

Cadre Employment in South Africa: Origins, Consequences, Scholarly Perspectives on Reform, and the Practical Implementation of the 2025 Legislative Framework

Prepared by: Eden Movement and MPOA- Date: August 2026

Executive Summary

This research report provides a comprehensive, multi-source analysis of cadre employment and cadre deployment in South Africa. It draws on peer-reviewed academic scholarship, judicial findings, institutional policy briefs, and legislative records to examine the origins and consequences of the practice, the recommendations advanced by scholars and institutions for combating it, and the practical mechanisms through which the landmark Public Service Amendment Act (Act 9 of 2025) and the Public Administration Management Amendment Act (Act 7 of 2025) — both signed into law on 1 April 2026 — can be implemented and enforced without reliance on court applications. The report finds that while the legislative framework now provides the most significant structural reform to South African governance since 1994, effective implementation depends critically on institutional adaptation, political will, and the strengthening of administrative oversight bodies.

1. Conceptual Clarification: Cadre Deployment versus Cadre Employment

Before examining the substance of the debate, it is necessary to distinguish between two related but distinct concepts that are frequently conflated in public discourse. The distinction was articulated with particular clarity by political analyst Gareth van Onselen and subsequently adopted by legal scholars.

Cadre deployment refers to the appointment by government, at the behest of the governing party, of a party-political loyalist to an institution or body — independent or otherwise — as a means of circumventing public reporting lines and bringing that institution under the control of the party rather than the state. The practice is deliberate, governed by a well-documented formal party policy, and is primarily aimed at enhancing political control through strategic appointments to positions of power [1].

Cadre employment, by contrast, refers to the economic patronage dispensed to individuals, companies, and agencies by government — not on the basis of merit, but on the basis of some party-political connection to the governing party. It is more pervasive and less formal than cadre deployment, and tends to entrench the power achieved through deployment by distributing economic benefits through the state machinery [1].

As Prof. Cornelis F. Swanepoel of the University of the Free State observes in his widely-cited 2021 article in the *Law, Democracy and Development* journal:

"Once the ANC had secured many of the key positions of power in the civil service, it was able to dispense economic patronage more easily. That this practice is now as tainted as it is widespread means we have a free-for-all of sorts." [1]

The Institute of Race Relations (IRR) notes that cadre deployment could more accurately be described as the cadre *employment* policy, because it "keeps ANC cadres employed while eroding the quality of our civil service" [2]. The distinction is not merely semantic; it has important implications for how reform strategies are designed and implemented.

2. Origins and Historical Context

The ANC's cadre deployment policy has its roots in the liberation movement's organizational culture during the apartheid era. The term "cadre" itself carries a military and revolutionary connotation, derived from the French and Latin words for a structured framework or nucleus of trained personnel [1]. During its years as an underground organization with many members in exile, the ANC used the term to describe members who were ideologically schooled in party thinking — disciplined individuals who could be trusted to advance the party's goals.

When the ANC assumed power in 1994, it inherited a civil service that had been designed to serve the apartheid state and was predominantly staffed by white Afrikaner officials. The new democratic government faced the legitimate challenge of transforming this inherited bureaucracy into one that was representative, non-racial, and aligned with the constitutional values of the new order [6]. In this context, cadre deployment was initially framed as a tool of transformation — a means of placing trusted, ideologically aligned individuals in strategic positions to ensure that the machinery of state would faithfully implement the ANC's developmental agenda.

However, as Prof. Dirk Kotze of the University of South Africa (UNISA) notes in *The Conversation*, the policy's original transformative intent was progressively corrupted over two decades:

"Merit as a prerequisite for senior appointments was replaced by party loyalty. The problem for South Africa is that only one party has run the national government since 1994. It means that a rotation of senior officials with different political orientations has not happened." [3]

The IRR identifies three motivations that have driven cadre deployment in practice: the desire to extend and amplify the ANC's power and influence over both the public and private sectors; the advancement of the National Democratic Revolution (NDR), which aims to transform South Africa into a socialist state; and, on a more venal level, the use of deployment as a tool of patronage to reward those who remain loyal to the party [2].

3. The Constitutional and Legal Framework

3.1 Constitutional Provisions

The Constitution of the Republic of South Africa, 1996, contains several provisions that are directly relevant to the practice of cadre deployment. Section 195 establishes the basic values and principles governing public administration, including the requirement that public administration be governed by democratic values and principles, that efficient, economic, and effective use of resources be promoted, and that good human-resource management and career-development practices be maintained to maximise human potential [7].

Section 197 of the Constitution further provides that "no employee of the public service may be favoured or prejudiced only because that person supports a particular political party or cause" [2]. These provisions collectively establish a constitutional mandate for a merit-based, non-partisan public service.

3.2 The *Mlokoti* Judgment (2009)

The most significant judicial precedent on cadre deployment is *Mlokoti v Amathole District Municipality & another* 2009 (6) SA 354 (ECD). In this case, the Eastern Cape High Court was confronted with a situation in which the Amathole District Municipality had appointed a less-qualified candidate as municipal manager at the behest of the ANC's regional executive council, despite the fact that the applicant, Mr. Mlokoti, had been consistently rated as the better candidate by the selection committee [1].

The Court found that the municipality had unlawfully abdicated its discretion to the ANC and declared the appointment invalid. The Court's reasoning established a foundational principle: that the exercise of public power is governed by the Constitution and its enabling legislation, not by party political policy. As the Court held:

"The councillors comprising the ANC caucus failed to exercise the discretion vested in them at all. That abdication of their discretionary powers must result in the decision to appoint second respondent being declared unlawful and being set aside." [1]

Critically, the ANC chose not to appeal this judgment, meaning it remains good law. Yet, as Swanepoel observes, "the practice of cadre deployment by the ruling party has continued, in a flagrant violation of the foundational principle of adherence to the rule of law" [1]. This gap between legal principle and political practice is precisely the problem that the 2025 legislation seeks to close through structural reform rather than case-by-case litigation.

3.3 The Zondo Commission Findings (2022)

The Commission of Inquiry into State Capture, chaired by then-Deputy Chief Justice Raymond Zondo, delivered its final report in 2022 after more than 400 days of hearings. The Commission's findings on cadre deployment were unequivocal and constituted what *Daily Maverick* described as a "bombshell" [4].

The Commission found that the ANC's cadre deployment policy violated five different subsections of the Constitution and contravened the Public Service Act. Specifically, the Commission found that the policy was incompatible with the constitutional requirements of equality, transparency, accountability, and fairness in appointments [4]. The Zondo report also established a direct causal link between cadre deployment and state capture, finding that the ANC's deployment committee had in practice made binding recommendations

— not merely advisory suggestions — on appointments across the entire public sector, including the judiciary [4].

The Commission's report revealed the extraordinary reach of the ANC's deployment committee, which had arrogated to itself the power to recommend appointments to:

Sector	Examples
National Government	Cabinet ministers, directors-general
Provincial Administration	Premiers, MECs, provincial officials
Local Government	Municipal managers, councillors
State-Owned Enterprises	Eskom, Transnet, SAA boards and executives
Independent Institutions	Statutory committees, agencies, boards
Judiciary	Recommendations on judicial vacancies
International Bodies	Ambassadorial appointments

Source: Zondo Commission Report, Part 6 (2022) [4]

The Commission recommended a complete overhaul of the appointments process for SOE boards and senior executives, and found that it was unlawful for any appointing authority to consider the recommendations of a party deployment committee when making appointments [8].

4. How Scholars and Institutions Propose to Combat Cadre Employment

The scholarly and institutional literature on combating cadre employment converges around several interconnected reform strategies. These can be grouped into legal, institutional, and cultural dimensions.

4.1 Legal and Structural Reforms

The most fundamental recommendation advanced by scholars and institutions is the legal separation of political and administrative authority. Chipkin and Leite of the New South Institute argue that cadre deployment is not merely a policy problem but a structural one: the system was designed to give politicians maximum discretion over administrative appointments, making it easy for a dominant party to exploit [5].

"What makes it possible for the ANC to manipulate the recruitment process in the first place is that it is already highly politicised by design... In almost every one of these situations, there are hardly any minimum requirements. Moreover, all such appointments are either at the discretion of the president or a relevant minister." [5]

The remedy, they argue, is to introduce stricter requirements for the appointment of senior managers, professionalize recruitment and candidate evaluation processes, and establish an independent commission to oversee appointment procedures [5].

The Public Affairs Research Institute (PARI), affiliated with the University of Johannesburg and Wits University, similarly argues that interventions to limit political control of recruitment processes must be accompanied by other measures to insulate the administration from undue political pressure, such as extending tenure for heads of departments and expanding the role of the Public Service Commission [8].

4.2 Merit-Based Recruitment and the Senior Civil Service

The NSI's 2024 policy brief, *Towards a Merit-Based Senior Civil Service: Strategies for Reform in South Africa*, proposes a structured, meritocratic appointment process for senior civil servants that includes: clearly defined qualification criteria; open and competitive hiring processes involving background verifications, psychometric evaluations, and interviews; performance contracts with quantifiable metrics; and an independent governing body to oversee and enforce the framework [6].

The brief proposes a pilot proof-of-concept senior civil service system, initially targeting Director-General (DG) positions, based on three core principles:

- 1 Recruitment for selected DG positions should be supervised by an independent agency with bipartisan input, potentially the Public Service Commission.
- 2 The agency should generate a shortlist for available DG roles; the President or delegated minister must choose from this list or initiate a fresh selection process.
- 3 The authority to dismiss DGs remains with the President or designated minister, but any such action must be accompanied by documented rationale [6].

4.3 Professionalization of the Public Service

Academic researchers like Kaizer Raseane Makole of the Tshwane University of Technology argue that cadre deployment should be replaced by a comprehensive professionalization of the public service, where "employment selection is guided by meritocracy and performance efficacy but takes cognisance of the need to fast-track professional development of formerly disadvantaged black South Africans" [11]. This framing is important: it acknowledges that transformation and meritocracy are not mutually exclusive, and that the goal is not to restore the apartheid-era civil service but to build a new, capable, and representative one.

The National School of Government (NSG) is identified across the literature as a critical institution for building this pipeline of capable administrators. The NSG's role in providing compulsory training, accredited qualifications, and structured learning pathways for public servants is seen as essential for creating objective, verifiable criteria for appointments [10].

4.4 Strengthening Oversight and Accountability

The PARI and NSI both emphasize that legal reforms must be accompanied by strengthened oversight mechanisms. The Zondo Commission's findings highlighted how the absence of effective checks and balances allowed corrupt practices to persist for years. Key proposals include:

- Expanding the Public Service Commission's authority to include binding recommendation powers, allowing it to enforce compliance with merit-based appointment processes.
- Implementing lifestyle audits and strengthening consequence management systems across the public service.
- Establishing an Integrity and Interference Log across departments to monitor and prevent political interference in administrative decisions before it becomes systemic [10].

4.5 Coalition Governance as a Structural Check

Prof. Kotze of UNISA notes that the political landscape itself has begun to provide a structural check on cadre deployment. Since the ANC lost its parliamentary majority in the May 2024 general elections and entered into a Government of National Unity (GNU), the practice of deploying ANC cadres to the exclusion of all others has become politically untenable. Coalition governance, he argues, "will also serve as necessary checks and balances on the political-bureaucratic relations and transform cadre deployment into a more acceptable practice" [3].

5. The 2025 Legislative Reforms: A Structural Solution

5.1 Overview of the Legislation

On 26 March 2026, President Cyril Ramaphosa assented to two landmark pieces of legislation, which were published in the Government Gazette on 1 April 2026:

- **The Public Service Amendment Act (Act 9 of 2025):** This Act fundamentally restructures the accountability architecture of the state by shifting key administrative authority from political office-bearers to departmental heads.
- **The Public Administration Management Amendment Act (Act 7 of 2025):** This Act amends the Public Administration Management Act, 2014, to further provide for the transfer and secondment of employees, clarify the prohibition against employees conducting business with organs of state, constitute the National School of Government as a national department, and provide for the removal of employment disparities across the public administration [9].

The NSI described the signing as "the most significant structural reform to South Africa's system of government since 1994" [5]. The ANC Parliamentary Caucus, in a statement issued on 22 April 2026, welcomed the legislation as "the most important reform to the country's political administration in three decades" [12].

5.2 The Structural Shift

The central innovation of the PSAA is the legal transfer of appointment and operational powers from politicians to administrative heads:

Dimension	Before PSAA (Public Service Act 1994)	After PSAA (2025)
Who appoints staff	Ministers and MECs held direct powers over departmental appointments	Directors-General and Heads of Department gain sole authority over appointments and HR decisions
Who runs departments	Political loyalty to the minister determined who was hired and how departments were run	Ministers confined to setting policy and overseeing its implementation
Political office	Civil servants could simultaneously hold party office	HoDs and employees directly reporting to them are prohibited from holding political office
Consequence management	Dismissed officials could move between departments undetected	Central Register for disciplinary cases across all spheres of government

Sources: NSI (2026) [5]; PARI (2026) [9]; Minister Buthelezi's Budget Speech (2026) [10]

5.3 Practical Implementation Without Court Applications

The user's central question — how the legislation can be practically implemented and enforced without requiring court applications — is addressed by the way the Acts embed enforcement within the administrative structure itself. There are four primary mechanisms:

Mechanism 1: Statutory Devolution of Appointment Power

The most fundamental change is that the legal power to appoint public servants below the level of Head of Department has been transferred by statute from Ministers to Directors-General. This means that if a Minister attempts to force an appointment, the Director-General now has both the statutory duty and the legal protection to refuse. The decision is an administrative one, not a political one, and any attempt by a Minister to override it would itself be an unlawful act — one that the DG can resist without going to court, simply by exercising their statutory authority [5].

As the NSI's Ivor Chipkin explains:

"By removing political appointment powers, the Act creates the legal precondition for competitive, merit-based recruitment into senior management — including the new SMS." [13]

Mechanism 2: Empowered Public Service Commission

The PSC's role has been significantly expanded under the new legislative framework. The Commission now has enhanced oversight authority over recruitment processes, ethics investigations, and grievance management. Critically, the pending PSC Bill (currently before the NCOP) aims to give the Commission binding recommendation powers — meaning that its findings on irregular appointments will be legally enforceable without requiring a separate court application [10]. This transforms the PSC from an advisory body into an effective enforcement mechanism within the administrative system.

Mechanism 3: The Central Register for Disciplinary Cases

The establishment of a Central Register for disciplinary cases across all spheres of government creates an automated administrative enforcement mechanism. Human Resource departments will be legally barred from hiring individuals flagged on the register for misconduct or corruption. This closes the revolving door through which officials dismissed from one department could simply move to another, and it does so through an administrative database rather than litigation [10].

As Minister Buthelezi stated in his Budget Vote address:

"For too long, officials that have been dismissed for misconduct were able to move between departments and other spheres of government without consequences. That era and culture must end." [10]

Mechanism 4: Professionalization Framework and the National School of Government

The institutionalization of the NSG as a national department and the expansion of compulsory training programmes create objective, verifiable criteria for appointments. When minimum qualifications and competency requirements are formally established and publicly known, it becomes administratively difficult — and legally vulnerable — to appoint an unqualified political cadre. The burden of justification shifts: a DG who appoints someone without the required qualifications faces administrative and disciplinary consequences, while a DG who follows the merit-based process is protected by the law [10].

Mechanism 5: Integrity and Interference Logs

The establishment of an Integrity and Interference Log across departments represents a shift from reactive governance to preventative governance. By requiring departments to document and report instances of political interference in administrative decisions, the system creates a paper trail that enables the PSC and other oversight bodies to intervene early, before interference becomes entrenched. This is an administrative enforcement tool that operates continuously, without requiring any party to approach a court [10].

6. Limitations and Challenges

While the legislative framework is a significant advance, scholars and institutions are unanimous in cautioning that legislation alone is insufficient. PARI notes that "the legal framework to support the development of an impartial public administration and a productive political-administrative interface is still not fully in place" [9]. Specifically, PARI warns that there is still room for political corruption to enter into decisions about who is appointed as Director-General, and for that DG to then promote political interests down through the administrative hierarchy via their new authority over recruitment [9].

The NSI's 2026 report on South Africa's "Third Transition" identifies three critical challenges:

- 4 **Implementation:** Whether the provisions are translated into effective regulations, directives, and day-to-day practice inside departments.

- 5 **Institutional Adaptation:** Whether HoDs, ministers, and oversight bodies adjust their roles and working relationships to the new architecture.
- 6 **Political Respect for Boundaries:** Whether political actors — across all parties — respect the boundaries the Act establishes [13].

The report also identifies a demographic challenge: the public service is ageing rapidly, with approximately 73–80% of Senior Management Service (SMS) members over 50 years old in 2024. Without proactive recruitment of a new generation of merit-based officials, the retirement of the current cohort could create a vacuum that is filled through the same patronage networks the legislation seeks to dismantle [13].

7. Conclusion

Cadre employment and cadre deployment have been among the most damaging practices in post-apartheid South Africa, contributing to state capture, the collapse of service delivery, and the erosion of public trust in democratic institutions. The scholarly and institutional consensus is clear: the practice must be replaced by a merit-based, professional public service that is insulated from political interference.

The 2025 legislative reforms represent the most significant structural response to this challenge in three decades. By legally transferring appointment powers from politicians to administrative heads, prohibiting civil servants from holding political office, establishing a Central Register for disciplinary cases, and empowering the Public Service Commission, the legislation creates a framework for enforcement that operates within the administrative system — without requiring constant recourse to the courts.

However, as the NSI, PARI, and academic scholars all emphasize, legislation changes incentive structures but does not automatically change behaviour. The real test of these reforms will be in their implementation: whether officials' autonomy is respected in practice, whether merit-based recruitment is pursued seriously, and whether the political class — across all parties — accepts that delivery is now an electoral and administrative matter, not a patronage one.

South Africa stands at a decisive moment. The legal architecture is now in place. The question is whether the political will and institutional capacity exist to make it work.

References

- [1] Swanepoel, C. F. (2021). *The slippery slope to State capture: cadre deployment as an enabler of corruption and a contributor to blurred party-State lines*. Law, Democracy and Development, 25. <https://doi.org/10.17159/2077-4907/2021/1dd.v25.15> — Available at: https://scielo.org.za/scielo.php?script=sci_arttext&pid=S2077-49072021000100015
- [2] Institute of Race Relations (IRR). (2021). *ANC Cadre Deployment: What is it?* Available at: <https://irr.org.za/fan/media/anc-cadre-deployment-what-is-it>

- [3] Kotze, D. (2023, February 7). *South Africa's ruling party has favoured loyalty over competence - now cadre deployment has come back to bite it*. The Conversation. Available at: <https://theconversation.com/south-africas-ruling-party-has-favoured-loyalty-over-competence-now-cadre-deployment-has-come-back-to-bite-it-199208>
- [4] Haffajee, F. (2022, June 24). *Cadre deployment unconstitutional and illegal – Commission's bombshell finding on ANC's key policy*. Daily Maverick. Available at: <https://www.dailymaverick.co.za/article/2022-06-24-cadre-deployment-unconstitutional-and-illegal-commissions-bombshell-finding-on-ancs-key-policy/>
- [5] New South Institute (NSI). (2026). *A Landmark Reform for South Africa's Public Service: The Public Service Amendment Act, 2025*. Available at: <https://nsi.org.za/public-service-amendment-act-2025-south-africa/>
- [6] New South Institute (NSI). (2024, April). *Towards a Merit-Based Senior Civil Service: Strategies for Reform in South Africa* [Policy Brief]. Available at: <https://nsi.org.za/wp-content/uploads/2024/06/Policy-Brief-Towards-a-Merit-Based-Senior-Civil-Service.pdf>
- [7] Constitution of the Republic of South Africa, 1996. Section 195. Available at: <https://www.gov.za/documents/constitution-republic-south-africa-1996>
- [8] Pillay, D. (2022, July 27). *Public administration reform is critical after a pliant civil service greased the wheels of State Capture*. Public Affairs Research Institute (PARI). Available at: <https://pari.org.za/op-ed-public-administration-reform-is-critical-after-a-pliant-civil-service-greased-the-wheels-of-state-capture/>
- [9] Public Affairs Research Institute (PARI). (2026, April 9). *Press release | Public Service Amendment Act 9 of 2025*. Available at: <https://pari.org.za/press-release-public-service-amendment-act-9-of-2025/>
- [10] Buthelezi, I. M. (2026, May 19). *Address by Minister for the Public Service and Administration, Public Service and Administration Dept Budget 2026/27*. Polity.org.za. Available at: <https://www.polity.org.za/article/sa-inkosi-mzamo-buthelezi-address-by-minister-for-the-public-service-and-administration-public-service-and-administration-dept-budget-202627-19052026-2026-05-20>
- [11] Makole, K. R. (2022). *From Cadre Deployment to Professionalizing Public Service in South Africa: A Reflective Approach to Service Delivery Improvement*. African Journal of Development Studies, Special Issue, pp. 21–38. Available at: https://www.researchgate.net/publication/358950092_From_Cadre_Deployment_to_Professionalizing_Public_Service_in_South_Africa_A_Reflective_Approach_to_Service_Delivery_Improvement
- [12] ANC Parliamentary Caucus. (2026, April 22). *Statement on Public Administration Amendment and Public Service Commission Acts*. Available at: <https://ancparliament.org.za/statement-on-public-administration-amendment-and-public-service-commission-acts/>
- [13] Chipkin, I. (2026, May). *South Africa's Third Transition: Generational Change, Public Service Reform, A New Constitutional Settlement*. New South Institute / Konrad-Adenauer-Stiftung. Available at: <https://www.kas.de/documents/d/suedafrika/south-africas-third-transition-ivor-chipkin>
- [14] Chipkin, I., & Leite, R. (2023, April 12). *Political influence or merit-based appointments? How South Africa can resolve the tension over top public service jobs*. Global Government Forum. Available at:

<https://www.globalgovernmentforum.com/political-influence-or-merit-based-appointments-how-south-africa-can-resolve-the-tension-over-top-public-service-jobs/>

[15] Hoffman, P. (2023, October 18). *A more nuanced approach to cadre deployment crisis in South Africa is needed*. Accountability Now (IFAISA). Available at: <https://accountabilitynow.org.za/a-more-nuanced-approach-to-cadre-deployment-crisis-in-south-africa-is-needed/>

[16] Buthelezi, S. (2026, April 7). *Ending cadre deployment: Ramaphosa signs Public Service and Administration Acts into law*. The Mercury. Available at: <https://themercury.co.za/news/2026-04-07-ending-cadre-deployment-ramaphosa-signs-public-service-and-administration-acts-into-law/>

[17] South African Government. (2026). *Public Administration Management Amendment Act 7 of 2025 (English/IsiXhosa)*. Government Gazette. Available at: <https://www.gov.za/documents/acts/public-administration-management-amendment-act-7-2025-english-isixhosa-01-apr-2026>