

SPEECH BY THE CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES, HONOURABLE N. A. MASONDO, ON THE OCCASION OF THE SESSION HELD UNDER THE THEME “STATE CAPABILITY: DELINEATING WEAKNESSES, DEVISING STRATEGIC MECHANISMS TO ACCELERATE POLICY IMPLEMENTATION”

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Honourable Members of the Executive

Honourable Members of Parliament and Provincial Legislatures

Members of the South African Local Government Association

Esteemed Members of the Academic Community

Ladies and gentlemen

INTRODUCTION

Programme director, let me begin by thanking you for the opportunity to address today’s session which is held under the theme “*State Capability: Delineating Weaknesses and Devising Strategic Mechanisms to Accelerate Policy Implementation*”. I also wish to take this opportunity to salute the millions of workers during this Workers’ Month. They indeed remain key to the advancement of social and economic justice.

In its simplest form, state capability is the ability of the state to possess the capacity to formulate and implement policies that serve the national interest. As many observers have noted over the years, the South African democratic state has the necessary policies and laws to improve the quality of life of the citizens, but somewhat falls short when it comes to implementation, the capacity to master the art of doing.

Our aspiration is not to only become a state with the requisite capability. It is also to become a developmental state. This means that through state intervention the policies we adopt and implement should help us to overcome the root causes of poverty and inequality and to build the state’s capacity to fulfil this role.

Today’s engagement follows the session we had two weeks ago in which we interrogated the approach to planning for purposes of ensuring synergies in policy implementation by the three spheres of government.

During that session, we highlighted the importance of proper planning and coordination efforts in assisting the three spheres of government to tackle the current challenges of poverty, unemployment, inequality, the sluggish growth in the economy, the recovery efforts from the effects of the COVID-19 pandemic, and the natural disasters that have since battered some of our provinces.

Essentially, in the case of the disasters, we observed that while these have severe consequences, they also provide us with the opportunity to reflect on how best to leverage development going forward.

THE IMPACT OF STATE CAPABILITY ON THREE SPHERE COORDINATION PROCESSES IN GOVERNANCE

Programme Director, in terms of the founding provisions of the Constitution, the Republic of South Africa is one, sovereign, democratic state. It is founded on the values which include human dignity, the achievement of equality, human rights and freedoms.

The notion of a one, sovereign, democratic state suggests that irrespective of where a citizen is located in the Republic, he or she should be positively impacted by government policy. However, we know that this is not always the case. There is still a lot of work that needs to be done to ensure that the state has the capacity to extend public services equitably to all its citizens, irrespective of which municipal area they reside in.

Of course, this task requires a clear appreciation of the enduring effect of the legacy of apartheid, which is a legacy of inequality by design. It requires clear appreciation that ours is a society that had experienced what South Africa's first democratically elected President Nelson Rholihlahla Mandela called "extraordinary human disaster". It is for this reason that we need a capable and developmental state, a state that is able to address the devastating impact of inequality by design.

Indeed, even by any stretch of imagination, 27 years of freedom is nowhere enough to address hundreds of years of colonialism, racism, apartheid, sexism and repressive labour policies. However, we admit that there are things we could have addressed quicker and better, such as the land question, to contribute further and more meaningfully to the achievement of equality for all and the advancement of human rights and freedoms.

It is against this background that we ought to appreciate, and reinforce, the role of the Legislative Sector in seeking to advance people's power and to fast track the transformation of our society. As we said in the previous session on Three Sphere Planning, we need to continue to improve cooperation and coordination among the three spheres of government in order to accelerate policy implementation.

THE ROLE OF THE NATIONAL COUNCIL OF PROVINCES IN PARTICULAR AND LEGISLATIVE SECTOR IN GENERAL

Programme Director, the Constitution states that our government is constituted as national, provincial and local spheres of government which are distinctive, interdependent and interrelated. And as such we must, through integrated oversight, continue to find ways and means of strengthening intersphere institutional coordination.

In this regard, it is important to note that the National Council of Provinces (NCOP) is constitutionally empowered to bring the representatives of the different spheres of government under one roof. This creates the possibility to contribute to the enhancement of co-operative government.

Co-operative government is when all spheres of government and all organs of state

within each sphere co-operate with one another in mutual trust and good faith by fostering friendly relations, assisting and supporting one another, informing one another of, and consulting one another on matters of common interest, coordinating their actions and legislation with one another, adhering to good procedures, and avoiding legal proceedings against one another.

The NCOP, through its programmes, demonstrates how integrated planning and oversight approach could be utilised to accelerate policy implementation for the advancement of the country's developmental goals.

The Committees in the NCOP, and in the broader Legislative Sector, have a crucial role to play in scrutinising the implementation of government policies and programmes to achieve developmental targets. They have the ability and responsibility to monitor and enrich efforts aimed at building state capability.

The Legislative Sector Oversight Model states correctly that "if the legislatures' oversight role is exercised in pursuit of good government, then the legislatures also bear some responsibility for overall government performance".

It is because of this responsibility of the legislatures in relation to the overall government performance that, in general, we must undertake our assessment of state capability and the pursuit of its developmental agenda very carefully, because our own actions as oversight bodies have the potential to enhance government efforts or to weaken them.

ESTABLISHING SOCIAL COMPACTS TO STRENGTHEN AND REBUILD STATE CAPACITY

As we said in the previous engagement on Three Sphere Planning, while the different spheres of government have clearly defined constitutional responsibilities, the Constitution obligates both the national and provincial governments to provide the necessary support to local government. This is a very important consideration when we examine state capability, especially given the varied and severe challenges that many of our municipalities continue to face.

As some of the participants would recall, on the 17th of March this year the NCOP debated the issue of state capacity under the theme "*Building a developmental state to take the lead in building a better life for all*". The debate was necessitated by the need to focus on building state capacity to improve the implementation of policies that serve the national interest.

Among many other speakers, the Minister of Cooperative Governance and Traditional Affairs, Honourable Nkosazana Dlamini-Zuma, made very important observations when she said:

"... the developmental state must drive a particular agenda. At a local level we believe that agenda must capacitate municipalities to play a greater economic developmental role. This will enable municipalities to attract the necessary capacities whilst raising sufficient revenues".

She added, and I quote:

“We must also deemphasise passive service provision. (The developmental state) must promote active citizenry and locate the role of municipalities in the active promotion of efficient local markets and inclusive growth. For us this is the core subject of the social compact exercise alluded to by the President in the State of the Nation Address (this year)”.

Programme Director, it has become urgent that in order to strengthen our democratic state we need to ensure that our municipalities have the capacity to manage their own affairs, to exercise their powers and to perform their functions. Over the years we have had consecutive reports of the Auditor-General raising concerns with issues such as:

1. the poor financial health of municipalities,
2. the rise in fruitless and wasteful expenditure, and
3. regression in compliance with supply chain management legislation.

Evidently, to equip municipalities to deal with these challenges will equally require that there is sufficient capacity amongst the spheres that are charged with the task of supporting municipalities, to carry out their responsibilities.

In this regard, the Legislative Sector views the process of galvanising the resources of the three spheres of government through the District Development Model, in order to directly impact our communities, as an important intervention that is geared towards strengthening and rebuilding state capacity.

Going forward, we should progressively interact with the new model to help to promote the achievement of the goals set out in the National Development Plan which are to achieve shared prosperity for all the people through the elimination of poverty and reduction of inequality by the year 2030.

Through the District Development Model, the Legislative Sector has the opportunity to proactively interrogate the level of cooperation and collaboration displayed by the different spheres of government and organs in their quest to accelerate policy implementation.

On our part as the NCOP, we have, through our Committees, identified some of the work that needs to be done in this regard before the end of the 6th Parliament. This includes directing our oversight to the areas where the District Development Model is already being implemented so that we could extract lessons for improvements and for the sustainable roll-out of this policy intervention.

At the heart of the implementation of the policy interventions are the workers, or labour, whose rights and freedoms we must protect. They are central to the establishment of the social compact to strengthen and rebuild state capacity. And as such, we must always guard their interests and ensure that they are also able to support the pursuit of national goals. This should be done in the interest of advancing the national interest.

IN CONCLUSION

There is broad acceptance that the democratic state of South Africa has managed to

put in place progressive laws and policies. However, there remains a concern about its ability to implement the instruments that are designed to address poverty, inequality and unemployment.

The Legislative Sector bears some responsibility for the overall government performance. Therefore, we must undertake our oversight role in a diligent manner, in order to contribute to improved state capability to extend quality services to all the citizens, irrespective of geographic location.

To achieve this, it is evident that both the national and provincial spheres of government ought to improve their own capability to undertake their constitutional responsibility of supporting municipalities so as to play, among others, a greater economic developmental role.

The National Development Plan constitutes the necessary form of intervention that is meant to galvanise the resources of the three spheres of government with a view to target service delivery, economic development and job creation. We need to closely monitor its implementation.

Programme Director, allow me to conclude by saying that I appreciate the opportunity to make these remarks and I am looking forward to the deliberations.

I thank you