermine public confidence and effective service delivery.

Importantly, the study concludes that strengthening the existing Public Service Commission is likely to be a more practical and constitutionally sustainable approach than replacing it entirely. Reforms should focus on enhancing the PSC's investigative authority, strengthening monitoring and evaluation systems, improving implementation of recommendations, reinforcing institutional independence, promoting merit-based appointments, and deepening collaboration with other oversight and law enforcement agencies. Such reforms should remain consistent with the Constitution, the rule of law, due process, and the separation of powers.

Ultimately, the effectiveness of any oversight institution depends not only on its constitutional mandate but also on ethical leadership, institutional independence, professional competence, political will, and consistent enforcement of accountability. By implementing evidence-based reforms and strengthening governance systems, South Africa can build a more capable, ethical, transparent, and citizen-centred public service. In doing so, the country will advance the constitutional vision of accountable government, improve service delivery, restore public trust in democratic institutions, and reinforce the fight against corruption for the benefit of present and future generations.

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