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## The governance of basic education in the Eastern Cape

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## **Abstract**

The Eastern Cape province experienced extensive governmental re-organisation following South Africa's 1994 democratic transition. This entailed significant structural consolidation in the provincial government, and the integration of a disparate set of political and administrative actors under the stewardship of the African National Congress (ANC). This process has had a profound effect on the province's capacity to shape and implement policy, especially in institutionally fragmented sectors such as basic education. Employing the political settlements framework to characterise the province's governance transformation, we describe how historical patterns of clientelism were transplanted into a post-apartheid political and administrative settlement, resulting in considerable intra-party cleavages amongst the political elite and impeding the growth of a rule-compliant, insulated and performance-driven bureaucracy. This has been particularly acute in the education sector, which has seen chronic leadership instability, politicisation and financial mismanagement, and which has compromised the cohesion and integrity of provincial school oversight and policy management.

**Keywords:** Eastern Cape, education, patronage, transformation, teachers, governance, accountability, corruption, SADTU

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## Introduction

The governance of the Eastern Cape province has been fraught with conflict within and amongst a single party dominant coalition of interests that has severely hampered the delivery of key public services such as education. Historical patterns of clientelism were transplanted into a post-apartheid political and administrative settlement comprising various sectional interests in the governing African National Congress (ANC). A failure to inculcate a rule-compliant, insulated and performance-driven bureaucracy has been a casualty of this climate, due to the blurred lines and collusive relationship that have developed between factionalised party politics, the senior ranks of the administration, and influential stakeholder groups. The fragmentation which has ensued has been especially acute in the province's education sector, overseen by the Eastern Cape Department of Education (ECDoE); has sustained instability in key policy areas such as post provisioning/allocation; and has been most acutely expressed in a contestation over posts at the school level.

This paper is one of a series that explores the politics and governance of basic education in South Africa, at the national, provincial (Western Cape and Eastern Cape), district and school levels. The Eastern Cape is the focus of this paper. It describes the factionalised characteristics of the political settlement that followed provincial government restructuring, and discusses how this climate shaped the provision of basic education in the province. Our analysis employs a political settlements framework outlined in more detail in annex A, which characterises governance arrangements across two dimensions:

- whether they are hierarchical (that is, organised around vertical relationships between 'principals' and 'agents'), or whether they are negotiated (that is, organised around horizontal 'principal-principal'/peer-to-peer arrangements); and
- whether they are based on impersonal rules of the game which are applied impartially to all who have standing, or whether they are organised among personalised 'deals' among influential actors.

The four cells that comprise the 2X2 matrix represent a distinctive 'ideal type' governance platform, involving distinctive incentives, distinctive constraints and risks, and distinctive frontier challenges – both generally and in how education is governed. In practice, any specific governance arrangement is likely to be a hybrid combination of the four ideal types defined by the cells, with the relative weight varying from setting to setting. One useful heuristic is to characterise any specific governance arrangement by allocating 100 points across the four cells.

**Table A1: A governance typology**

Hierarchical	(i)	(ii)
Negotiated	(iii)	(iv)
	Personalised	Impersonal

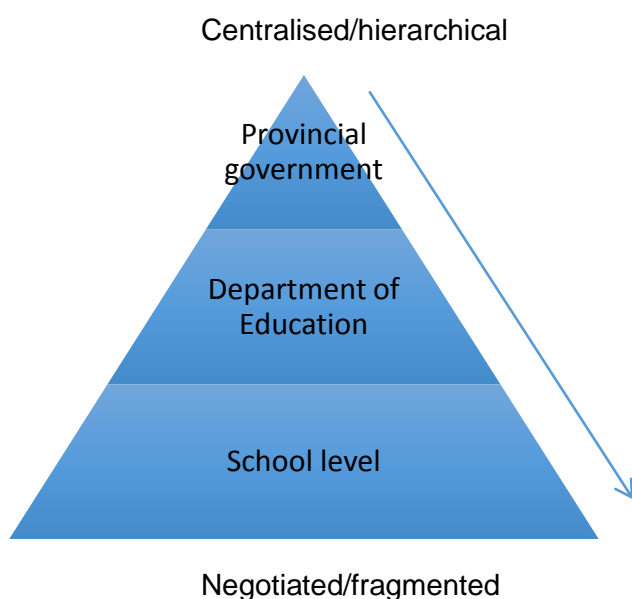
Based on our application of the political settlements framework to the provision of basic education in the Eastern Cape, we argue that the dominant mode of governance in the province comprises a personalised/negotiated type (60 points), displaying a clientelistic orientation and increasing levels of fragmentation (Table 1).

**Table 1: Governance of education in the Eastern Cape**

Hierarchical	20	10
Negotiated	<b>60</b>	10
	Personalised	Impersonal

We find that the institutional arrangements which shape the governance of basic education resembles a segmented pyramid, which flows from the pinnacle (represented by the provincial government level), where hierarchical steering capacity ought to be concentrated, to the education sector bureaucracy (centred in the ECDoE), and down to the school level.

**Figure 1: Personalised/negotiated mode of governance in the Eastern Cape education sector**



We find that governance becomes less contained and increasingly fragmented as it spreads out from the pinnacle to the base, resulting in a breakdown of hierarchical steering capacity from the provincial cabinet through to the ECDoE and down to the school level, where institutional complexity is most pronounced, and where the space for negotiated outcomes is at its widest. This paper describes the governance relationship between these three institutional layers affecting basic education provision in the Eastern Cape. In Part 1, we show that executive politics at a provincial-wide level has shown patterns of centralised clientelism marked by factional contestation

within the governing ANC, which have been hierarchically mediated through the provincial premier and cabinet. In Part 2, we begin to see an erosion of hierarchically mediated clientelism upon entry into the education bureaucracy (i.e., the ECDoE), which has seen considerable leadership instability and a flouting of accountability, including down to the district level, and which has also contributed to policy instability in key areas such as teacher supply/post allocation (the subject of Part 3). Finally, in Part 4, we show a more pronounced fragmentation and negotiated arrangements over teacher appointments and governance at school level, where the source of contestation varies and encompasses union influence as well as more interpersonal modes of conflict.

Because of the increasingly fragmented nature of education governance in the province, moving from the apex of the pyramid down to its base, the evidence that we present in this paper cannot show a seamless relationship between the three levels of the pyramid, prompting our segmented description. What this means is that there are multiple plains of contestation, which, in the absence of more extensive empirical data to substantiate the links between these plains, need to be more cautiously assessed on their own merits.

This paper comprises a mix of secondary and primary sources. The secondary sources consist of academic articles, media reportage, government sources, and research and submissions made by the Eastern Cape-based Public Service Accountability Monitor, a non-governmental provincial watchdog. Part 4 of this paper also carried out selected key informant interviews in the province's education sector.

## **Part 1. Character of the Eastern Cape's political settlement**

The seeds of the Eastern Cape's political settlement can be traced to the circumstances of its birth, in which various regional and ethno-linguistic administrations were merged to form a new Eastern Cape Provincial Government (ECPG). Politico-administrative amalgamation was hamstrung early by attempts to integrate the bureaucracies of the Transkei and Ciskei, which were known to be poorly run and prone to corruption (Lodge, 2002; Hyslop, 2005; Picard, 2005). Picard (2005: 297) also observed the particularistic make-up of the constituencies which made up the administration of the former homelands: '[a]t the core of the public service in the homelands was a cadre of traditional leaders, chiefs and headmen who had been transformed into bureaucrats in the 1960s. They represented what passed for collective interests in the homelands.' This traditional leader-cum-bureaucratic constituency had grown accustomed to the patronage and rent-seeking which their access to administrative power had afforded them. This would mark a crucial point of tension between the incoming ANC government in the province and its attempts to unify the bureaucracy, in which the sectional interests of the latter would resist any administrative reform that would substantially weaken their privileges.

The ANC was also constrained by the incorporation of different groupings within the organisation with sectional interests to promote. The ECPG's first premier, Raymond Mhlaba, was appointed as a result of a compromise amongst distinct ANC regional interests in the former Eastern Cape, Border and Transkei, each fervently promoting their status as the birthplace of the liberation

movement. Mhlaba (2001) acknowledged the opposition he faced in attempting to downsize the province's civil service. As a result, the ANC government had only managed to institute a soft form of downsizing due to the level of opposition to administrative retrenchments, which took the form of not replacing officials exiting the service (Southall, 1999: 159; Lodge, 2005: 741). This was also reflected in reports of thousands of supernumeraries remaining on the provincial payroll as the 1999 elections approached (Southall, 1999: 161). Public finance probity was an early casualty of the political confines and bureaucratic hostility in the ECPG. Gevisser (1996) paints a picture of a province in financial crisis in its early years, blighted by corruption, including theft and rent-seeking in some of the province's largest departments, such as paycheck embezzlement in the Department of Health, and the phenomenon of 'ghost' or 'phantom' teachers receiving compensation on the government payroll in the ECDoE.

The executive politics of the province continued to be afflicted by factional and clientelistic practices, which has permeated the relationship between politics and administration and enabled a continuation of bureaucratic misconduct dating from the province's transition. This became more visible as the province's political institutions began to consolidate. Efforts to entrench political power amongst the Eastern Cape's governing elite intensified as factional battles became more prominent, which has partly been reflected in the ideological clashes that erupted within the ANC between 2000 and 2004 (Hoeane, 2011; Lodge, 2004). This also coincided with a change in the ANC's national leadership, under the more centralised stewardship of Thabo Mbeki. Mbeki's scathing attack of critics of the controversial Growth, Employment and Redistribution (GEAR) programme at the SACP's tenth congress in July 1998, in which he lectured delegates on 'the dangers of fake revolutionary posturing, accusing party leaders of trying to boost their following on the basis of scavenging on the carcass of a savaged ANC', showed that battle lines had been drawn between him and 'ultra-leftists' in the alliance (Lodge, 2002: 246). This also had repercussions in the Eastern Cape's apparent Mbeki-driven dismissals in the provincial cabinet. Phumulo Masualle was targeted, as a senior SACP member. Masualle, a former provincial minister of public works was reportedly dismissed in 2002 by Premier Makhenkesi Stofile, who was allegedly ordered by President Thabo Mbeki to purge his cabinet of 'ultra-leftists' (Dawes and Rossouw, 2008).

Intra-provincial factionalism also generated more pernicious clientelistic effects in the Eastern Cape, including the controversial tenure of Raymond Mhlaba's successor, Makhenkesi Stofile. It was under Stofile that the Eastern Cape was subject to multiple Section 100 constitutional interventions, the most serious taking place in 2003, which involved an interim management team (IMT) to take up custodianship over 80 percent of the Eastern Cape's budget and a joint anti-corruption task team (JACTT) to investigate and prosecute cases of corruption and fraud (PSAM, 2006). Premier Stofile's response to the report of the IMT, as cited by Hyslop (2005: 786), is particularly illuminating in politically disassociating the cabinet's role in malfeasance:

'Our responsibility is simply to make sure that our policies are in line with national policies, development policies, and the delivery of services. The actual operations are not our responsibility; they're the responsibility of the administration.'

Stofile did, however, go further than turning a blind eye to corruption by actively protecting officials found guilty of corrupt activity. In one case, Stofile intervened to protect the roads and public works head, Dumisani Mafu, as recounted by Zuzile (2004):

‘Stofile overruled the decision of an internal disciplinary hearing which found Mr Mafu guilty of financial misconduct, it was learnt this week. Mr Mafu was charged last year with five counts of financial misconduct. . . . . Mr Stofile reported that he had found no willfulness or negligence on Mr Mafu’s part in committing the offences. . . officials at the premier’s office could not say why Mr Stofile had overruled the decision of the hearing. Mxolisi Spondo, one of the premier’s spokesmen, said the correspondence between Mr Stofile and Mr Mafu, in which he explains his decision "is very technical".’

In another case, this time involving a cabinet member, Stofile failed to take action, despite being pressured to do so. The Member of the Executive Council (MEC) for health, Bevan Goqwana, breached the Executive Ethics Act. Goqwana was operating an ambulance company and submitting patients’ medical aid claims, despite the fact that the Act required cabinet members and MECs to avoid such conflicts (Lodge, 2002). Ultimately, factional considerations also spelled the end of Stofile’s premiership, with Nosimo Balindlela, an Mbeki loyalist, replacing him following the 2004 elections, despite his popular support within provincial structures (Hoeane, 2011: 96)

The efforts of Nosimo Balindlela to consolidate her political grip on the provincial executive displayed a continuation of centrally orchestrated patronage. This was evident in Balindlela’s purging of left-leaning members of her cabinet (Cull, 2004; and Naki, 2004, cited in Hoeane, 2011: 96); along with her efforts to rid the Eastern Cape Development Corporation, a provincial public entity, of supporters of her predecessor, Makhenkhesi Stofile (Van der Merwe, 2005, cited in Hoeane, 2011: 98-99). Another example was Balindlela’s reversal of the suspension of department of health head, Lawrence Boya, by the then MEC Bevan Goqwana, in April 2006, pending an investigation into alleged maladministration and insubordination; only for her to terminate Goqwana a week later (Mail & Guardian, 2009a). It is likely that she had been looking for an opportunity to fire Goqwana because he was a Stofile loyalist who had enjoyed the former premier’s protection.

It was also at the behest of Balindlela that an official, but ultimately discredited, enquiry to highlight persistent financial mismanagement in the Eastern Cape fell prey to factional politics. The judicial commission of inquiry into the finances of the Eastern Cape provincial government (‘Pillay Commission of Inquiry’) was established by Balindlela in April 2005. The commission had a mandate to evaluate public expenditure management and investigate alleged incidents of procurement-related maladministration, fraud and corruption within the Eastern Cape provincial administration since 1994 (PSAM, 2006). The report, however, sat idly on Premier Balindlela’s desk for more than two years, until she decided to have extracts of it leaked to the media to try and ensure her political survival two days before the ANC’s national executive committee was to decide her fate as premier (Letsoalo et al., 2008). Balindlela was accused by a rival faction of using the inquiry as a means of discrediting her political opponents, some of whom initiated an unopposed High Court challenge against the report, including former premier Makhenkesi Stofile, Enoch

Godongwana, Stone Sizani and Mcebisi Jonas. The report was ultimately quashed on a legal technicality in 2009 (Fölscher and Kruger, 2013; Mail & Guardian, 2009b).

The removal of Balindlela following the passage of the ANC presidency from Thabo Mbeki to Jacob Zuma at the ANC's Polokwane elective conference in 2007 signalled a gradual swing of factional power in the province. Her successor, Mbulelo Sogoni, remained within the still influential Mbeki-aligned faction in the province, although appeared to be another compromise candidate at a delicate point in the transition of power from Mbeki to Zuma, given his leftist roots (Rossouw, 2008). The results of the 2009 elections sealed victory for the Jacob Zuma camp in the Eastern Cape's factional politics. The ANC's alliance partner, COSATU, was appeased with the selection of Noxolo Kiviet as premier, with her pedigree in trade union politics in the Eastern Cape, having formerly performed the role of COSATU treasurer in what was then the Border-Kei region. Mbulelo Sogoni would later be redeployed as the Eastern Cape's top civil servant, or provincial director-general, signalling the blurred lines and revolving door between party politics and the provincial bureaucracy. His appointment was possibly a compromise with members of the Mbeki faction, in a province in which the former president remained relatively popular. Sogoni has since been redeployed back into a political office, as MEC for economic affairs, environment and tourism.

## **Part 2. Revolving doors: unstable leadership in the ECDoE**

The centrally orchestrated character of the Eastern Cape's personalised politics becomes more fragmented when we enter the education bureaucracy, centred in the ECDoE. The department has experienced inordinate leadership turnover and a general flouting of centralised authority. A former national minister of education, Naledi Pandor, decried the 'revolving door syndrome' that had come to define the ECDoE's internal governance. This is depicted in the turnover of incumbents in the posts of MEC and superintendent general since 1994 (see Figure 2). Between 2002 and 2011 there had been at least five MECs in the ECDoE. Of particular concern has been the position of accounting officer (or superintendent general). This post has seen eight incumbents in as many years in various acting and permanent appointments since 2008. Leadership instability in the ECDoE has, we will show, not only contributed to sustained problems in resource provisioning, but has also been bound up with clientelistic politics.

The theme of a centrally orchestrated form of patronage giving way to a more fragmented variant in the Eastern Cape's education sector is consistent with Ngoma's (2009) biographical account of the organisational culture of the ECDoE. This includes several illuminating interviews with the department's former political and administrative leadership. Ngoma (2009: 192) describes the post-apartheid transition and subsequent consolidation of the department as characterised by '... fragmented leadership and fragmented spaces of influence', in which the ECDoE represented at its birth an uneasy cohabitation of incumbents who had previously served in the province's various apartheid-bantustan bureaucracies. These origins left the ECDoE particularly vulnerable to the transplantation of what Ngoma refers to as 'coalitional networks', marked by divergent and competing regional interests, organisational cultures, and patronage ties, which seems to have consistently defied centralised control.



The consequences of the ECDoE's fragmented origins have disabled attempts to entrench organisational stability and counter malfeasance. Obiyo (2013) and Lodge (2005) have highlighted the obstacles faced by the department's leadership. In a particularly revealing empirical study of legislative oversight over the ECDoE, Obiyo (2013: 105) found that 'political deployment' was cited by current and former members of the Eastern Cape provincial legislature's committee for education as contributing to a 'lack of teeth' in performing oversight over the department. He added that MECs for education and their senior officials, with 'some officials outrank[ing] the MECs within the ANC' are deployees of the party who belong to different divisions, and this has made vertical accountability difficult (Obiyo 2013: 107). This also raises the prospect of muddled and contested principal forms of accountability. A variant of this problem which has also been observed in the ECDoE is that, even when a vertical patronage relationship exists between the MEC, as political head, and senior officials, this can thwart the authority of other key departmental principals: the superintendent-general or head of department, and their deputies. For instance, a more damning accusation raised by Obiyo (2013) was that senior officials in the ECDoE were running businesses associated with the work of the department and being protected by political heads. Moreover, Lodge (2005: 747) cites the efforts of former ECDoE superintendent-general, Modidima Manny, to turn around the department in 2000. Manny was said to have received death threats following his suspension of ten departmental managers, including some with close political connections. Ngoma (2009: 213) similarly recounts how turnover of MECs in the ECDoE at times 'perpetuated internal battles for power and control', prompting officials to re-assert clientelistic ties to incoming political principals that displaced more senior officials. One episode involved a deputy director-general who, in an interview, described how he was essentially outmanoeuvred and displaced ('expelled') by lower-level officials who re-asserted their regional ties with a new MEC, seemingly re-igniting the coalitional networks described earlier by Ngoma

**Figure 2: Leadership chronology in the ECDoE<sup>1</sup>**

PERIOD	MEC	Superintendent general
1994 to 1997	Nosimo Balindlela	(appointment date unknown) Dr Ronnie van Wyk (resigned 1997, left 1998)
1998 to 1999	Professor Shepherd Mayatula	Jonathan Godden (acting) (February/March 1998- Sept 2000) Mabandla Tsengiwe
1999/2000 to 2002	Stone Sizani	(Oct 2000-mid 2001) Modidima Manny Philip Qokweni (Acting) (Mid 2001-Feb 2003)
2002/2003	(November 2002) Nomsa Jajula	Reverend Lulamile Mbetse (March-Dec 2003)
2004	Mkhangeli Matomela	Bea Hackula (acting)

<sup>1</sup> Sources: PSAM (2006, 2004); Esbend (2005); ECDoE (2012); GCIS (2015) SAPA (2012) Daily Dispatch (2012).

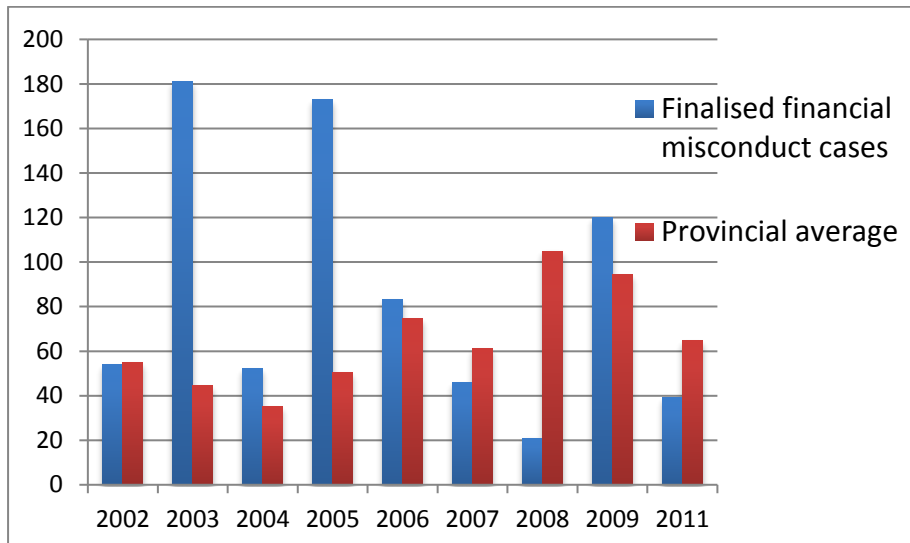
to 2006		(Jan- March 2004)
2006 to 2007	Johnny Makgato	(2005/2006 unclear)
2007	(dates of appointment and resignation unclear)	Nomlamli Mahanjana
2008	Mahlubandile Qwase	Nomlamli Mahanjana (ousted after union protest)
2009	Mahlubandile Qwase (redeployed to OTP)	Ronnie Swartz (acting; ousted after union protest); Harry Nengwekhulu
2010		Harry Nengwekhulu (ousted after union protest)  (8 November 2010): Modidima Mannya <sup>2</sup>
2011	Mandla Makupula  (2010 till present)	Advocate Modidima Mannya (ousted in 2011 after union protest and cabinet-led intervention)

2012		Mathanzima Mveli (acting; secondment from DBE)
2013		(March) Mthunywa Ngonzo
2014/2015		(January 2014) Mthunywa Ngonzo (suspended after allegations of maladministration) (July 2015) Ray Tywakadi- (acting) (November 2015) Sizakele Netshilaphala (acting)

The tenure of Modidima Mannya as ECDoE superintendent general starkly illustrates the impact of clientelistic interests. Mannya's first appointment in 2000 under the premiership of Makhenkesi Stofile and MEC Stone Sizani saw him take decisive action against corrupt officials, including suspending ten senior managers (Macfarlane, 2002). In 2001, Mannya insisted that three chief directors sign letters publicly acknowledging their responsibility for the problems in the embattled department. This included the suspension of three directors for providing incorrect teacher deployment information (Esbend, 2001). Several senior officials were targeted by Mannya's anti-corruption activities, some of whom appealed to Premier Stofile's wife. Following Mannya's reports of receiving death threats, the provincial government appointed bodyguards to ensure his personal protection (Macfarlane, 2002). When the bodyguards were later withdrawn, Mannya resigned. According to Macfarlane (2002), Mannya claimed that those that had sought him out to rid the ECDoE of corruption (i.e. Sizani and Stofile), subsequently became hostile towards him. Mannya is reported to have stated that scams appeared to govern staff appointments, with widespread management irregularities involving 'non-compliance with procurement procedures'. 'In almost all the actions I took, there were political representations and responses. Administrative decisions are constantly interfered with by politicians... almost everyone you touch is connected,' Mannya said, citing the example of a chief director he suspended whose wife is close to the premier's wife. 'People are afraid to talk. I touched a raw nerve – but what exactly I'm not sure' (Macfarlane, 2002).

The obstacles to enforcing management control and sustaining leadership continuity in the ECDoE have contributed to chronic financial impropriety. In October 2009, the Eastern Cape-based Public Service Accountability Monitor (PSAM) called on MEC Mahlubandile Qwase to institute disciplinary action against senior officials in the ECDoE against whom the auditor-general (AG) cited breaches of the Public Finance Management Act (PFMA) (Luyt, 2009). It was found that the ECDoE had failed to disclose irregular expenditure of at least R1.5 billion in contravention of section 40(3)(b) of the PFMA and understated fruitless and wasteful expenditure by at least R46 million. The AG further noted that senior management in the ECDoE did not implement plans recommended by his office to address financial management problems. Issues included an inability to maintain effective and efficient systems of financial management and internal control, resulting in irregular expenditure of at least R730 million. According to the AG's report, 'top management has not set the example and acted upon officials found guilty of non-compliance with the required internal control policies and procedures' (Luyt, 2009). In addition, over several years Luyt (2009) noted a recurring laissez-faire attitude towards disciplinary action against officials contravening the provisions of the PFMA and the Division of Revenue Act, despite calls by the Eastern Cape legislature and MEC Masualle.

**Figure 1: Reported cases of financial misconduct in the ECPG**



Source: Financial misconduct reports published by the Public Service Commission, various years, see <http://www.psc.gov.za>.

Figure 1 shows the total number of financial misconduct<sup>3</sup> cases recorded for the ECPG published by the PSC, which in some cases displays dramatic differences between the province's totals and the provincial average (2003, 2005, 2009). The overwhelming majority of cases reported for 2005 were attributed to the ECDoE (127 cases). Education also accounted for the vast majority of cases in 2006 (58) and in 2007 (32 cases).

The ECDoE's unstable leadership and clientelistic pressures has also produced a lacklustre and cosmetic commitment to performance management, which at a minimum appears to correspond with the notion of 'isomorphic mimicry'. This suggests that individually oriented performance assessment might be sacrificed in order to preserve collusive ties and interests. According to the South African government's management performance assessment tool (MPAT), which evaluates the compliance of departmental management processes and practices against several key performance indicators, the ECDoE displayed the lowest level of compliance amongst all provincial education departments, and was below the national average (Cameron and Levy 2016: 10). In a damning self-appraisal of performance management, the ECDoE conceded that there is '... an almost complete lack of accountability and performance management ...' (ECDoE, 2014: 42; ECDoE, 2015: 40). Ngoma (2009: 222-23) also published enlightening extracts from a former director-general and deputy director-general in the ECDoE, who described

<sup>3</sup> Financial misconduct is an umbrella term that incorporates a range of criminal and ethical misconduct, including corruption, fraud, theft and financial mismanagement.

performance management as 'synthetic', 'artificial', compliance-driven, and oriented towards 'keeping up appearances'.

A weak commitment to performance management in the ECDoE is not otherwise exceptional in the Eastern Cape provincial administration. A report by the PSAM (Overy, 2005: 20) cited a poor performance management compliance culture in other key departments, such as Health and Public Works, along with Education. In another report assessing compliance by senior managers with performance agreements in the Eastern Cape, the PSC (2008) presented similar worrying metrics on provincial officials' attitudes towards performance management. This consisted of a very low response rate of senior managers willing to participate in the study, which totalled 32 percent; a further low number of signed performance agreements submitted relative to the total number of senior managers in the provincial bureaucracy: 49 percent; and even lower submissions by the largest departments: Health at 35 percent and Education at just over 40 percent. The Eastern Cape was also found to have had a poor track record of evaluating heads of department, especially in the period 2003–05 (PSC, 2008: 13, 16, 25). This coincidentally corresponds with a period in which a large number of financial misconduct cases were recorded in provincial departments, and in the ECDoE in particular (see Figure 1).

### **Part 3. Instability of teacher supply and demand in the Eastern Cape**

Leadership instability and fractured internal governance in the ECDoE has compromised the policy management of education delivery in the Eastern Cape. This has notably been expressed in the problematic management of teacher supply and demand, or post allocation, which has contributed to the department experiencing chronic financial constraints. The picture that emerges is twofold: on the one hand, the ECDoE is a victim of the inordinately complex circumstances attending teacher rationalisation in the province; on the other hand, poor internal governance coupled with heavy contestation of teacher distribution by unions such as SADTU in the province has effectively scuppered the department's ability to efficiently and equitably distribute teachers, especially in rural areas.

The ECDoE caters for the second largest number of learners in South Africa after Kwazulu-Natal. An intractable challenge facing the province's education sector has been the uneven distribution of qualified educators.<sup>4</sup> The single ECDoE, which services a geographically diverse province, is currently divided into 23 education districts, covering a complex mix of schools in widely differing communities. The 2014 Education Management Information System (EMIS) revealed that there are 6,227 educational institutions under the ECDoE. This number is comprised of 873 secondary schools, 2,243 primary schools, 42 special schools, 187 ECD centres,

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<sup>4</sup> For the purposes of this paper, the terms 'educator' and 'teacher' will be used interchangeably to define one who educates or imparts knowledge within the schooling system. This may also signify office-based educators, where the discussion relates to staff deployment patterns.

2,428 combined/junior secondary schools, 294 adult centres and 160 independent schools (ECDoE, 2015). Of the 66,138 educators registered in the ECDoE's system in 2013/14, the majority (61,407) are government funded, while 4,731 are funded by school governing bodies (SGBs). In 2014, the ECDoE (2014) reported that 60 percent of provincial schools had vacant posts for more than 12 months, although this probably includes non-educator personnel.<sup>5</sup>

In addition, Ngoma (2009: 202) observed that the department has been significantly under-managed compared to other provincial departments, exhibiting a senior manager to total employee ratio of 1:1,545, with the next highest ratio being 1:394 in the Health department. This severely constrains the ECDoE's ability to centrally oversee a vast supply of teaching personnel, even under more favourable governance conditions.

Owing to this general situation, the Eastern Cape has over a four-year period (2009-12) seen a reduction in the total number of schools, learners and teachers, with the biggest decline being in learner numbers. Thus, the number of schools fell from 5,809 to 5,754, learners from 2,076,400 to 1,951,523, and teachers from 69,620 to 67,936. The effect of this decline is that the Eastern Cape has 22.3 percent of the nation's schools, serving 16 percent of South Africa's learners. This imbalance has led to the province having the lowest learner-school ratio, of 339, and the lowest teacher-school ratio of 11.8, as compared to national ratios of 481 and 16.5, respectively (DBE, 2014: 4). Contributing to the decline in learner numbers is the fact that the province has consistently had a matric pass rate below the national average – and often the lowest in the country. Cameron and Levy's (2016: 10-11) comparison of national senior certificate results by province indicated that the Eastern Cape's percentage pass rate was the lowest of all provinces in 2008 (50.6) and again in 2014 (65.4), and was also well below the national average. Feeding into this result is also the Eastern Cape's relatively low level of pupil performance on standardised tests (SACMEQ data).

Another factor has been a persistent infrastructure backlog, which has seen a high proportion of 'mud' and structurally unsafe schools. More than five years ago, the ECDoE stated that there were 5,788 schools in the province of which a staggering 2,650, or 46 percent, were in a weak or very weak condition. The ECDoE (2009: 8) justified its resistance to addressing this backlog, claiming that many were small rural schools that needed to be 'rationalised ...to avoid the provision of infrastructure that will soon become under-utilised'. This attitude exacerbated

'the effects of urbanisation and rural depopulation as the slow pace of providing decent infrastructure and resources in rural areas means that they

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<sup>5</sup> The section containing these statistics is contained in the Department's Annual Performance Plan 'Organisational Environment' section for 2012/13 on pages 44-45 and also appears verbatim within the 'Organisational Environment' section in the 2014/15 Annual Performance Plan (ECDoE, 2014: 41-42).



remain poorly-resourced backwaters, while well-resourced cities continue to exert a powerful “pull” (Hendricks and Wright, 2012: 20).

One of the consequences of the current imbalance between the learner-school ratio and the teacher-school ratio is that schools are being closed, temporary teaching posts are ballooning while permanent, excess staff are faced with redeployment. To develop appropriate responses to these changing numbers and demographics in schools and thereby meet demand-side pressures, accurate information on the number of schools and teaching posts in the province is indispensable. Yet, it is surprisingly difficult to establish with any certainty the number of schools, posts or the level of posts in the Eastern Cape. It is even more difficult to be certain of teachers’ exact field(s) of specialisation within a professional qualification or whether a school has staff with the appropriate subject knowledge mix to teach what the school curriculum offers (Reeves and Robinson, 2010). PERSAL (the government’s electronic personnel and salary information), may not be a reliable source of information to address this problem, since as recently as 2010 there were reports not only of ghost teachers, but also ghost schools in the province, signalling more pernicious intentions. Blaine (2010) reported that the Hawks<sup>6</sup> were tracking R6 million that had been drained out of the ECDoE budget. A recent manifestation of this concerns the alleged fraudulent appointment and payment of teachers to various primary schools in the Port Elizabeth area by Portia Sizani, who at the time served as the ECDoE’s district co-ordinator for early childhood development. Ms Sizani is also the spouse of former MEC for Education in the Eastern Cape, Stone Sizani (1999/2000-2002) (Kimberley, 2014).

The problem of teacher shortages in the Eastern Cape is not, strictly speaking, one of absolute shortages, but is complicated by systemic distributional failures. A shortage of teachers in specific subject areas is widespread and of long standing. The fact that public education is a ‘vast enterprise of enormous complexity, depending on ... the work of hundreds of thousands of individuals situated in thousands of institutions’ (Jansen and Taylor, 2003: 34) is acutely evident in the Eastern Cape. In April 2005, in an article entitled ‘Please give us teachers’, it was reported that learners across the province had been without teachers since the start of the academic year, with some 9,000 learners’ schooling being severely disrupted as the province was reportedly short of as many as 3,000 teachers (Esbend, 2005).

National norms governing post distribution were first issued in 1998, and subsequently revised in 2002 and 2008.<sup>7</sup> These policies, judging from the 2012 ANC national conference resolution and confirmed by a Deloitte (undated) report, have not been implemented. Through the current model, posts are distributed at schools according to the number of ‘weighted’ learners. The weighting of learners, as

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<sup>6</sup> Refers to the Directorate for Priority Crime Investigations – a division of the South African Police Service (SAPS).

<sup>7</sup> Government Notice 1676 of 1998; Government Notice 1451 of 2002; Post Distribution Model for the Allocation of Posts to Schools (2008).

opposed to the use of absolute numbers, is intended to allow for a more equitable distribution of educators in key curriculum areas and to remote rural schools. This model of establishing the staffing needs of a school is a complex one, determined by using a distribution equation which also takes into account the size of a school, maximum class sizes per learning area, learner disability and language/s of instruction and the remoteness of a school (DBE, undated). This last factor is complicated by the rurality of a province and, in the Eastern Cape in particular, historical and spatial arrangements influence the learner-to-school ratio, as previously discussed.

Despite the introduction of the current post allocation model, not all provinces are following this – or the same – model. The findings of the National Education Evaluation and Development Unit (NEEDU) of 2013 reveal that, across all nine provinces, the model is applied differently and to varying degrees. Creating further confusion, another report (Deloitte, undated) states that it is apparent that the DBE itself is not consistent about the details of the model that it instructs provincial departments to use. Furthermore, it appears that there are at least five different versions of the post allocation policy being used in the country (Deloitte, UNICEF, DEB, undated), thereby exacerbating oversight over provincial practices. The decentralised and discretionary application of post allocation also risks subjecting the process to variable management capacity and potentially unscrupulous actions. The recently appointed ECDoE superintendent general (see Figure 2) released a circular in November 2015 alerting education stakeholders about various shortcomings within the sector. The circular (23 of 2015) outlines problems in the Department, such as teacher shortages and the ‘eroding of (the) culture of teaching and learning, non-compliance on a number of policy imperative(s), low staff morale, and dysfunctionality of schools.

Zokufa (2007) and Jansen and Taylor (2003) provide detailed accounts of the initial process of redeployment in the Eastern Cape, beginning with an initial five-year plan in April 1995. However, this was never implemented adequately, nor was the magnitude of the problem fully exposed. In an attempt to shift approximately 20 percent of national education expenditure to previously neglected provinces like the Eastern Cape, the teacher rationalisation policy was introduced (Jansen and Taylor, 2003). This included equalisation of teacher:pupil ratios. In 1996, for example, the Eastern Cape ratio at primary school level was 48.7:1, while the Western Cape’s was at 26.4:1 (Jansen and Taylor, 2003). The policy prescribed the national norm at 40:1 for primary schools (Jansen and Taylor, 2003). The declaration of the post basket for schools in the ECDoE via circular no. 7 of 2003/04 subsequently revealed significant disparities between learner and educator numbers, highlighting the need to redeploy thousands of educators. According to Zokufa (2007), this affected an estimated 10,289 teachers in addition; 6,900 of them in Port Elizabeth (district) alone – with only 3, 161 vacant posts in the province. Voluntary severance packages were offered to encourage excess educators who could not be placed to exit the system (Jansen and Taylor, 2003).

While the need for redeployment had been acknowledged as early as 1996, opposition to the process was considerable. Teachers were unhappy at the prospect of being moved from their existing schools and communities, and refused to do so. Understaffed schools thus remained understaffed. This led to the filling of vacancies with temporary educators, as guided by Education and Labour Relations Council (ELRC) collective agreement no. 2 of 2003 (Zokufa, 2007). This was arguably the beginning of the phenomenon of 'double-parking' in the Eastern Cape. Earlier attempts at forced redeployment by the ECDoE resulted in a court case, in which the Department was forced to concede defeat and allow teachers to return to their original posts (Zokufa, 2007). This, of course, did not resolve the problem of overstaffed and understaffed schools. Instead it effectively institutionalised 'double-parking' – a problem that still exists in 2016.

On 7 August 2008, an ELRC agreement between the ECDoE and SADTU representatives was signed, agreeing to the permanent appointment of all temporary educators occupying vacant substantive level 1 posts (ELRC, 2008). Several collective agreements since then between the same parties have been unsuccessful at resolving key aspects of educator post allocation in the province (ELRC, 2012). One reason that teacher shortages have not been resolved is the Department's outright failure to respond to court orders. A case in point was *FEDSAS and three Others v. MEC for Department of Basic Education, Eastern Cape and Another*, in which the ECDoE failed to appoint and pay an estimated 4,000 temporary teachers (Beckman and Prinsloo, 2015). Despite the court order directing the Department, the plight of teachers was not mitigated nor was the situation of schools experiencing teacher shortages. The Department effectively ignored the court order, allowing the detrimental consequences for schooling to persist. On a national scale, Jansen and Taylor (2003) note that the rationalisation policy (at the core of which sits redeployment) had a number of unintended consequences. Not least of these was the creation of a 'hiatus in the normal patterns of supply and demand' of educators (Jansen and Taylor, 2003: 35). This meant that instead of filling teacher posts as and when vacancies occurred, the Department initially placed a moratorium on the filling of such posts until such a time as the teachers in excess were either redeployed or exited the system – effectively (unintentionally) entrenching unequal resourcing at schools.

This situation has imposed severe financial constraints on the ECDoE, resulting in a ballooning salary budget. Continued over-expenditure in the personnel line item – partly due to educators in excess – illustrates the extent to which the ECDoE has lost control of provincial post allocation. Expenditure has tended to exceed the 80:20 ratio of personnel to non-personnel prescribed nationally for several years. This over-expenditure on personnel has squeezed other line items, such as goods and services, and learner and teacher support materials (ELRC, 2012). In 2012-13, for example, an additional allocation of R65 million was approved to mitigate the extreme pressure on the goods and services budget in light of the burgeoning costs of employee compensation (Kota, 2013b). Between 2010-11 and 2012-13, this ratio

worsened from 84:16 to 89:11 and finally to 90:10, respectively (NEEDU, 2013, ECDoE, 2014).

Despite an acknowledgement by the then MEC of the centrality of post allocation to the ECDoE's challenges, the five-year strategic plan (2010/11-2014/15) made no mention of explicit plans to address this significant cost-driver (Kota, 2012). Further investigation by the PSAM of the ECDoE's strategic planning in 2012 also uncovered serious gaps and deficiencies in district-level resource needs assessments, which would explain the lack of detail in the ECDoE's strategic planning. In order to understand the situational needs of districts, an examination of their individual operational plans was conducted. These plans, submitted to the provincial office on an annual basis, inform the ECDoE of resourcing needs, including personnel. Of the 23 districts contacted, the PSAM was only able to confirm the existence of eight district operational plans. Of the eight available plans, only four were complete and adequately prepared for inclusion within provincial needs assessment and planning (Kota, 2012). This suggests a clear lack of district-level engagement in school-level resourcing needs and a concomitant lack of centralised co-ordination and oversight of districts by the ECDoE.

A lack of ECDoE-district co-ordination and oversight has also been evident at a sub-district level, as recounted in an interview with a district director.<sup>8</sup> In an effort to improve the district pass rate, the district director focused on particular schools, honing in on key aspects, such as educator timeliness and learner attendance over the 2015 academic year. In an attempt to elicit this information, the director expressed frustration at a complete lack of accountability on the part of the circuit manager from whom such information should be readily available. Over several months, the circuit manager<sup>9</sup> was unable or unwilling to provide the required reports for individual schools within his circuit, resulting in the district director being unable to obtain this information. He stated that he was 'hamstrung' in taking any disciplinary measures against the circuit manager. Notwithstanding the line of accountability of the manager to the director, the powers of the director were, in effect, neutralised as the circuit manager had reportedly been politically deployed into his post, with questionable qualifications and in an untransparent manner. Moreover, the circuit manager was in a position of higher seniority, as a SADTU member, than the district director.

A consequence of the ECDoE's strategic planning resulted in a chaotic start to the 2011 school year, when officials realised that the education provincial budget was overspent by R1.8 billion (Gernetzky, 2011). In response, various cost-cutting measures were implemented, such as the suspension of the scholar transport programme, which adversely affected rural learners; halting the delivery of learner teacher support material to schools because of tender irregularities and the

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<sup>8</sup> Interview 2: Thursday 10 July 2015, Grahamstown.

<sup>9</sup> A district director's powers and responsibilities are conveyed by the provincial head of department while a circuit manager is accountable to the district director.

termination of the school nutrition programme, which again disproportionately affected poor and rural learners. Additionally, the ECDoE decided not to re-appoint over 4,000 temporary teachers, which led to serious staff shortages at many schools (Plaatjie, 2011). In response, teacher, learner and parent protest marches were organised to several district offices across the province (Plaatjie, 2011) and the most populous teacher union, SADTU, was openly critical of Modidima Mannya, making his second appearance as department head, calling for his dismissal. On 16 March 2011, in a historic move, the cabinet invoked Section 100 (1) b of the Constitution, which allows for the administrative take-over of a dysfunctional provincial department by the national government (Motshekga, 2011).

The Section 100 (1) b intervention proposed human resource management as a core challenge, reflecting the aforementioned post allocation problems as a key source of the department's financial crisis. The following problems were identified:

- a. Lack of utilisation of existing systems and processes to ensure that the necessary human resources are in place;
- b. Inadequate quantity and quality of teachers;
- c. Inability to use teachers to their optimum capacity; and
- d. Inability to anticipate and manage surpluses and shortages of teachers (ECDoE, 2012).

SADTU was joined by COSATU in calling for the dismissal of Mannya; however, the axis of SADTU-ECDoE-ANC, the latter being part of a political alliance with SADTU, appeared more complex and fragmentary. For instance, despite SADTU's call for the dismissal of Mannya, a position which, according to Figure 2, has precipitated the removal of previous SGs, the ANC and SACP were more cautious about the consequences of this action. The ANC provincial secretary reportedly said:

'It cannot be that the whole education system in the Eastern Cape collapses just because SADTU doesn't want the HoD (Mannya)... We will be creating a suicidal precedent of reversing the strides that labour together with government have progressively achieved, where you could just simply hire and fire without following the laws of the country...' (Mgaqelwa et al., 2012)

The refusal of unions to support redeployment from over-staffed to under-staffed (often rural) schools was at the centre of disputes with Advocate Mannya. A member of the Eastern Cape legislature, Edmund van Vuuren, was quoted in local media attributing Mannya's departure to the actions of SADTU in particular: 'SADTU defied Mannya on many occasions, and absolutely resisted the carrying out of post provisioning for 2012, in other words, the movement of excess educators to substantive vacant posts' (SAPA, 2012). Despite this, Mannya's political head, MEC Mandla Makupula, appeared to support the embattled superintendent-general when

citing his performance (Mgaqelwa et al., 2012). Makupula would subsequently come under attack himself by what the SABC (2015) reported as disaffected members of SADTU's disbanded provincial leadership, whose march to the ECDoE's headquarters faced the threat of a court interdict by SADTU's national leadership.

In 2012, NEEDU highlighted the dire budgetary constraints in 2011 that resulted from the appointment of additional teachers after a failure to distribute teachers in response to learner migration patterns (NEEDU, 2013). The report emphasised that population migration is a significant factor that further complicates post allocation in the Eastern Cape, particularly in relation to the outflow from rural areas. In April 2003, this had already been identified as a problem, leading to collective agreement 2 of 2003 in which relevant parties agreed not only on procedures to make permanent appointments, but, more importantly, to identify and transfer teachers in excess (ELRC, 2003). Despite the identification of this as both a hindrance to education in the province as well as a constraint on the ECDoE's budget, the Department has found it close to impossible to address educator distribution issues.

'This is why this double-parking of teachers will happen. Instead of moving people, they hire temporary teachers ... and then the mess gets bigger because those temporary ones must be (made) permanent ... now you are paying two people for one job basically' (Interview 2, 2015).

Following the failure of the ECDoE to appoint teachers and reduce vacancies since 2005, the PSAM, in a report shared with members of the Eastern Cape provincial executive, noted that it was '...patently evident that key stakeholder relations in the Eastern Cape Department of Education, primarily between the Department and teacher unions, are dysfunctional' (Kota, 2013a: 6). Amongst the recommendations was the need to foster co-operative relations and for 'decisive action' by teacher unions at the national level 'to ensure that their respective provincial subordinates are working towards resolving obstacles to the implementation of teacher redeployment and distribution plans at the beginning of each academic year'. This was despite collective agreement 1 of 2012 of the Education Labour Relations Council (ELRC, 2012) signed on 13 June 2012, declaring, amongst other things, that all substantive vacant posts would be filled and affected temporary teachers reinstated with immediate effect. This appeared to single out SADTU structures in the Eastern Cape as an obstacle to resolving the teacher redeployment stalemate, and the responsibility of the union's national leadership to enforce collective agreements. It also signalled a potentially fragmented relationship between SADTU national and provincial structures, which has subsequently materialised in the acrimonious disbandment of SADTU's provincial leadership by the union's national executive committee in 2015, citing irregularities in the governance of the provincial outlet.

#### **Part 4: Contestation at a school level: widening fragmentation**

The problematic planning and distribution of teaching posts at a provincial and district level gives way to an even more fragmented and contested distribution of posts at a school level. School-level governance can be shaped by conflicting interests pitting school management – embodied mainly by principals – against unionised teachers, with school governing bodies sometimes caught in the middle. The source of conflict may be linked to contestation over the filling of posts, which appears prone to patronage pressures, as revealed in some media reportage.<sup>10</sup> Although this cannot be directly and systematically attributed to provincial-level post allocation and teacher distribution, we suggest that it could represent a micro-level consequence of dysfunctional distribution patterns higher up, by encouraging a kind of ‘up for grabs’ mentality amongst actors at the school level. Intriguingly, a companion four-school district-level study conducted by Shumane and Levy (2017, forthcoming) in the Butterworth area confirms intra-school stakeholder contestation, but also shows that fraught relations between principals, teachers and SGB actors are more complex and multi-directional, and indeed can recover through the co-operative will of new incumbents intent on reversing what the authors describe as ‘toxic’ governance cultures. Moreover, they also showed that union interests in general, and SADTU in particular, are not always the source of contestation, which can take on a more inter-personal character.

For this component of the paper, we undertook a series of interviews with key informants representing various school-level stakeholders. Interview selection was limited to the Grahamstown, King Williamstown and Port Elizabeth districts, given their immediate proximity to the authors’ place of residence. We made contact with district directors, principals and officials with whom work relations had already been established and through whom further contact with other officials, educators and union officials could be made.

Interviews were conducted with education stakeholders within the Eastern Cape who were identified by the researchers for their experience either as decision-makers, policy-makers or as educators within the sector. All interviews were semi-structured discussions, with the central, open-ended question being: ‘What are your thoughts on the manner in which teacher allocation, appointment and deployment is undertaken in the Eastern Cape?’ Linking discussion questions were formulated according to the interviewees’ roles within the sector and sought to elicit interviewees’ perceptions about the impact of provincial post allocation practices. The district director was explicitly selected, given recurring post provisioning problems and overall underperformance within his district. The aim of the district interviews was not to generate overarching provincial conclusions, but to draw out the implications at a district and school level of systemic failures in the allocation of educators.

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<sup>10</sup> Masondo (2015) reported on an investigation commissioned by the national Department of Basic Education, which found that senior members of SADTU in the Eastern Cape received gratification in return for allocating several principal positions in the province.

Interview requests were also made to SADTU representatives in the Eastern Cape, although we experienced considerable difficulties obtaining interviews. We expect that this was due to the organisational turmoil within SADTU structures in the Eastern Cape, which, as mentioned earlier, was disbanded in February 2015 (Jemsana, 2015). While interim measures have been put in place to accommodate daily administration of SADTU's provincial offices, no official representatives were available for comment.

Interviews were conducted with the following individuals:

Interview 1: The provincial chairperson of the National Association of School Governing Bodies (NASGB).

Interview 2: A district director (a district in which post allocation challenges are a reality and in which a working relationship with the district director exists).

Interview 3: A school principal in a school within the same district.

Interview 4: An educator and member of SADTU within the same district.

Interviewees were identified using existing contacts amongst education practitioners with some knowledge or direct engagement with educator post allocation matters. All interviewees were asked two primary, open-ended questions;

- 1. Please describe your experience of teacher appointments and the post allocation model in the Eastern Cape.*
- 2. Why do you think the current problems with teacher shortages and teachers in addition have persisted for so long in the Eastern Cape?*

In an interview with a SADTU-affiliated educator, it was evident that, despite the problematic post allocation planning at the provincial level, the process appeared particularly susceptible to negotiated outcomes at the district and school levels:

‘the problem [with the process of teacher appointment] is not really at the provincial level or higher up ... you have to look at districts and schools. That’s really where no one even knows what really happens. And it’s very bad in the more remote places – not in town [e.g. urban schools and districts]’<sup>11</sup>

In an effort to explain the possible motive and source of influence over post allocation in more rural school districts, the educator cited a greater reverence for teachers and SADTU members by community members. This was corroborated in an interview with the provincial chair of the National Association of School Governing Bodies.<sup>12</sup> A

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<sup>11</sup> Interview 4, Monday, 22 June 2015, Grahamstown.

<sup>12</sup> Interview 1, Wednesday, 22 July 2015 Grahamstown.



more heightened level of post contestation in rural school districts may be indicative of acute teacher scarcity in these areas, resulting from the ECDoE's failure to enforce equitable teacher rationalisation – in the face of union/SADTU opposition in particular – as well as of unpredictable learner migration patterns.

Of greater concern, however, has been the findings of a DBE investigation, which uncovered evidence that senior SADTU officials had controlled the allocation of several principal posts in the Eastern Cape in exchange for payment in cattle (Masondo, 2015). Examples such as these highlight the personalised motives of union-affiliated actors seeking to capture appointment processes, and raise questions about the actions of accountability structures at the district and provincial (ECDoE) levels. Shumane and Levy's (2017, forthcoming) Butterworth study describes a general tendency of district offices and the ECDoE to steer clear of becoming embroiled in school-level contestation, along with other instances in which district officials were accused of abetting procedurally unfair appointment processes and school leadership transgressions. This corresponds with earlier references to weak district engagement around school-level resourcing, as well as strained and politicised relations between district and circuit officials, which compromised the former's efforts to conduct school-level monitoring.

Other instances in which unionised teachers have sought to intervene in school-level appointment processes were cited by the chair of the NASGB, describing undue influence by members in the appointment of principals and the deliberate transgression of legislated provisions. He emphasised a combination of the ignorance of parent members of SGBs, coupled with 'lobbying' by union officials who knew but opted to ignore the law in order to appoint and/or promote specific candidates. He added that: 'weak (school) governing bodies can – and are – easily dominated by the teachers and principal of a school...or [can] even be influenced by other mischief (sic)...'.

A similar picture is portrayed in Msila's (2014) study of the relationship dynamics between principals and unionised teachers in ten Eastern Cape schools. The research, which sampled schools in the Port Elizabeth district, carried out interviews with principals, official school-based union representatives, and various other teachers. Although there were variations across the schools, key informants from a majority of sites described school governance as being prone to a contested and negotiated process. The extent to which unionised teachers challenged the *de jure* authority of principals played out across a range of activities, including over appointments, meetings of union members during school hours, and disciplinary procedures. Msila's (2014) findings were not, however, without some, if limited, evidence showing more collaborative relations between unionised teachers and school management (principals), where the hierarchical integrity of the relationship seemed to hold. This appeared to be acutely sensitive to principals being willing and able to assert their authority and responsibility for school governance, which speaks to what our conceptual framework (seen annex A) describes as the possible virtues

of a 'zone of autonomy' being present at the school level, enabling the well-intentioned authority of principals to facilitate successful outcomes.

The perspectives of principals interviewed within the Grahamstown district were, however, consistent with the predominant pattern of hierarchical breakdown and contestation. The principal of one secondary school recounted the difficulty and intimidation she experienced overseeing formal disciplinary processes and the politicisation of the process. In addition, she referred to significant pressure being applied when consulting on vacancies and/or promotion posts, describing it as 'incredibly stressful – you almost just want to give in because the union will always make everything so hard. It's almost paralysing'.<sup>13</sup> In addition, the district director interviewed<sup>14</sup> relayed the story of alleged financial mismanagement levelled by teachers against a principal in his district, in which the principal was suspended, pending the completion of an investigation by the ECDoE. The findings of the investigation vindicated the principal of any wrongdoing. The principal cited several reasons why some of his staff wanted him dismissed. He remarked that he had experienced significant hostility when he attempted to prevent his staff from attending union meetings during school hours. In addition, several teachers in lower-level posts sought promotion to the level of head of department across various subjects for which they were not qualified. He alleged that a conspiracy to have him dismissed was fabricated, in order that a union member could take up the post of principal as a means of paving the way for other promotions.

## **Conclusion**

The governance of basic education in the Eastern Cape presents a difficult dilemma for the common conceptual framework employed in this study. Our general characterisation of the province based on the heuristic criteria in Table 1 reveals a sector that is predominately prone to personalised/negotiated outcomes. A more segmented analysis of governance at different levels did, however, highlight a differentiated pattern of progressive fragmentation from the central political level to the school level, resembling a pyramidal shape. This indicated that hierarchical features, where these do appear, have been employed to advance more personal aims, producing intra-party factional and partisan contestation. This has, moreover, severely scuppered the consolidation of stability within the provincial education bureaucracy, which has experienced persistent leadership instability, financial distress and mismanagement, unreliable performance management, and chronic policy failure in teacher distribution.

The dilemma facing the Eastern Cape is determining through what means the detrimental consequences on teaching and learning produced by the province's education governance can be most effectively mitigated. The conceptual framework and heuristic matrix offer some guidance, as well as cautionary reminders about the

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<sup>13</sup> Interview 3: Wednesday, 6 May 2015, Grahamstown.

<sup>14</sup> Interview 2: Thursday, 10 July 2015, Grahamstown.

possibilities. We suggest that two scenarios are possible. One avenue, perhaps the more ideal, is to ramp up efforts that could shift the sector's governance culture and weighting towards hierarchical/impersonal. This, however, seems highly improbable in at least the short term, given prolonged and acute institutional instability in the ECDoE, as well as failed national-level interventions. In any event, does the notion of education as a 'craft' activity, not realistically defined by routinised forms of production, and therefore best governed by allowing school-level actors a necessary 'zone of autonomy', expose the normative limitations of this approach (see Annex A)? This is not to suggest that some movement towards hierarchical/impersonal governance is undesirable. This, given that we acquired a suggestive, if not empirically extensive, basis for believing that dysfunctional teacher distribution at the provincial level, together with weak or compromised district-level oversight, can contribute to heightened stakeholder contestation at the school level.

So, if moving the Eastern Cape in the direction of the hierarchical/impersonal is implausible in the near term, is there an alternative course of action that might be more feasible, if not ideal? A second pathway that could be pursued would not necessarily require shifting the governance weighting, but working within the bottom half of the matrix (i.e. the negotiated/personal/impersonal space) by localising a solution within this area to the school level. This is based on the reasoning that horizontal governance arrangements (i.e. at the school level) can serve as 'partial institutional substitutes' (see Annex A), where hierarchical accountability is weak. The bulk of this paper's focus, on provincial-level political oversight and education governance, has presented evidence that we believe can at least substantively defend this scenario. What we cannot robustly defend, however, based on our limited data, is the likelihood that school-level circumstances in the Eastern Cape can enable horizontal governance arrangements to be effective; that is, for a coalition of "developmentally-oriented" stakeholders' to thwart the predatory impulses of other actors. Despite this empirical limitation, Shumane and Levy's (2017, forthcoming) Butterworth companion study along with findings from other literature (e.g. Msila 2014) offers more substantive reasons to be optimistic that stakeholder interactions in Eastern Cape schools can be re-calibrated in ways that reduce predation and increase developmentally-oriented outcomes.

## Annex A: Framework and hypotheses

This annex describes the common conceptual framework used in this and other research papers in the series on the politics and governance of basic education in South Africa. The series currently comprises Cameron and Naidoo (2016); Cameron and Levy (2016) Hoadley, Levy, Shumane and Wilburn (2016); and Shumane and Levy (2017, forthcoming). The conceptual framework is based on a broader ‘political settlements’ framework which is being used to guide the overall Effective States and Inclusive Development (ESID) research programme, implemented under the leadership of the University of Manchester, of which the South African education series is a part. Among the core conceptual inputs into the ESID framework are contributions by Khan (2010), Levy (2014; 2015), North et al (2009), and World Bank (2004).

The Table A1 typology can be used to characterise governance at multiple levels – nationally, at the provincial level, at local levels, and at the level of frontline service provision units. There is no one-to-one relationship between the categories in the framework and a familiar (and sometimes contentious) distinction between centralised and decentralised systems – and it is important not to conflate these very different discourses. (For example, negotiated agreements among stakeholders can be systematically incorporated into centralised systems. Conversely, decentralised systems can be organised hierarchically at subnational levels.)

**Table A1: A governance typology**

Hierarchical	(i)	(ii)
Negotiated	(iii)	(iv)
	Personalised	Impersonal

The South African education study includes one paper at the national level, two at provincial level (using the cases of the Western Cape and Eastern Cape provinces); two at district level; and two at the level of individual schools. As each paper details, the specific interpretation of the cells varies from level-to-level. Further, within each level (and using the 100 points allocation) the relative weights across cells vary according to the specific case being studied.

### Hypotheses on how institutional and political context matters

Levy and Walton (2013) suggest specific, researchable hypotheses that follow from the framework and can be used for a multi-level analysis of the governance and politics of service provision. ‘Good fit’, they hypothesise, can be framed in terms of the alignment between the governance arrangements which prevail at a higher level, and the arrangements which prevail at levels beneath that:

- H1A: where the higher- and lower-level institutional arrangements are aligned, we can say we have a ‘good fit’ – and thus potentially the best feasible outcome.
- H1B: where they are misaligned, we can say we have a ‘poor fit’ – there exists the possibility of improving the development outcome by realigning the lower-level institutional arrangements to align better with the higher-level institutions/political settlement.

For the South African national and provincial level education studies, H1A and B translate into the following:

- H2: At South Africa’s national level, there has been a misalignment between the (higher-level) background political arrangements (which predominantly fit into the ‘negotiated’ cells of Figure A1) and the predominantly impersonal-hierarchical logic used as the basis for national-level education sector policymaking. The result has been ‘poor fit’, and ineffective governance arrangements. See Cameron and Naidoo (2016).
- H3: There are vast differences in the provincial-level political settlements in the Western Cape and the Eastern Cape:
  - The Western Cape political settlement provides a relatively strong basis for ‘impersonal-hierarchical’ governance of the province’s basic education bureaucracy. See Cameron and Levy (2016).

By contrast:

- In the Eastern Cape, the political settlement is disproportionately personalised and negotiated, so ‘impersonal-hierarchical’ governance arrangements are unlikely to be effective.

Of course, the goal of the South African education research project is not an assessment of ‘goodness-of-fit’ per se, but an analysis of the ways in which diverse governance arrangements influence educational outcomes. This brings us to the analysis of school-level governance – both the ‘goodness-of-fit’ of school-level arrangements with those that prevail at higher levels, and the implications for performance in individual schools.

Figure A1 summarises school-level governance for South Africa’s public schools in terms of the interaction between four sets of actors: top-down hierarchical governance via the public bureaucracy; leadership by the school principal; the teacher cadre; and ‘horizontal’ participatory governance by school governing bodies

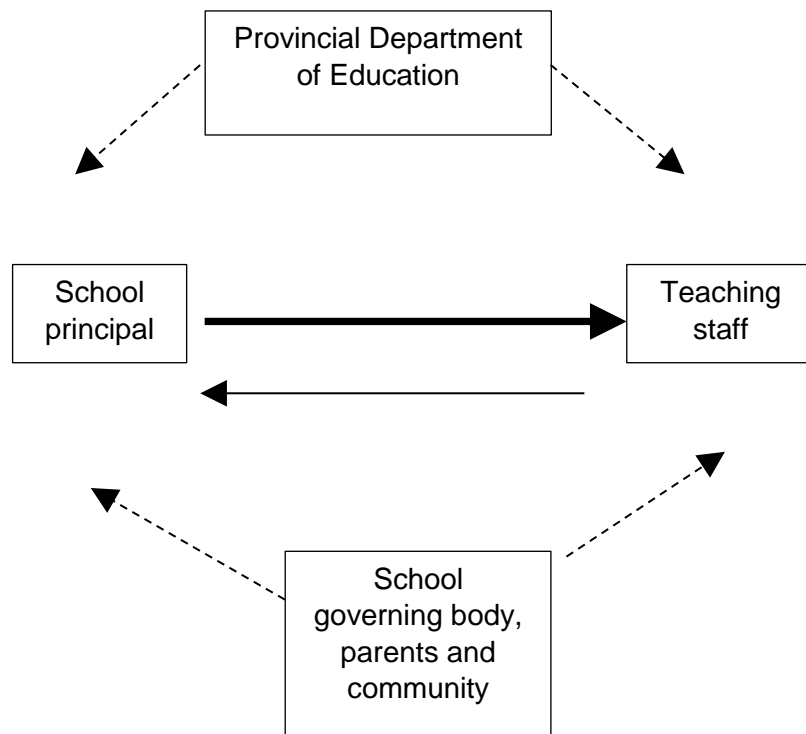
(SGBs) and other community, union and political actors. Applying the general formulations of H1A and B to the school-level yields the following hypotheses:

- H4: Where public bureaucracies perform relatively well (e.g. the Western Cape), substantial improvements in educational outcomes can be obtained by using top-down performance management systems.
- H5a: Horizontal governance arrangements can serve as partial institutional substitutes – providing accountability from peer-to-peer networks when top-down, hierarchical accountability is weak.
- H5b: A necessary condition for delegated, horizontal accountability to be effective is that there exists a coalition of ‘developmentally-oriented’ stakeholders engaged at/near the service provision frontline with sufficient influence to be able to ‘trump’ predatory actors seeking to capture school-level resources (teaching and administrative positions; contracts; other discretionary resources) for private or political purposes.

These hypotheses are explored in depth at school level for the Western Cape and Eastern Cape in Hoadley, Levy, Shumane and Wilburn (2016) and Shumane and Levy (2017, forthcoming).

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**Figure A1: School-level governance interactions**



### **Hypotheses on how sectoral context matters**

Along with exploring how political and institutional context can affect school-level performance, the school-level research also provides the opportunity to explore a further, complementary set of hypotheses – namely, how sectoral context affects the ‘good fit’ alignment between governance arrangements and sectoral performance. The 2004 World Development Report, following Wilson (1989) and Israel (1987), distinguished among sectors according to the heterogeneity and monitorability of their production activities. Top-down hierarchical governance, they argue, is most effective where production can be standardised, and where the monitorability of outputs and/or outcomes is straightforward. By contrast, where what is produced is more heterogeneous, and outputs/outcomes are less readily monitorable, more flexibility needs to be accorded to frontline production units, with a correspondingly greater role for horizontal (‘principal-principal’/peer-to-peer) governance arrangements. Wilson captures this contrast in terms of a distinction between ‘production’ and ‘craft’ organisations.

There is substantial controversy among education sector professionals as to what should be the appropriate balance between hierarchical and horizontal governance systems. For over a quarter of a century, educational reformers the world over have pressed for decentralising control over resources and decision-making closer to the school level. Grindle (2004) provides a detailed analysis of the politics of education sector change in Latin America. Bruns, Filmer and Patrinos (2011) review carefully the micro-level evidence as to the impact of informational and participatory reforms. Pritchett (2013) argues forcefully that, while vertical arrangements continue to be ubiquitous (and on occasion can be effective), all too often they lead education systems down dead ends – expanding ‘schooling’ rapidly, but with almost no concomitant gains in ‘learning’. Put differently, this controversy can be framed by contrasting H4 above with:

- *H6*: Education is a ‘craft’ activity, so successful outcomes require a ‘zone of autonomy’ for frontline practitioners, peer-to-peer learning, and horizontal governance arrangements which delegate responsibility and oversight to participants close to the frontline of service provision.

In the Western Cape (as per H3) impersonal-hierarchical bureaucratic arrangements are hypothesised to function relatively well. Thus the Western Cape provincial and school-level studies provide a good platform for assessing how (even given a broadly supportive political and institutional environment) sectoral context matters – and thus the relative merits of H4 and H6.

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