

## What does the NDP envision for the delivery of services? And what if it's not enough?

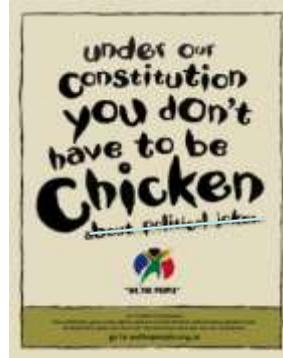
Towards a People's NDP based on fulfilling constitutional mandates

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Presentation to BEMF, 21 October 2013

## Context: Public health spending declining

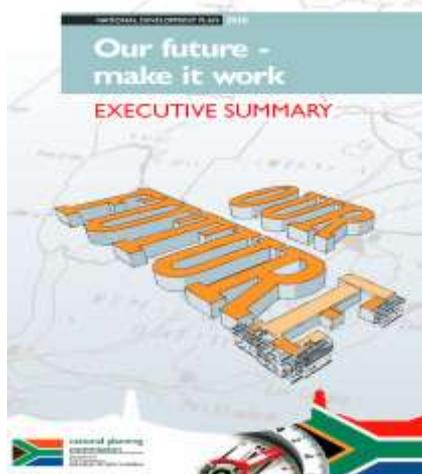
Rand million	07/08	08/09	09/10	10/11	11/12	12/13	13/14	Annual real change 07/08-13/14
<b>Public sector</b>								
National Department of health core	1,210	1,436	1,645	1,735	1,784	1,854	1,951	2.2%
Provincial Departments of Health	82,582	75,120	68,593	68,065	110,014	119,009	126,831	6.1%
Defence	1,878	2,177	2,463	2,770	2,963	3,203	3,377	4.0%
Correctional services	251	282	300	318	339	356	374	0.1%
Local government (own revenue)	1,525	1,792	1,829	1,865	1,977	2,098	2,221	0.4%
Womens Compensation	1,540	1,447	1,909	2,273	2,401	2,520	2,546	3.2%
Road Accident Fund	784	797	740	860	960	1,029	1,090	-0.1%
Education	1,833	2,134	2,350	2,503	2,653	2,812	2,981	2.2%
<b>Total public sector health</b>	<b>71,692</b>	<b>65,195</b>	<b>69,848</b>	<b>110,391</b>	<b>123,110</b>	<b>132,881</b>	<b>141,473</b>	<b>-5.6%</b>
<b>Private sector</b>								
Medical schemes	85,468	74,089	64,893	66,482	104,008	112,130	120,898	-4.4%
Out of pocket	14,894	15,429	16,200	17,172	18,202	19,294	20,452	-0.3%
Medical insurance	2,179	2,452	2,680	2,870	3,094	3,338	3,595	2.5%
Employer private	1,041	1,172	1,271	1,372	1,479	1,594	1,719	2.5%
<b>Total private sector health</b>	<b>83,383</b>	<b>93,141</b>	<b>104,094</b>	<b>117,895</b>	<b>125,783</b>	<b>138,344</b>	<b>148,550</b>	<b>3.6%</b>
<b>Donors or NGOs</b>	<b>3,835</b>	<b>5,212</b>	<b>6,319</b>	<b>5,787</b>	<b>5,308</b>	<b>5,574</b>	<b>5,852</b>	<b>1.2%</b>
<b>Total</b>	<b>158,910</b>	<b>163,539</b>	<b>171,161</b>	<b>234,074</b>	<b>255,201</b>	<b>274,799</b>	<b>295,957</b>	<b>-4.5%</b>
Total as % of GDP	7.6%	7.9%	8.6%	8.8%	8.8%	8.8%	8.3%	
Public as % of GDP	3.4%	3.7%	4.1%	4.1%	4.2%	4.2%	4.0%	
Public as % of total government expenditure (non-interest)	13.9%	14.0%	13.8%	14.1%	14.7%	14.7%	14.6%	
Private financing as % of total	52.5%	50.7%	49.7%	50.4%	49.7%	49.8%	49.0%	
Public sector real rand per capita 10/11 prices	2,138	2,301	2,522	2,650	2,751	2,827	2,831	4.8%
Private per family of four per month real 10/11 prices	713	757	841	883	927	942	944	4.8%

- + The NDP
  - + public policy endorsed by Cabinet, critiqued by COSATU and civil society
  - + doesn't take advantage of the state's constitutional power & risks delaying development
  - + Dilutes rights to equality, dignity, health, food, basic education
- + The Constitution:
  - + Promise not compromise
  - + Supreme law
  - + Mandates for development
  - + Regulating power
- + Conclusion: towards an NDP based on fulfilment of constitutional mandates & active citizenship



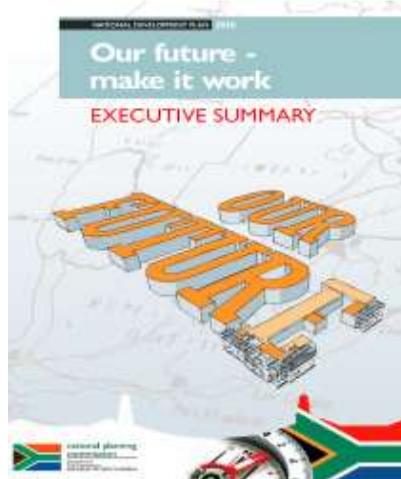
## THE NDP IS PUBLIC POLICY

- + Cabinet has endorsed the objectives and 18 key targets



## THE NDP DOESN'T UNDERSTAND THE CONSTITUTION

- + Is the constitution a vision or a set of obligations?
- + A mandate to "diligently and without delay" transform SA



## THE NDP COMPROMISES ON FUNDAMENTAL RIGHTS

- + Social determinants of health
- + Access to health services and finance
- + Basic education
- + "The NDP makes a firm commitment to a minimum standard of living which can be progressively realised through a multi-pronged strategy. In this plan we do not define a minimum standard but we do provide a framework for the adoption of a minimum standard of living by society." (p 38)

## S9: Equality

5. The NDP vision is based on the acceptance that high levels of inequality will persist until 2030:

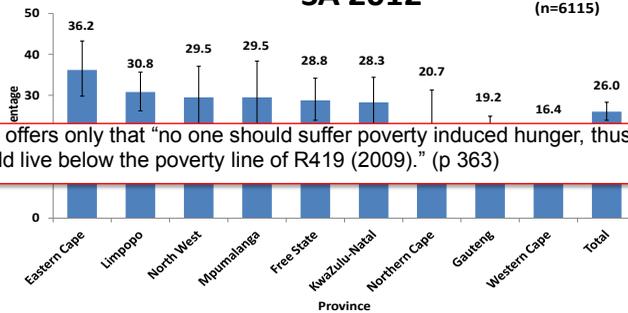
The Plan proposes that the Gini coefficient, will only decrease from its current world-beating level of 0,69 to an excessively high 0,6 by 2030. In terms of current measurements, 0,6 would still make our levels of inequality higher than any other major country in the world!

The NDP contradicts the movement's position that redistribution must form a critical basis of the new growth path. The Plan proposes that the Gini coefficient, which measures inequality, will only decrease slightly from its current world-beating level of 0,69 to an excessively high 0,6 by 2030. In terms of current measurements, 0,6 would still make our levels of inequality higher than any other major country in the world! This long-term goal has far surpassed in less than ten years the target set for a country claiming to be fighting inequality. The average Gini for all countries in the world is only half of this - between 25-35% after 2030. Given that the Plan is premised on a growth strategy based on low-wage jobs, and increased profits, it is reasonable to expect that levels of inequality at the bottom will continue at very high levels, and may even worsen.

Linked to this, the NDP accepts that massively high levels of concentration of wealth and poverty will still be in place by 2030. It proposes to increase the share of income going to the *bottom 40% of income earners* from the current 6% to a *mere 10%*. The ambition of the NDP is therefore that nearly half of our people should receive 10% of the country's wealth after 18 years of the plan's implementation!

## S27: The right to sufficient food

**Prevalence of food insecurity (experiencing hunger) by province, SA 2012**  
(n=6115)



NDP, offers only that "no one should suffer poverty induced hunger, thus no individual should live below the poverty line of R419 (2009)." (p 363)

## Promoting health (pp 330-351)

+ Goal 6: Complete health systems reform

+ Goal 8: Universal health care coverage

+ See pp 238-245

+ "public spending on health services was close to the global average (3.5% of GDP).. But gov't health expenditure as a % of total health expenditure (41.4%) was significantly below the average (55.2%)."

## S29: the right to basic education

"Many school environments are not conducive to learning....." NDP



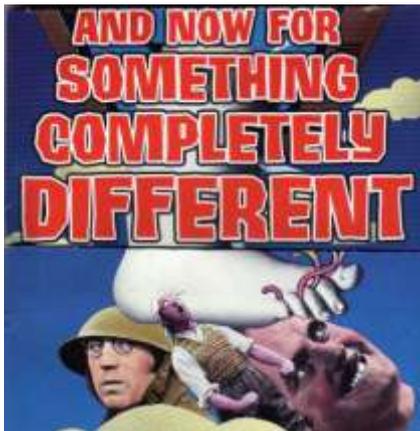
Photos: SECTION27

## Basic education: infrastructure

- + Less than 25% had a library
  - + Only 53% had a computer
  - + 15% had access to email or the internet
  - + In the community: 35% had access to a library, 31% access to a computer and 20% access to the internet
- + (Census @ Schools, 2009)

## NDP gets it right

- + By 2016, all schools should meet the legislated minimum standards. Then, following an infrastructure audit, all schools should have "high quality" infrastructure by 2030 (p. 313)."
- + But recent draft regulations go against this commitment



## THE CONSTITUTION

The Constitution mandates urgent, equitable, sustainable development

- + Von Holdt: It is unclear how far the Constitution and the institutions it establishes are adequate to facilitate redistribution since the ANC in government has hardly tested the possibilities. It has precluded such innovation through conservative policy choices (see other papers) shaped by internal developments, the pressures and inducements from business, international development institutions and 'expertise', and the constraints of global capitalism.

## The Constitution is the supreme law and rights are “the cornerstone of democracy”

We therefore, through our freely elected representatives, adopt this Constitution as the supreme law of the Republic so as to –

- + Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights;
- + Lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law;
- + Improve the quality of life of all citizens and free the potential of each person; and
- + Build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.

## The Constitution regulates and directs power to achieve rights

- + Public
- + Private
- + Personal & social

## Regulating public power

- + **s 195. Basic values and principles governing public administration**
- + Public administration must be governed by the democratic values and principles enshrined in the Constitution, including the following principles:
  - + A high standard of professional ethics must be promoted and maintained.
  - + **Efficient, economic and effective use of resources must be promoted.**
  - + **Public administration must be development-oriented.**
  - + **Services must be provided impartially, fairly, equitably and without bias.**
  - + **People's needs must be responded to, and the public must be encouraged to participate in policy-making.**
  - + **Public administration must be accountable.**
  - + **Transparency must be fostered by providing the public with timely, accessible and accurate information.**
  - + Good human-resource management and career-development practices, to maximise human potential, must be cultivated.
  - + Public administration must be broadly representative of the South African people, with employment and personnel management practices based on ability, objectivity, fairness, and the need to redress the imbalances of the past to achieve broad representation.
- + The above principles apply to -
  - + administration in every sphere of government;
  - + organs of state; and
  - + public enterprises
- + National legislation must ensure the promotion of the values and principles listed in subsection (1).

## Regulating private power

- + Horizontal application ... Reasonable legislative and other measures .. ...
- labour relations ... Property ..
- Environment ... Access to health care ... Access to housing

## Guiding the exercise of power: budgeting for rights

- + **The City provided information relating specifically to its housing budget, but did not provide information relating to its budget situation in general.** We do not know exactly what the City's overall financial position is. This Court's determination of the reasonableness of measures within available resources cannot be restricted by budgetary and other decisions that may well have resulted from a mistaken understanding of constitutional or statutory obligations. In other words, it is not good enough for the City to state that it has not budgeted for something, if it should indeed have planned and budgeted for it in the fulfilment of its obligations." (Blue Moonlight)
- +

- + "The more grave is the threat to fundamental rights, the greater is the responsibility on the duty-bearer. Thus, an obligation to take measures to discourage pickpocketing may not be as intense as an obligation to take measures to provide protection against serious threats to life and limb. **A final consideration will be the relevant human and financial resource constraints that may hamper the organ of state in meeting its obligation. This last criterion will require careful consideration when raised. In particular, an organ of state will not be held to have reasonably performed a duty simply on the basis of a bald assertion of resource constraints. Details of the precise character of the resource constraints, whether human or financial, in the context of the overall resourcing of the organ of state will need to be provided.** The standard of reasonableness so understood conforms to the constitutional principles of accountability, on the one hand, in that it requires decision-makers to disclose their reasons for their conduct, and the principle of effectiveness on the other, for it does not unduly hamper the decision-maker's authority to determine what are reasonable and appropriate measures in the overall context of their activities." (Rail Commuter Action Group)

What is to be done?

S32,33,34: Everyone's rights to info, just administrative action and acces to courts

+ NDP: "active citizenry and social activism is necessary for democracy and development to flourish."

But the NDP says almost nothing on access to justice

## Advancing equitable and sustainable development through active citizenship

- + Monitoring budgets and expenditure
- + Joining the fight against corruption
- + Protecting the right campaign for a cause
- + Protecting the right to strike
- + Access to courts