ABSTRACT: Regulation of network infrastructure beyond the Washington Consensus

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The provision of public services involving network infrastructure must inevitably address the challenge posed by the inherent monopolies that these networks create. However, much of current regulatory theory is founded on an additional paradigm, in which it was expected that private enterprise will play a growing part in the delivery of such services. As a consequence, the theory focused on creating the conditions to enable the entry of the private sector, reflecting in part the then-dominant policy framework described as “the Washington Consensus”. As part of this, it also adopted the “New Public Management” paradigm for public administration.

Because much of South Africa’s policy framework was established in the 1990s, at a time when these were the dominant global policy discourses, they have become embedded in the specialist regulatory discourse. However, while private sector involvement may in many cases be desirable, it is not inevitably the optimal strategy to meet public policy objectives. Regulatory approaches designed to meet the overall policy objectives for service provision will look different to the current dominant discourse. South African examples will be presented to illustrate these trends.

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