

A HUMAN RIGHTS-BASED APPROACH TO PUBLIC SERVICE DELIVERY: SOME COMPARATIVE PERSPECTIVES BETWEEN SOUTH AFRICA AND UGANDA

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Introduction

Adopting a Human Rights-Based Approach (HRBA) to Service Delivery

- Integrates human rights standards into public services.
- Applied within frameworks of international human rights commitments by both South Africa and Uganda.

Comparative insights

South Africa

- The 1996 Constitution's Bill of Rights ensures socio-economic rights.
- Strong legal framework and active civil society enhance accountability.
- Challenges: corruption, inefficiency, socio-economic disparities.

Uganda

- Constitution (1995) guarantees fundamental rights but lacks enforceability of socio-economic rights.
- Weaker institutional frameworks and limited resources hinder HRBA implementation.
- Issues include governance challenges and inadequate infrastructure.

Significance of Comparative Study Between South Africa and Uganda

- Cross-national analysis provides insights into HRBA in differing socio-political contexts.
- Shared histories, challenges in governance, and decentralisation efforts justify the comparison.
- Research interests of the authors



Understanding Public Service Delivery (PSD)

1. Definitions & Perspectives

Malhotra et al. (2020): PSD is the equitable, transparent, and **efficient provision of public goods**—a democratic responsibility.

Mubangizi (2010): PSD involves resource mobilisation to serve target groups effectively, stressing institutional capability.

Mfene (2009): Addresses past service deficiencies, enhancing community satisfaction.

2. Schyovic (2023): A Comprehensive Definition

PSD as services fulfilling **socially beneficial interests** under public law norms.

Dual role of public & private sectors with state oversight.

Funded by public budgets, **enabling citizens to realise rights** and meet obligations.

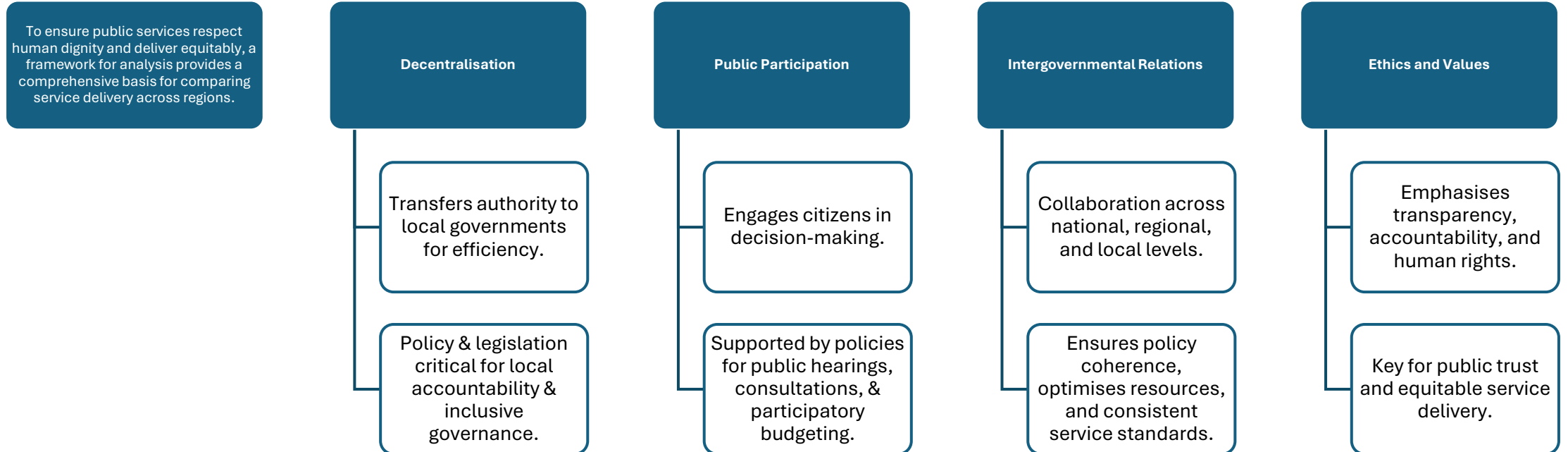
3. Human Rights-Based Approach (HRBA)

Aligns PSD with human rights principles, ensuring **resource allocation respects individual rights**.

Reflects the role of public services as tools for rights realisation and legal interest fulfillment.

"Public Service Delivery is the equitable, transparent, and efficient provision of goods and services by public sectors under state oversight. It ensures individuals can exercise their rights and meet obligations, aligning resource allocation with human rights principles to satisfy socially beneficial interests."

Framework for Analysing Public Service Delivery: South Africa & Uganda



Public Service Delivery in Uganda and South Africa: Key Insights

Both nations face systemic corruption, inefficiency, and leadership challenges but show potential for improvement through accountability, innovation, governance models, and ethical leadership.

- **Institutional Issues:**

- **Mwesigwa (2022):** Advocates internal, legal, and external accountability measures to combat corruption.
- **Okech (2026):** Focuses on bribery and procurement violations as key corruption causes; highlights revenue loss and public mistrust.

- **Structural Challenges:**

- **Basheka (2014):** Notes systemic inefficiencies; calls for improved infrastructure, processes, and accountability.

- **Governance Insights:**

- **Meyers (2022):** Stresses institutional norms and values for dynamic public interest promotion.
- **Chemutai (2019):** Flags fiscal and local government capacity challenges.



- **Institutional Reforms:**

- **Hendrickse (2024):** Calls for addressing corruption, education, healthcare, and inequality via systemic reforms.
- **Dlamini (2022):** Questions how to enhance public sector performance for socio-economic well-being in under-resources communities.

- **Innovative Governance Models:**

- **Mkhize (2021):** Highlights cooperative governance via the Operation Sukuma Sakhe (OSS) model for district planning.
- **Thusi et al. (2023):** Suggests innovation to reduce inequality and enhance services.

- **Leadership and Ethics:**

- **Msila (2022):** Emphasizes transformational leadership corruption and inefficiency.



Comparative Lessons in Legal Frameworks and Decentralization

Constitutional & Legal Frameworks

- **South Africa:** Strong constitutional protections for socio-economic rights; progressive but challenging to enforce in under-resourced areas.
- **Uganda:** Potential to strengthen legal frameworks for socio-economic rights; National Development Plan aligns goals with human rights.
- **Takeaway:** Uganda can enhance constitutional rights enforcement; South Africa can learn from Uganda's decentralised, community-responsive service planning.

Decentralization & Public Participation

- **Uganda:** Robust decentralization supports local accountability and citizen engagement in service delivery.
- **South Africa:** Decentralization exists but could be expanded for greater local responsiveness and participatory decision-making.
- **Takeaway:** Uganda's model demonstrates how decentralisation fosters local-level accountability; South Africa could adopt stronger local engagement practices.

Comparatives - Civil Society, Anti- Corruption, and Inclusivity Lessons

Civil Society Engagement

- **South Africa:** Strong civil society involvement through participatory budgeting and consultations.
- **Uganda:** Could formalize civil society mechanisms for genuine policy influence.
- **Takeaway:** Uganda can benefit from South Africa's civil society engagement models for enhanced accountability and community influence.

Anti-Corruption Measures

- **Uganda:** Community monitoring and anti-corruption bodies exist but need stronger enforcement.
- **South Africa:** Anti-corruption initiatives like whistleblower protections could strengthen Uganda's framework.
- **Takeaway:** Both countries could improve transparency with local oversight and citizen-driven accountability.

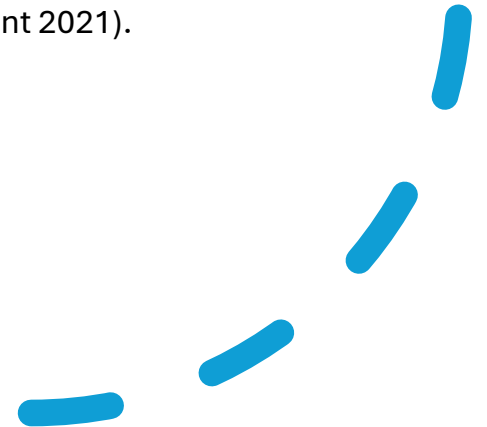
Inclusivity & Non-Discrimination

- **South Africa:** Policies support marginalized groups, with emphasis on women, disabled individuals.
- **Uganda:** Focus on gender equality; further work needed for ethnic minorities and people with disabilities.
- **Takeaway:** South Africa's inclusivity initiatives provide a model for Uganda; Uganda's gender-sensitive policies can inspire South African approaches in health and education.



Adopting a Human Rights-Based Approach to Public Service Delivery

- **Key Definition (SHRC):**
 - HRBA empowers people to know and claim their rights and holds institutions accountable to respect, protect, and fulfill these rights.
 - Ensures integration of human rights principles into policy and daily operations.
- **Core Principles (ENNHRI):**
 - **Participation** - Inclusive citizen engagement.
 - **Accountability & Transparency** - Institutions uphold rights responsibly.
 - **Non-Discrimination & Equality** - Services are fair and accessible to all.
 - **Empowerment** - Individuals are aware of and can exercise their rights.
 - **Legality** - Compliance with human rights standards.
- **Example:**
 - **Portuguese Ministry:** Promotes civic participation, strengthens citizen-state relations, and combats inequalities (Portuguese Government 2021).



Conclusions and takeaways



THANK YOU

