



**Opening Remarks by Public Protector Adv Thuli Madonsela at the
Public Protector -Commonwealth Good Governance Conference at the
Sheraton Hotel Tshwane , Gauteng, 12 October 2010.**

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**Programme Director, Mr Themba Mthethwa
Commonwealth Governance Advisor, Dr Roger Koranteng
The first Public Protector of South Africa, Adv Selby Baqwa
Leaders and Representatives of Institutions Supporting Democracy and Other Oversight
Agencies
Representatives of Political Party
Representatives of Leaders of Government and Civil Society
BLA President
Professor Victor Ayeni of GMSI
Deputy Public Protector, Adv Mamiki Shai
Media Representatives
Ladies and gentlemen**

I am deeply honoured and humbled by your presence at this Good Governance Conference. The fact that you've taken time amid your busy schedules to attend this conference suggests a high level of commitment to the pursuit of good governance in our country.

For my office, this conference forms part of a broader campaign called the Public Protector Good Governance Week which commenced yesterday 11 October 2010 and ends on Friday 15 October 2010.

This campaign, which is run for the first time this year, is a focus week on the Public Protector and its role in promoting good governance. We plan to host the Public Protector Good Governance Week annually.

Through this campaign, **we aim to enhance public awareness of the Public Protector's mandate, role and services.** This is in pursuit of the constitutional mandate to be accessible to all persons and communities. This responsibility is spelt out in section 182(4) of the Constitution.

The campaign messages will also promote the idea of good governance as the opposite of the maladministration and improper conduct in state affairs the Public Protector is mandated by the Constitution and the law to correct.

We particularly seek to **highlight the issue of good governance, its value in a constitutional democracy and developmental state**. Part of the objective is to mobilize the people as partners in holding the state accountable, ensuring that government upholds the Constitution and the law at all times, that government delivers services that are responsive to all regardless of difference and that corruption is never tolerated.

Programme Director

Coming back to the Good Governance Conference, this conference primarily focuses on the role of oversight agencies in promoting good governance. With the assistance of the Commonwealth Secretariat, we have sought to bring together all key oversight agencies for a dialogue on good governance.

One of the aims of the conference is to emerge with a common vision on good governance and an understanding of the mandate and role of each of the oversight agencies in promoting good governance. We further seek to emerge with a framework or a process for developing a framework for managing overlaps and ensuring systematized collaboration between these oversight agencies. Of course a common vision does not mean merging the roles of these agencies. They are meant to be independent and to complement each other. That was the intention of the architects of our democracy.

In the pursuit of this venture we are joined and supported by the Commonwealth Secretariat, represented today by Dr Roger Koranteng, Commonwealth Governance Advisor. I am grateful to Dr Koranteng for supporting this initiative conceptually and financially.

It is worth noting that this conference takes place after the Mo Ibrahim Governance Index announcement where South Africa achieved position No. 5 out of 53 African countries. We should be proud as a country that we are at the top. The achievement is indeed worth celebrating as it suggests we are on the right track.

But a good athlete competes with himself or herself, we cannot rest on our laurels. Being on top does not always mean you are good, it may simply mean you are the best of a pathetic lot. I must not be understood to be watering our country's important achievement or suggesting that Africa is pathetic.

I believe that as a country it is important that we measure ourselves on the issue of good governance against our own Constitution and the aspiration of our people, especially those that sacrificed for our democracy. Good governance should also incorporate an assessment of progress on the promises that have been made to our people by those that have sought a mandate to govern them.

However, the Mo Ibrahim Governance Index is important for identifying the Key Indicators of good governance. Indeed other international frameworks, including the UNDP Guidelines, Commonwealth Principles of Governance, and OECD Guidelines are useful benchmarks for measuring our performance as a country, on good governance.

I also believe that we can also learn something from the corporate sector, where the equivalence of good governance is corporate governance. In the corporate there are basic expectations that share holders have from the few they've entrusted with the responsibility to run a corporation on their behalf. In many respects, a country is not very different from a

company. If we could think of South Africa as South Africa Incorporated then as citizens we are shareholders that have certain basic expectations from the few we have entrusted with the responsibility and power to regulate our lives and resources. The key benchmark for good governance in the corporate sector is a body of guidelines that have been developed and packages as codes by the King Commission over the last few years.

Ladies and Gentlemen,

Without preempting the outcome of our dialogue regarding the meaning of good governance, I'd like to share some thoughts on the subject.

In the olden days they had a notion of a good king. A good king was one that looked after the welfare of his people. He was fair, consistent, inclusive and just.

We know for sure that old kings could be autocratic and still be regarded as a good king as long as he attended to the welfare of his people. We also know that kings existed in feudal societies where the hierarchical structuring of society was seen as normal and those at the bottom on the social hierarchy in society were treated less favorably than the propertied in the higher echelons. Clearly a good king is not a useful mark for a benchmark of good governance today. What's then is the ideal for the people of South Africa today when we speak about good governance?

From the literature on the subject and practices in other democracies, I have extracted the following pillars or characteristics of good governance:

- Constitutional compliance and the rule of law
- Participation
- Accountability
- Checks and balances that include constrained and diffused power
- Transparency, backed by freedom of the media
- Equality and inclusiveness
- Attention to human development
- Integrity with no tolerance of corruption in dealing with state resources

These are just thoughts. The dialogue that commences today will help us to emerge with a common vision on good governance. I look forward to a rewarding discussion and an ongoing dialogue on good governance.

Of course it's important that we define the role of oversight agencies and emerge with some framework or process for moving towards more systematized management of overlaps and collaboration.

Let us continue to work together to build a state that is accountable, consistently operates with integrity and serves all its people responsively.

Thank you.

Adv Thuli N Madonsela
Public Protector South Africa
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