

The Nature and Content of Governmental Relations

2.1

Scope and Field of Study

Throughout the world - including South Africa - the study of governmental relations is largely confined to case studies on aspects of legal, financial and other conceptual relations between specific governmental bodies. Although such studies are undoubtedly useful for studying particular aspects of governmental relations, they contribute little or nothing towards resolving the actual problematics of governmental relations and even less to an in-depth study of this subject. In an endeavour to simplify understanding and to facilitate analysis, this chapter presents the phenomenon of governmental relations in a series of frames of reference. It is hoped that this approach will prove useful in presenting an overall view of the problematics inherent to this field of study and permit a broader perspective of its field of application. An illustrated model setting out the place of governmental relations in public administration is reproduced at the end of this chapter. This will also clarify the approach used in this book.

2.2

Approaches to the Study of Governmental Relations

In any wide field of study one generally tends to pay more attention to some aspects than others by concentrating on some outstanding aspect and approaching the field of study from that particular angle. Although the merits of this method are acceptable, the inherent danger of this method is that certain aspects may be over-emphasised while others may not receive the attention they deserve.

The extensive field covered by a study of governmental relations in public administration heightens the inclination to follow a selective approach.

The following examples are mentioned in the interests of clarity.

2.2.1

The Constitutional/Legal Approach

The constitution and other legislative provisions may be used as a point of departure for the study of governmental relations. This approach was adopted many years ago and is still employed in structural and hierarchic analyses of the provisions laid down by legislation. It accepts the factual information contained in legislation as a constant (until amended by subsequent legislation) and also accepts that relations between governmental bodies exist exclusively within the framework of clauses permitting such relations.

The constitutional/legal approach is obviously very comprehensive and a detailed discussion of this approach would demand a thorough study and analysis of all legislative provisions and regulations by the central, provincial and local governments which may have any bearing whatsoever on directives in respect of relations between governmental bodies.

While a study of this nature would of necessity be pragmatic (and tedious), the end result would presumably be an interminable list of government bodies and structures accompanied by a detailed account of the duties and powers of every political office-bearer within each body. However useful this approach may be, it fails to explain the dynamics of relations between various bodies and persons so as to permit analysis, discussion and, if necessary, improvements to be effected. Rather than following these logical steps, protagonists of this approach adopt an exclusive view which does not take cognisance of the *de facto* integrating interaction between governmental bodies - an aspect which specifically merits close consideration.

2.2.2

The Democratic Approach

This approach tends to emphasise regional and local government's "right to self-determination" to the extent of regarding such governmental bodies as autonomous institutions. As a consequence, protagonists of this

approach are opposed to the centralisation of authority and strongly favour greater devolution to subordinate authorities.

The term "autonomy" creates visions of independence, notably in regard to the actions of subordinate governmental bodies. Followed through to its logical conclusion in South Africa, however, independence would mean that relations between governmental bodies exist by virtue of the power vested in each of these bodies, since each would have the power to act independently of any higher authority. In practice such a state of affairs in a democratic state would result in utter chaos. The true meaning of 'autonomy' differs considerably from that attached to it by protagonists of the democratic approach. In the pragmatic world of authority, "autonomy" simply refers to the measure of autonomy granted to the subordinate governmental bodies by the central authority.

However, the views of the persons strongly opposed to centralisation also deserve a measure of sympathy. Trends in the history of local government reveal a continual struggle - still raging today - between local authorities to retain the authority assigned to them and those who are protagonists of centralisation (Hattingh 1984:47).

While excessive centralisation merely for the sake of promoting so-called "administrative efficiency" is undesirable, the excessive emphasis placed on autonomy by protagonists of the democratic approach of governmental bodies is in any case too limited to cover the entire spectrum of governmental relations.

2.2.3

The Financial Approach

This approach to governmental relations is typical of the approach popular in South Africa. Since Unification in 1910, the government has appointed numerous commissions and committees to investigate financial relations between the three tiers of government, and in government circles names such as Borckenhagen, Schumann, Franzen, Browne and Croeser have virtually become household words. The State President's Committee on National Priorities Act 1984 (Act 119 of 1984) represented an attempt at regulating financial relations. In terms of section 3 of this

Act, one of the duties of this committee was to advise the State President on the distribution of the Republic's financial resources between the state (which in this context refers to central, provincial and local government) and the private sector.

Financial relations come into play between two or more tiers of government when money is transferred from one to the other by means of payment, donation or subsidy or when a higher authority authorises a lower authority to levy or expend funds for some or other purpose.

Although all relations between governmental bodies may readily be claimed to have financial implications, the conclusion that governmental relations are essentially financial relations does not tally with the facts and represents an exclusively contextual approach.

Nevertheless, the importance of financial relations between governmental bodies should not be underestimated. Finances are an important cornerstone of government, and a variety of relations pertaining between different tiers of government are due to the possession of different sums of money, different skills in using those funds and different needs to be fulfilled with available funds (Jones 1980:4).

These differences lead to organisational problems in governmental relations, particularly in cases where funds allocated to subordinate authorities are earmarked by the central government for specific objectives which the subordinate authorities attempt to circumvent, adapt or redefine with a view to achieving their own objectives. Under some circumstances, this practice may lead to financial relations between higher and lower authorities being replaced by coercive measures.

The fact that finances are a restricted facility may also bring specific types of relations into play between governmental bodies. In Britain, for example, where local government is heavily dependent on a variety of grants from the central government and local authorities are penalised for exceeding their proposed budgets, it has for many years been feared that the British government may eventually go so far as to prescribe the purposes for which funds may be used by local authorities (Byrne 1983: 283). This would reduce local government in Britain to a mere extension of the central government and commensurably change their mutual relations.

From what has already been stated, it is clear that political supremacy in a unitary state is vested in the central government, which may utilise fiscal or financial measures to bring about any degree of *intensity of relations* between itself and other government bodies. Although this admittedly testifies to the power of finances, it is not deemed sufficient justification for approaching governmental relations solely from a financial point of view.

2.2.4

The Normative/operational Approach

The normative/operational approach utilises all available and pertinent norms to analyse and evaluate the total operational reality of governmental relations without over-emphasising one aspect of governmental relations at the cost of another. This means that should it prove necessary, all the *generic functions and normative factors* (these will be dealt with in subsequent chapters) in the administrative process may be employed to establish or analyse a specific relationship. By the same token, any single function or norm may be employed to achieve a specific objective. Since the normative/operational approach entails an investigation of what is or should be desirable, it naturally also once again involves the question of values.

Although the former points of departure should not be ignored and undoubtedly also provide valid criteria for analysing a phenomenon as wide-ranging and complex as governmental relations, they fail to provide the same depth of investigation and analysis which can be achieved with the normative/operational approach. Hence this book follows the latter approach in discussing all aspects of governmental relations meriting analysis and investigation.

2.3

Framework for the Investigation of Governmental Relations

In the introductory paragraphs to this chapter mention was made of the modern tendency in the study of governmental relations to concentrate

rather on a framework of analysis than on the usual conceptual case studies.

This new point of departure in the study of governmental relations has encouraged investigation into the processes of interaction between governmental bodies and, on the strength of the findings, to a study of specific aspects of governmental relations evidenced by interaction between facilities (resources) and objectives.

2.3.1

The Interdependence of Governmental Bodies

Rhodes (1981:86) states that during the normal course of events, any governmental body is dependent upon other governmental bodies for facilities required to cope with its own functions. In this context, 'facilities' include the following:

- *Constitutional and legal facilities:* In other words, essential and discretionary powers assigned by a higher to a lower authority by means of formal legal procedures or informal arrangement. By virtue of such assignment, the lower authority is enabled to devise its own hierarchic structure of authority for achieving objectives entrusted to it.
- *Financial facilities:* These include all moneys received, irrespective of their source.
- *Political facilities:* These presuppose the right and ability of elected decision-makers at the various tiers of government to communicate with each other concerning the promotion of objectives and to enter into negotiations with the electorate with the view to gaining its support. In South Africa, this right would be exemplified by political relations between the central and provincial authorities, in terms of which the latter would endeavour to gain the support of the electorate on the strength of policy guidelines laid down by the central government.
- *Information facilities:* These facilities are generated, for example, by direct vertical and horizontal contacts between the corps of professional officers in various governmental bodies. Direct contact may be brought about in numerous ways, for example at official level and by attending

congresses and seminars where matters of mutual interest are discussed.

It should be borne in mind that although these facilities are utilised to a greater or lesser degree in the normal course of any interaction between governmental bodies in this regard with due consideration of the fact that the availability of facilities may be subject to fluctuation, such facilities are generally not applied in isolation.

2.3.2

Objectives Determine the Need for Facilities

The objectives determined for a specific governmental body determine the facilities it will require to achieve each of the objectives entrusted to it. Housing schemes, for instance, require capital. Final objectives selected for implementation may be regarded as the product of a process of bargaining and negotiation between interest groups. For example, values regarded as inputs by a community may be transformed by value choices and value judgements into community values and hence become the recognised objectives of the governmental body concerned.

However, a higher authority may also disapprove of objectives identified by a lower authority and hence withhold the necessary facilities. In such cases, the lower authority negotiates and bargains with a view to achieving these objectives until the two governmental bodies eventually reach consensus on the final objectives and the nature and scope of facilities to be made available for this purpose.

This type of bargaining and negotiation is subject to various conditions, two of which are particularly important.

First, the process of negotiation will be influenced by the outcome of the previous negotiations on the same or similar matters. Moreover, the discretion of the higher authority in regard to new negotiations will be restricted by the extent to which it has previously recognised or even tacitly approved of similar objectives in the past (Rhodes 1981:103).

Second, the principle of deference to political supremacy remains valid. Hence in any negotiations on objectives or facilities, the higher body will be in a superior position of authority.

The activities of all governmental bodies are restricted in regard to the use of facilities for achieving objectives. A governmental body can achieve only as many objectives or aspects of objectives as available facilities will permit, while its discretion in regard to the choice of objectives is limited by previous decisions.

An implication inherent in the interaction of objectives and the use of facilities is reflected in the election process of countries such as South Africa, where elections are held every five years. Electoral candidates announce their value choices in manifestos in an attempt to gain votes. However, even if the number of successful candidates should form a majority in a new council, they are still bound by the objectives determined by the outgoing council, particularly by objectives with contractual implications. Hence a new council may find itself in the unenviable position of being unable to honour its election promises and, as a consequence, suffer damage to its relations with executive bodies and their officials, as well as to its relations with the electorate.

2.3.3

Discretion and Freedom are not Synonymous

Discretion and the possession and exercise of discretionary powers has been mentioned earlier. A broad interpretation of discretion may create the impression that it implies unlimited freedom and that, since discretion is a major determinant in establishing and extending governmental relations, persons with discretionary powers will dominate any negotiations on objectives and facilities. Rhodes (1981:105), however, recognises different degrees of discretion and maintains that the degree of discretion possessed by higher and lower authorities is determined by the nature of the objectives and the ultimate decisions of each of the relevant governmental bodies in relation to their respective authority, expressed in terms of the facilities they command. The difference in the degree of discretion, however, is no more than a potential difference if the available facilities are not applied.

While it may be accepted that the greater and dominant discretionary powers will always be vested in the higher authority - by virtue of its greater share of facilities - it is also true that the latter's discretionary powers are subject to limitations. In the Republic, for example, the central authority

is in many cases obliged to consult local government prior to taking decisions on local government affairs.

The points discussed in the section dealing with the interdependence of governmental bodies (see also Wright 1982:5) merit the conclusion that discretionary powers, irrespective of what body has such discretionary powers, do not infer unlimited freedom of decision and action, since the interdependence of governmental bodies restricts such discretion (Rhodes 1981:108). All discretionary powers are not necessarily prescribed by law and it is evident that even in the event of discretionary powers prescribed by law, the amount of discretion which can be exercised will depend on the availability and provision of facilities. Moreover, the exercise of discretion of necessity implies a relatively greater or lesser degree of freedom of action, depending on the number of community values (objectives) involved. Whatever the case may be, it is clear that the exercise of discretion may influence governmental relations.

2.4

Classification of Governmental Relations

Governmental relations have so far been regarded as a phenomenon associated with government and governmental bodies in general, while little attempt has been made to distinguish between relations between governmental bodies, those between government and the community, and those within individual governmental bodies. In view of their obvious complexity, these relations have been categorised in an attempt to facilitate understanding.

2.4.1

Method of Classification

It would be a monumental and virtually impossible task to go about the study of governmental relations by first analysing all types of governmental bodies in an attempt to ascertain and describe their relations with other governmental bodies.

To simplify matters, governmental relations occurring within the geographical boundaries of a state are classified into *three major categories, viz relations between governmental bodies (intergovernmental relations), within governmental bodies (intragovernmental relations) and between governmental bodies and the community (extragovernmental relations)* (cf Adlem & Du Pisani 1982:42).

Intergovernmental relations may be subdivided into vertical relations (by virtue of the various tiers of government) and horizontal relations (due to the existence of authorities of equal standing). This also applies to intra-governmental relations, where both vertical and horizontal relations occur.

There is also a fourth category, that of relations between states which, although it may also be defined as intergovernmental relations, differs from the other three in that it is characterised by the absence of coercion in any relational situation. In addition, an analysis and study of inter-state relations involves additional dimensions which are of particular significance in the case of South Africa and will be discussed further on.

2.4.2

The Human Factor in Governmental Relations

The context in which relations between governmental bodies has been referred to in previous chapters seems to suggest that such bodies are capable of thought and hence of creating mutual relations. Strictly speaking, however, relations cannot be established between governmental bodies, which are inanimate and incapable of establishing relations (Wright 1982:11).

Governmental bodies are basically nothing but frameworks established by legislature and within and between which relations can exist, while for all practical purposes such relations are established and maintained in terms of provisions laid down in the relevant legislation. Hence relations are substantially influenced by *human actions and behaviour* which at times probably constitute the essence of governmental relations.

As stressed in the introductory chapter of this book, it should be borne in

mind that the study of governmental relations is not a study of human behaviour *per se*. Man as a person in authority merely acts as a catalyst to establish communication between governmental bodies according to specific guidelines laid down by legislature. Hence a study of governmental relations, for all practical purposes, may be defined as a study of relations between governmental bodies.

However, due to the decisive influence which political office-bearers and officials may bring to bear on such relations and since human actions may very conceivably contribute to the complexity of the subject, a brief discussion of the human factor in governmental relations is relevant.

2.4.2.1 Who are These People?

Cabinet ministers (political office-bearers) and public officials, particularly officials who by virtue of their position are capable of playing a leading role, are pre-eminently the persons capable of effectually or ineffectually influencing governmental relations. According to Hecló and Wildavsky (1981:2) political life in the upper echelons of British government has become such a highly integrated political-administrative concept that the composite term of "political administrators" is used in referring to cabinet ministers and officials, particularly in regard to certain specific aspects of intergovernmental relations.

While this may be the case in Britain, cabinet ministers in South Africa are political office-bearers, while departmental heads are executive officials. However, a certain degree of overlapping is nevertheless possible in that a cabinet minister may become involved in administrative matters, and public officials may become involved in political matters. Indeed, executive officials are required to keep abreast of political developments since community values may readily be identified by studying situations of political conflict.

In the ensuing paragraphs the role played by persons in official positions in governmental relations will be briefly discussed.

2.4.2.2 Persons in Authority and Governmental Relations

The Constitution and other legislation lay down a comprehensive governmental structure for pursuing the object of government, which is to promote the general welfare of society. Provision is also made for other facilities (policy decisions, funds, manpower, procedural measures) which enable governmental bodies to function within the legislative framework. The Constitution and legislature may thus be said to provide the machinery (the structure) and fuel (facilities) for persons in authority to commence their task. Having been provided with the necessary structure and facilities as well as the necessary authority, the task of persons in authority is to set the machine in motion and keep it running to achieve the objectives of the governmental body to which they have been appointed.

Although persons in authority thus have virtually unlimited opportunities for creating and maintaining relations, their influence is restricted to the *quality* of such relations, since the organisational structures themselves are established by law and cannot be amended by cabinet ministers or officials acting as individuals.

Besides their ability to promote efficiency, persons in authority also influence the quality of relations by negotiating and bargaining for the maximum share of available facilities considered essential for the functioning of the governmental bodies they serve.

Within this overall framework, the task of the cabinet minister and official could be divided into the following four sub-categories:

■ First, his or her other task entails an extremely important co-ordinating function. The Cabinet, comprising all ministers in the government, empowers each individual minister to coordinate the activities of his or her own department with those of other departments and governmental bodies and hence to promote the efficiency and the quality of intergovernmental relations. This co-ordinating action also obviates the danger that statements containing conflicting aims are issued by two cabinet ministers, each pursuing the objectives of his or her own departments. Since it is part of a cabinet minister's duty to co-ordinate the internal functioning of his or her department, healthy relations between the minister, the departmental head and other officials in his or her department are particularly important. However, the most important relations are those between

minister and head of the department. Hence careful co-ordination of their statements and actions is at all times absolutely essential.

■ The cabinet minister and the head of his or her department are responsible for securing a legitimate share of the available facilities for their department by means of negotiation, and in this respect diplomacy and the ability of persuasive convictions is a particularly valuable asset (Rhodes 1981:82) since other cabinet ministers and departmental heads simultaneously negotiate for the same or similar facilities in respect of their departments. The facilities eventually allocated to each department will obviously determine the extent to which that department will be in a position to promote all or only a few of its objectives, and will consequently also influence relations between the cabinet minister and the community.

■ The minister and the executive official of his or her department must each carefully identify and implement the priorities of the community within the framework of their respective political and administrative tasks. Since it stands to reason that it would be impossible to implement all community values (due, for instance, to a lack of facilities) and since this may give rise to dissatisfaction and even conflict, it is also the task of the minister and executive official to identify potential conflict situations and to do all in their power to forestall them. Conflict situations which arise and are allowed to develop could cause serious repercussions in any or all three categories of governmental relations, depending on the circumstances of each specific case.

■ Finally, it is the task and, indeed, the duty of each political office-bearer and public official to perform their functions within the framework of the norms of supreme political power, public accountability, efficiency, administrative law, and deference to identified community values. This requirement is particularly important due to the fundamental influence these norms constantly exert on the quality of relations. An appreciation of the fundamental role of political office-bearers and public officials in governmental relations, particularly in a qualitative sense, is a prerequisite to the study of the three categories of relations identified as intergovernmental, intragovernmental and extragovernmental relations.

2.4.3

Intergovernmental Relations

As the term indicates, intergovernmental relations refer to *mutual relations between governmental bodies*. The legislative framework for such relations is embodied in the Constitution or other legislation in terms of which governmental bodies are established for specific purposes. Such legislation also indicates the hierarchic order of governmental bodies.

Intergovernmental relations between the various governmental bodies occur at the *horizontal* and *vertical* levels, both of which will be briefly discussed.

2.4.3.1 Vertical Intergovernmental Relations

These relations come into play between governmental bodies in different tiers of government, and in South Africa currently represent relations between the central, provincial and local authorities. The decisive significance of the possession of power is a salient feature of these relations: since the central authority wields more power than local authorities, subordinate bodies are to a large extent dependent on higher authorities (Regan 1982:52), particularly in respect of the facilities they require in order to attain their objectives.

This dependence also restricts the measure of discretion enjoyed by subordinate bodies in deciding which community values should be implemented. However, it should be borne in mind that although lower governmental bodies are to a certain extent dependent on higher bodies, there is also a measure of interdependence between these bodies. Moreover, this interdependence ensures each individual subordinate body limited powers to bargain and negotiate.

Relations between the tiers of government in unitary and federal states differ considerably, due to the different structural frameworks of these forms of government, which will be discussed more fully at a later stage.

2.4.3.2 Horizontal Intergovernmental Relations

These relations come into play between governmental bodies in the same tier of government. Examples in South Africa include relations between the nine provincial authorities, despite minor legal differences, and also the numerous relations at local government level comprising probably over 600 local authorities.

Relations between authorities on the same (horizontal) lever differ considerably from vertical relations. In the first instance, horizontal relations are not characterised by the formal concept of power. The term "formal" serves to denote that power will inevitably come into play in relations between larger and smaller local authorities, even if such power is founded only on intimidation of the smaller by the larger authority.

Second, there should be no relative disparity in the respective negotiating and bargaining powers of governmental bodies on the same tier of government. In this context, however, the quality of the negotiation and bargaining should not be overlooked.

Third, besides interdependence in vertical relations, interdependence between governmental bodies also occurs in horizontal relations, although the nature of interdependence differs according to the facilities mutually required. In the case of vertical relations, facilities such as policy decisions and finances will be relevant, while information and physical assistance will presumably be the main issues discussed at the horizontal level. For example, local authorities would probably be able to exchange information at municipal seminars and congresses, and in the course of their daily contact with each other they will also be in a position to agree on the provision of mutual assistance, such as sewer, fire brigade and traffic services.

2.4.3.3 "Governmental Distance" in Intergovernmental Relations

In a particularly perceptive approach to an aspect of intergovernmental relations, David Regan suggests that the "size" of a governmental body may influence both its vertical and horizontal relations (Regan 1982:58).

This hypothesis is founded on the following assumptions:

The "size" of a governmental body may be assessed by the relative extent of its geographical area, its total population and the financial facilities it commands in relation to other governmental bodies. For the purposes of analysis, it is preferable to assess *relative* size, since this perceptually represents the "size" referred to in comparing governmental bodies with each other.

Regan suggests that the concept of governmental distance should be employed to denote the relative difference in size.

Various interesting manifestations are revealed by the inclusion of governmental distance in an analysis of governmental relations. For instance, when two governmental bodies which maintain *vertical* relations compete with each other in negotiating for favours or advantages, Regan maintains that co-operation will respectively be enhanced or reduced by a greater or lesser governmental distance.

Conversely, in the case of governmental bodies which maintain *horizontal* relations, greater governmental distance will inhibit and lesser governmental distance will promote co-operation.

Regan (1982:58) explains these manifestations: A great governmental distance between bodies maintaining horizontal relations will induce political office-bearers and officials of small governmental bodies to deal carefully when negotiating with their opposite numbers in more powerful governmental bodies, since the small body may fear domination by the more powerful body. Should the small body feel threatened, it will be all the more unwilling to co-operate. However, where a small governmental distance pertains between two governmental bodies which maintain horizontal relations, neither body would manifest this inhibitory effect.

In regard to governmental bodies which maintain *vertical* relations, Regan maintains that a small governmental distance is inclined to cause political office-bearers and officials to resent the dominant position of the more powerful body to the extent that the subordinate body may even prefer to be left to its own devices rather than co-operate with a more powerful body.

On the other hand, if there is a great governmental distance among bodies which maintain vertical relations, the subordinate body will harbour no illusions concerning the importance of the higher body and consequently

experience no difficulty in co-operating.

An interesting aspect of Regan's theory of governmental distance is that it introduces a new framework which probably for the first time provides for both horizontal and vertical liaison between governmental structures created by legislation on the one hand and political office bearers and leading officials in the various governmental bodies on the other. An enduring problem in the study of governmental relations has always been that formal governmental structures have been placed in relation to each other by means of legislative directives. The various approaches to the study of governmental relations discussed in this chapter are to an extent legal-institutional, which leaves virtually no room for human beings and human behaviour. Regan (1982: 52) states that the focal point of his concept is, in fact, to couple formal governmental structuring to the factor of human behaviour.

The theoretical foundations of governmental distance should find a wide field of application in South Africa, where the "size" of governmental bodies differs very considerably. At local government level, for instance, this disparity ranges from the size of a body such as the metropolitan area of Johannesburg with over 2 million inhabitants and an annual budget exceeding that of higher level provincial authorities down to the smallest rural town with a hundred inhabitants and a pitifully small annual budget. Hence governmental distances in South Africa vary from extensive to almost infinitesimal.

The question is whether Regan's theory could be substantiated in practice if the results of negotiation and bargaining by governmental bodies at both the horizontal and vertical level in South Africa could be subjected to research. Indications are that such research would reveal a high level of correlation, with one important proviso.

At the 1981 Congress of the former Institute of Town Clerks (now the Institute of Local Government Management), in Bloemfontein (Institute 1981:253-275), a panel discussion on the problems facing smaller local authorities raised an aspect not directly discussed by Regan, that is that larger governmental bodies were generally characterised by a higher degree of *professionalism* among political office-bearers and public officials than governmental bodies of a more moderate size. The reason for this disparity is that the larger governmental bodies offer the advantages of

specialisation and more attractive remuneration. This fact considerably compounds the problems of governmental distance. Regan's theory identifies three factors for determining governmental "size", namely population, geographical extent and finances. With due consideration of the problems identified at the Congress of the former Institute of Town Clerks (now the Institute of Local Government Management), a fourth factor could be added to Regan's - professionalism. It should further extend the concept of governmental distance and its influence in intergovernmental relations.

Reducing the negative consequences of considerable governmental distance is no easy task, since the "distance" is determined by facts (population, finances, etc). However, a smaller governmental body may be protected against a larger one by means of legislation and regulations.

2.4.4

Intragovernmental Relations

The prefix "intra" serves to identify the topic under discussion as official relations *within* governmental bodies. Structures within governmental bodies are, within limits, allowed a considerable degree of discretion to establish additional internal bodies which they may deem necessary or desirable.

Since the Constitution merely provides general guidelines for the creation of internal structures, the President (at central level) and city councils (at local level) are at liberty to create as many state or municipal departments as may be deemed necessary and desirable under particular circumstances.

As in the case of intergovernmental relations, vertical and horizontal lines of authority are also evident in intragovernmental relations. Since individuals and institutions within any governmental body cannot function independently and without due regard to the functions and activities of others, all governmental bodies are characterised by an extensive internal network of interdependent vertical and horizontal relations.

While vertical and horizontal relations are dealt with as separate phenomena it should be borne in mind that in practice an absolute separation is precluded by the nature and complexity of relations within government-

tal bodies. It would clearly be impossible to discuss all intragovernmental relations in each of the many governmental bodies in South Africa and the ensuing discussion deals only with general factors which may influence intragovernmental relations.

2.4.4.1 Vertical Intragovernmental Relations

Governmental bodies and individuals within governmental bodies are grouped according to a vertical structure of authority. At central government level, the hierarchic structure is that of Parliament - legislature - cabinet ministers - departments - while an example of the structure pertaining to local authorities is city council - committees - town clerk - departments.

A vertical structure of authority is essential for establishing lines of authority and determining accountability and responsibility (who is accountable or responsible for what). Vertical authority is also essential in view of the extensive delegation of powers which occurs in most governmental bodies.

A vertical structure of authority also facilitates control to ensure the policy and decisions of higher authority will be implemented and that the allocated facilities (funds, manpower) will be efficiently utilised to achieve the identified objective.

In addition, there are specific relations between individuals at the various hierarchic levels which should be borne in mind. A good example is afforded by the particularly intimate relation of authority between a cabinet minister and the head of his or her department. An implication of this system is that the head of a department may attempt to please his or her minister's every whim in the interests of self-preservation, which may conceivably also result in forced relations between himself and the minister.

In the hierarchy of local authorities, the town clerk, who is the city or town council's chief administrative officer, stands in a *simultaneous horizontal and vertical* line of authority. While his or her authority is *subordinate* to that of the Management Committee, co-ordination and adminis-

tration of the Council's activities his or her authority is *superior* to that of the heads of departments, whose lines of authority flow via him or her to the Management Committee. His or her position as executive liaison officer is obviously a very responsible one, since he or she is charged with the responsibility of maintaining vertical relations in both directions (upwards and downwards), as well as co-ordinating the various municipal departments at a horizontal level.

2.4.4.2 Horizontal Intragovernmental Relations

Horizontal relations occur in governmental bodies between institutions at the same hierarchic level. In central and local authorities the term "institutions" refer to the various executive departments which contribute to the achievement of the objectives of the governmental body; such institutions may thus be referred to as executive institutions.

In central government, the seat of horizontal relations is not readily identifiable. For all practical purposes the departmental head is not actually the "head" of his department, since this designation in fact refers to the relevant cabinet minister. Hence the view expressed by Hecló and Wildavsky (par 2.4.2.1) that due to the considerable integration of political-administrative functions in the British government, it may be more apt to refer to cabinet ministers and heads of departments conjointly as political administrators.

In terms of the South African Constitution, ministers are appointed to administer state departments. It is accepted that these ministers head their relevant departments but will lean heavily on the chief executive officials to advise the relevant ministers on the broad framework of the administrative process (comprising policy matters, personnel, organisation, finances, procedures and control).

Hence for all practical purposes, the formal seat of horizontal relations between departments in the public service is the Cabinet and the cabinet ministers (De Crespigny, 1972:34). This, however, does not exclude horizontal relations between departments, since regular discussions are held between departments on matters of mutual interest, for example as on committees of investigation.

Horizontal relations in the public service differ from those in local authorities, where co-ordination between departments is primarily the task

of the town clerk from whom matters move in an ascending line to the Management Committee. The Management Committee is responsible for the final co-ordinating function before matters are submitted to the council.

Similar to the situation in the public service, horizontal relations also occur between departments by way of discussions, and notably also within the framework of each department's task to negotiate with a view to procuring the maximum share of available facilities. However, the various departments consistently recognise the right of existence of other departments, even during the process of bargaining and negotiation, as well as the fact that the contribution of each department is indispensable for achieving the objectives set by the state or local authority.

2.4.5

Extragovernmental Relations

Since all governmental bodies are involved in promoting the general welfare of the community and since respect for community values is recognised as a normative factor, it may be accepted that relations of various kinds exist between governmental bodies and members of the public or non-governmental bodies. This implies that external participants may also influence the activities of governmental bodies and governmental relations in general. These activities are extensive, and range from governmental involvement in community medical services to complicated fiscal relations between central government and the private sector, as represented by organised trade and industry. In addition, these activities may include welfare and health services, housing, agriculture, education, nature conservation, transport, sports, religion and every conceivable matter involving both the private and the public sector, all of which engender extragovernmental relations. Contact between governmental and extragovernmental bodies may conveniently be divided into four categories comprising relations relating the social, political, economic and institutional matters.

2.4.5.1 Social Extragovernmental Relations

These relations come into play when governmental bodies are involved in welfare matters affecting the community in general, notably in respect of

problems engendered by urbanisation. These problems involve governmental bodies in issues such as unemployment, juvenile delinquency, housing shortages, slum clearance and other social phenomena. Besides relations with various associations (such as welfare organisations), relations may also be established in terms of legislation (for example labour legislation in terms of strikes) as well as with individuals (Thompson 1963:422).

An increasing tendency is to encourage community co-operation in matters such as housing and town planning (cf Great Britain 1970:51), where the private sector and general public are constantly being encouraged to share the governmental burden of responsibilities. In such instances, public co-operation is encouraged, for example by granting tax concessions in respect of specific projects or investigations, by granting subsidies or even by offering to share the costs of certain projects. Supplying electric power to the inhabitants of Soweto some years ago (Mandy 1984:211) is a pertinent example of social relations between the central government, the private sector and the community of Soweto.

Social relations are also reflected in the numerous relations of governmental bodies responsible for a wide range of interests such as sport associations, religious denominations, school and cultural organisations.

2.4.5.2 Political Extragovernmental Relations

It is the duty of political office-bearers (members of parliament and town councillors) to respect identified community values. When values are being identified and value choices are being determined and implemented, relations with a political flavour come into play and generate a diversity of political affiliations.

First, there are relations with the voting public generally. Election time is a time for influencing people, and political candidates proclaim their value choices and aversions in an attempt to recruit votes. Considerable influence is also exerted by ratepayers associations, both before and after elections. Prior to elections, candidates attempt to gain the support of the ratepayers association in their wards, and following the elections, the political relations which are established between the successful candidate and the relevant association are frequently maintained until the following election.

Ratepayers associations make a valuable contribution towards determining value choices, sometimes in respect of the values of a specific ward and at other times in respect of values which affect the entire community. It is the duty of the elected councillor to assess the values supported by the ratepayers association and to attempt, with the support of like-minded councillors, to get these values accepted as policy. During the course of the councillor's periodic reports to the ratepayers association on the policy and envisaged programme of the council, opinions are bound to differ on the councillor's relation with his constituency (either municipal or parliamentary). While some voters may feel that they can do no more than advise the councillor, others feel that he or she is obliged to act on their "instructions". The most famous statement in this regard was probably that of the famous British parliamentarian Edmund Burke. In addressing the public of Bristol following his election as their member of parliament in November 1774, he stated that it was of the utmost importance that public representatives should give serious consideration to the wishes of the electorate, respect their opinions and pay attention to their interests. However, while it was his duty to sacrifice his convenience in their interests, he should guard against sacrificing his objectivity and sound judgement, since these attributes were a gift of Providence and should never be abused (Burke 1900:446). Burke's statement aptly describes the relations between a council, councillor and the electorate, in that a councillor should take note of the interests of his constituency while according priority to the interests of the community.

Second, there is the role played by political parties in governmental relations. Party politics add various dimensions to relations between an authority and the community both at central and local level.

Various political parties are represented in parliament. In South Africa, political parties represent a diversity of opinions and values and it should at all times be assumed that parliament represents the community and will thus behave as a community would behave (Calvert 1982:68). However, in a democracy, it must be accepted that preference will usually be accorded to the value choices of the majority party.

The values of the various political parties are debated in parliament. While it is unlikely that problems will arise in the relations between parliament and the ruling political party, this cannot be said of relations between the government of the day and minority parties, where totally different relations come into play. However, since these minority parties also represent certain community values, such values should not be summarily rejected or ignored.

Geoffrey Vickers (1965:38) sees the solution to this problem in what he refers to as "optimising-balancing". According to this theory, consideration should be given to the values of all political parties which could contribute toward achieving the objective of the state. By subjecting these values to a process of optimisation, relations of a special type are established between the government and the *entire* community, since the community values represented by all the political parties are taken into consideration. Whether a system of this type would prove feasible in South Africa's current political climate is another matter; the fact is that in all democratic countries the will of the majority is considered to be the will of the community.

Relations of a special type also exist between the government and the media. The latter usually represent specific political philosophies and act as the mouthpiece of the various political parties. The media also profess to be the mouthpiece of the general public and hence the interpreters of community values. In view of the media's assessment of its role, it stands to reason that relations between the media and the government would be of a special nature and in the case of an irresolute government, relations between the government and the press may even be dominated by the media. On the other hand, it is also true that not even the strongest government would dare to summarily disregard the press.

2.4.5.3 Economic Extragovernmental Relations

In addition to its numerous other responsibilities (defence, health) the central authority is also responsible for ensuring the economic stability of the community and the country as a whole. Financial and fiscal measures must therefore be instituted to serve as a framework within which the community and organised trade and industry should operate. Through these measures the government also attempts to establish relations with the private sector which are in the interests of the country's economy. It should be noted that such relations are established not solely with a view to economising but also with a view to exercising fiscal control.

In a country such as South Africa which, according to ministerial statements, has a free market economy, it stands to reason that the private sector will be intimately involved in economic policy matters. The implications of a free market economy include the obligation to provide guidelines for the roles played by the public and private sectors, in other words,

the fiscal and financial relations between the government and private sector (Watson 1983:23). In addressing the leaders of the public sector during the Carlton Deliberations in November 1979, the then prime minister pertinently stated that it was government policy to reduce the role of the public sector and increase the role played by the private sector in the economic field and to restrict fiscal control to the absolute minimum required for the welfare and security of the community (Watson 1983:23).

Governments generally have long felt that the private sector should actively (but voluntarily) assist in improving the quality of the environment by alleviating the financial burden of the government in regard to certain matters. Matters which annually demand considerable government expenditure and where the private sector could successfully contribute include housing and other services such as poor relief and educational aid (Baumol 1984:175).

Government interference in the economy creates specific relations between the government and private sector. However, it is not always clear what type of relations are envisaged. Does the government, for instance, want the private sector to alleviate the financial burden in respect of the community or does the government want to gain control of the private sector? Or is such interference motivated by the government's desire to protect the community? And what are the true reasons for establishing numerous control boards which, in reality, amount to a negation of a free market system? Meaningful discussions on the type and quality of economic extragovernmental relations can be held only once these issues have been thoroughly investigated.

The measure of economic control exercised by a government is another factor which may influence extragovernmental relations in the economic field. Whereas excessive governmental control may lead to a slackening of initiative, a lack of control may encourage unsatisfactory economic practices such as price-binding and profiteering.

2.4.5.4 Institutional Extragovernmental Relations

Governmental bodies maintain a substantial number of relations with related institutional bodies. Examples of such relations are those between the state and the former United Municipal Executive (in respect of local

government affairs), as well as with a variety of professional institutes such as the former Institute of Town Clerks of Southern Africa, the Institute of Municipal Treasurers and Accountants, and the Institute of Municipal Engineers. Relations between governmental bodies and institutional groupings are of particular importance. Since these groups are government-oriented, representing governmental bodies on the same governmental level, their combined strength considerably enhances their powers of negotiation. Municipal associations in the various provinces represent the local authorities in their respective provinces. Municipal associations are also united under the banner of a central executive, with the result that relations are established between the central government and all local authorities by any negotiations between the central executive and the central government.

Institutes and associations are forms of association created to serve the interests of their members. Their activities may normally be divided into the following three categories: negotiations and deliberations with governmental bodies, the provision of information to their members, and co-operation with other institutes and associations (Rhodes 1981:45).

Professional institutes and other associations are naturally also capable of exerting pressure on the government in regard to matters affecting their members. Their influence as pressure groups may be considerable, since their members themselves represent governmental bodies established in terms of the Constitution. In South Africa, local authorities are established in terms of the Constitution and are hierarchically subordinate to the central government. A united municipal executive could represent all local authorities in the Republic and establish relations with the central government in this capacity, but at the same time it could act as a pressure group.

Generally speaking, the basis of power of these associations is their expertise in the field of the governmental body they represent. The former Institute of Town Clerks, now called the Institute of Local Government Management in Southern Africa, for instance, is an expert in the field of all local government affairs and hence pre-eminently qualified to negotiate and bargain with the government on local government affairs. Indeed, the government may be at a disadvantage in negotiations with this type of institute for the very reason that it is a case of experts negotiating with laymen. In this context, however, Regan's theory of governmental distance should be borne in mind.

2.4.5.5 The Elite in Extragovernmental Relations

In every community one finds individuals capable of exerting considerable influence on one or more of these four facets of extragovernmental relations. These influential persons are judged according to their participation and involvement in matters which intimately affect the community and as a consequence, they are highly regarded by the community (Adlem Feb 1982:67). Messrs Raymond Ackerman and Harry Oppenheimer are good examples in this case.

The elite may become directly involved in matters of interest to governmental bodies or indirectly involved by means of the press, radio or other public announcements. The fact that they are well known and respected generally ensures that their assistance in achieving community objectives is highly valued. However, it should be borne in mind that the elite may also utilise their exalted positions in the community to exert pressure on governmental bodies with a view to achieving objectives in which they may have a personal interest. In such cases they may exert a negative influence on governmental bodies and, as a consequence, may cause relations to become strained.

2.5

Intensity of Relations as a Concept in Governmental Relations

Dictionaries generally place the term “relations” in a neutral context by defining it as a mutual association between persons. In the majority of publications on governmental relations, the use of this term suggests that relations are devoid of intensity, although they may be “good” or “bad”. On the other hand, it is generally conceded that relations may be of various types, such as legal, financial and personnel relations.

Relations between governmental bodies of necessity also exhibit a dimension of depth, since no two relations can be identical in all respects. It is self-evident, therefore, that intensity may be identified as a factor in any given situation where governmental relations may be subjected to investigation. This suggests the concept of *intensity of relations* as a criterion,

which means that relations between governmental bodies are also characterised by their depth or degree of intensity.

By way of explanation, the discussion on relational intensity is introduced by a few comparisons based on formal, informal and moral relations.

Formal relations between governmental bodies may be established in various ways, including by legal provisions, depending on the type of relations to be established. Since relations also exhibit different degrees of formality, the intensity of relations may vary from "imperative" (highest intensity) to "voluntary" (lowest intensity).

The following example of relations between the central government and subordinate governmental bodies serves to indicate the different degrees of relational intensity:

Legal requirement	Type of relations	Intensity
■ Imperative association	Total dependence	Highest
■ Imperative, with limited discretion	Dependence, with moderate control	Higher
■ Voluntary, with considerable discretion	Dependence, with indirect control	High
■ Voluntary, with certain obligations	Restricted autonomy	Low
■ Voluntary, with moral obligation to co-operate	Autonomy, with partial sacrifice of independence	Lower
■ Voluntary	Absolute autonomy	Lowest

There are presumably many other kinds of legal provisions which exhibit distinct intensities, and the above examples merely indicate the application of the concept of intensity of relations in formal relations.

The intensity of *informal* relations may vary from complete disregard to

full participation, for example, between a city council and a municipal community.

In contrast to formal legal relations, informal relations are not prescriptive and thus less rigid. The following six degrees of intensity are identifiable in informal relations:

- disregard (lowest intensity)
- manipulation (lower intensity)
- communication (low intensity)
- consultation (high intensity)
- advisory (higher intensity)
- full participation (highest intensity).

The following paragraphs serve to illustrate variations in the depth of intensity of relations:

■ Relations (a) - disregard: Under normal circumstances, relations are not created by a city council's disregard of the community. Nevertheless, a governmental body may, without consciously establishing relations, cause a relational situation of the lowest intensity in the course of complying with some or other legal requirement. Legislation in regard to town planning in the various provinces is a case in point. The relevant ordinances do not require a local authority to consult outsiders but generally specify that any proposed amendments to a town planning scheme shall be advertised and be available for perusal. Any interested party may, at their discretion, lodge objections against such proposed amendments and in such an event, relations will be established between the local authority and the party lodging the objections. The intensity of the resultant relations will be very low, since such relations are the result of a voluntary act and would not have existed had the act not occurred.

■ Relations (b) - manipulation: Manipulation is a conscious act resorted to by local governmental bodies and such relations with the community are of relatively low intensity. These bodies sometimes establish committees or similar bodies which represent the community to publicly support their decisions and actions, with a view to political or other gain. Hence the tactics of manipulation are intended to create the impression that the decisions of the governmental body are "acceptable" to the community. Although such manipulation still occurs today, it was notably practised

during Britain's early monarchic history (Hattingh 1984:43).

■ Relations (c) - communication: In this case, a governmental body establishes relations of low intensity with the community by advising it of the decisions and intentions of the council which affect the community's interests, and it may even advise the community of their rights and options as voters. Hence, the governmental body, to a certain degree, recognises the community's involvement. The majority of governmental bodies establish such relations with the community by means of newsletters and/or public relations officers.

■ Relations (d) - consultation: Relations of this type are established when a governmental body consults a non-governmental body prior to reaching a decision on matters which may be of interest to the latter. By virtue of such consultation, the ultimate decision reached by the relevant governmental body thus enjoys the credibility of the community. Relations created by consultations are of a relatively high intensity.

■ Relations (e) - advisory: Such relations are established when a governmental body nominates one or more advisory bodies comprising representatives of non-governmental bodies to consider matters referred to them by the governmental body in question. Such relations are dominated by the governmental body and are of a higher intensity. By establishing such relations, the governmental body indicates that it is prepared to be advised by the community and that their advice will be taken into consideration.

■ Relations (f) - full participation: Full participation in decisions results in relations of the highest intensity, first, because there is no dominant partner and second, because such relations are founded on joint decision-making. Governmental and community bodies are thus jointly vested with authority to investigate and discuss pertinent matters and reach decisions in this regard. An example of such relations is the Tennessee Valley Authority in the United States. The TVA was established in 1933 to supply electricity to a community of roughly 2,5 million inhabitants by constructing a system of dams and waterways (McCraw 1984:49). Problems originally developed in regard to the power supply, since private companies were already supplying electricity to the area in question. This problem was resolved by involving the private companies and the governmental body in one joint enterprise.

In the final instance, relations between governmental bodies may also be assessed on the grounds of *morality* in cases where the intensity of relations varies from “very weak” to “very good”, although the assessment of the intensity in such cases will probably be extremely subjective.

In evaluating and applying the concept of relational intensity it should constantly be borne in mind that intensity in public administration is not an absolute factor and that any criteria which may be utilised or identified will of necessity be relative.

2.6

Mandate, Agency and Partnership

The disparate meanings attached to the terms mandate, agency and partnership range from individual interpretations of the nature and meaning of formal governmental structures to efforts to associate governmental bodies with legislative provisions. To cite an example, there are two traditional points of departure regarding relations between the central government and local authorities in Britain (Hartley 1971:439). One approach regards relations between the British government and local authorities as comparable to relations between a principal and agent. The other approach maintains that relations between central and local government should be regarded as a partnership. Others maintain that a relationship of agency is established when a higher authority instructs a lower authority to perform specific tasks, while a mandate is interpreted as a normal relationship of coercion in a general sense between higher and lower governmental bodies.

Whenever a specific task or function is “transferred” from one governmental body to another, reasons will obviously always be found to justify such a step. However, the assignment of duties or functions is generally prescribed by law. Hence a task assigned to a central government department by an act of law cannot be wholly or partially transferred to a municipal department on the grounds that the task has become too demanding, unless legislative authority exists or is obtained for such transfer. This illustrates the considerable terminological confusion experienced in the use of identifiable definitions concerning the ways in which tasks may be transferred.

In the following pages, the meaning of the terms “mandate”, “agency” and “partnership” are discussed in their relational context, and an attempt is made to provide valid criteria for these phenomena.

2.6.1

Mandate

A mandate which, according to the dictionary, is an instruction, describes relations between a higher and lower governmental body (hence vertical relations) in which the higher body makes a decision which the lower body must implement (Wiechers 1973:53). A mandate ordinarily does not imply any discretion, and under normal circumstances, the higher authority would not be expected to bear the direct costs involved in the implementation of its instructions, although some form of compensation to the lower authority is not excluded. While the lower governmental body is charged with the responsibility of implementation, it will not necessarily accept liability for the consequences of its actions and the mandate is usually issued in the name of the higher governmental body, although this is not mandatory.

Although a mandate implies the issuing of instructions, this is not necessarily applicable in all cases.

This description of a mandate differs slightly from the traditional legal definition of this term. In terms of a legal mandate, any remuneration in respect of services rendered shall be voluntary and take the form of a fee or honorarium (Gibson 1977:224), while the party rendering the service need not necessarily represent the party issuing the mandate. In terms of modern jurisprudence, the latter is required in the case of an agency (Gibson 1977:224), which is discussed in the following paragraph.

2.6.2

Agency

In contrast to the requirements of a mandate, an agency may be defined as the formal authorisation by a higher governmental body to a lower body to perform tasks or render services on its behalf, and the costs of such duties or services are borne by the higher authority (Gibson 1977:224). In some cases, such authority takes the form of an instruction, notably in cases where the higher body is of the opinion that compliance is in the interests of the community. In the case of an agency, the lower governmental body without exception acts on behalf of the higher body and may or may not be required to submit regular progress reports to the higher body.

In regard to health services, however, local authorities act on behalf of the central government in respect of infectious and notifiable diseases and local authorities are remunerated according to a fixed scale for expenses incurred in this regard. Local authorities thus have no discretion in this matter and are obliged to institute measures for treating persons suffering from such diseases and to report all such cases to the Department of Health on a regular basis.

Although there is thus no fundamental difference between a mandate and an agency, there are nevertheless minor differences in the manner in which duties are assigned. Probably the most significant difference is that while a mandate is usually an instruction, an agency is generally a matter of authorisation.

2.6.3

Partnership

Relations based on partnership are less formal than relations associated either with a mandate or an agency.

A partnership between two or more governmental bodies represents a voluntary joint undertaking in respect of which the parties commit themselves to perform a task by which they stand to benefit mutually.

A partnership may readily be identified by the following four major requirements (Gibson 1977:263):

- Each of the parties must contribute to the partnership, be it in terms of money, manpower or expertise. The contribution of each partner is generally assessed in terms of its monetary value in order to determine its value for reasons of comparison.
- A partnership is established for the benefit of the participating parties. Should it be necessary for a third party to benefit from the partnership, this fact must be made known to and agreed to by all the partners.
- The purpose of a partnership is to make a profit. Such "profit" need not necessarily be monetary gain and may comprise any advantage whatsoever which is of value to the partners. Any profit accruing from the partnership is divided proportionately among the partners in accordance with their respective contribution to the partnership. However, this is not mandatory, and the profits may be divided on any basis to which the partners agree.
- The objectives of the partnership must be legal. A partnership may not be established with a view to performing acts which the partners are not authorised to perform, nor shall the partners mutually agree to perform an unlawful deed. The agreement shall be in writing, so as to obviate any misunderstanding by the partners of the requirements and duties implied by participation in the partnership.

Governmental bodies frequently enter into partnerships and in South Africa many partnerships exist, notably between local authorities. Agreements whereby two or more local authorities jointly purchase land to be used as a cemetery are well-known examples of such partnerships. Such land is then jointly developed and utilised to the benefit of the respective communities. A partnership of this type may naturally contain any provisions to which the partners may agree, and one local authority may, for instance, agree to develop the cemetery against remuneration by the other. The partners may also agree to permit outsiders to utilise such facilities and may specify the conditions under which such facilities may be used. Partnerships have recently also been established between local authorities for the purchase and joint utilisation of expensive equipment such as com-

puters and road-building equipment.

Although mandates, agencies and partnerships have been identified as different methods of establishing relations between governmental bodies, discussion of these methods has revealed that the differences are not always readily identifiable and that considerable overlapping and even duplication may occur under certain circumstances. However, this does not detract from the usefulness of the classification, which should assist in clarifying the confusion currently experienced in distinguishing the different types of relations. All in all they are really forms of delegation.

2.7

The Concept of Power in Governmental Relations

Power is generally regarded as an attribute bestowed on governmental bodies or persons by legislation or other formal acts and by which a hierarchy of power is established between governmental bodies at different levels. In an unitary state it may thus be said that according to this view the legislature establishes relations of power, for instance, between the central, provincial and local authorities, and that while the central government exercises authority over the provincial and local authorities, the provincial authorities exercise authority over local authorities. In this context, the possession of power creates mutual relations of influence between governmental bodies, as well as between governmental bodies and the communities they serve. In the latter instance power is transferred by means of a legal enactment (an election) to a governmental body by the community (the electorate).

The numerous implications of power are revealed by consideration of the fact that the possession of power in governmental relations is not merely an attribute of strength bestowed by legislation but that it in fact has far wider implications. These implications, in turn, add far more significance to the question of power in governmental relations than the mere study of power as a formal legal phenomenon, which confirms an earlier statement (par 2.2.1) that an exclusively judicial approach to the study of gov-

ernmental relations is inadequate. In the context of governmental relations, power *inter alia* refers to the possession by one or more governmental bodies of facilities which other governmental bodies require to achieve their objectives. Such facilities may include one or more of the following: funds, authority, political support, information, the ability to exercise authority (Regan 1983:47) and any other facility (such as expertise) required by another body. In this respect, the possession of power may under certain circumstances be of little significance, if the required facility is freely and abundantly available. Power may thus also be defined in relative terms as a facility in the possession of a governmental body and which is required by other bodies, and the extent to which the body possessing that facility holds the monopoly (Rhodes, 1981: 48).

2.7.1

Power Dependence

Power also has contextual implications in that it is of value only if a need for the particular facility exists. It follows, then, that a governmental body may regard power as a desirable facility, while another body does not consider it in that light, depending on the demands for the facility in question. In governmental relations, the possession of power and the need of facilities do not represent a one-way flow between the body possessing the facility and the body requiring it. Regan (1983:47) states that when one governmental body requires facilities controlled by another, the former is dependent on the latter. Such dependence, however, seldom occurs in one direction (cf interdependence of governmental bodies, par 2.3.1). Hence such power relations may be more accurately described as a continual power dependence relationship amongst governmental bodies. Governmental bodies thus compete against each other; they bargain, negotiate, and even resort to manipulation to acquire the necessary facilities for the lowest possible consideration (Regan 1983:47). Hence to a certain extent, power in this respect constitutes a negotiable commodity, even within the framework of formal legislation.

Power endowed by legislature results in relations of varying intensities between governmental bodies, and besides relations of a formal, hierarchic nature, such relations may also encompass interactive, informal relations. Such relations are in a constant state of interaction in accordance with the varying demand for and the possession of facilities which endow governmental bodies with power.

Power assigned to governmental bodies by legislature or acquired by other means mentioned above results in hierarchic or informal power relations. By bearing in mind and especially by applying the concepts of *governmental distance* and *intensity of relations* discussed in this chapter, both the type and scope of power relations may to a large extent be influenced and analysed.

Interdependence between governmental bodies therefore also creates a situation of *power dependence* between them. Furthermore, power dependence manifests itself in both *horizontal* and *vertical* relations between governmental bodies.

The possession of power in this regard would naturally create relations of different degrees, dependent upon the position of "strength" inherent in the possession of a particular facility.

Naturally, the possession of power, and the exercise thereof, has also a strong affinity with human behavioural patterns. This aspect, however, concerns the field of sociology, and will not be dealt with in any specific detail although the matter may be referred to from time to time.

2.8

International Relations

Relations between the government and other independent world states could for all intents and purposes be regarded as *extragovernmental* relations, that is, relations between the government and outside bodies. However, relations of this nature are governed by the principles of international law, and these relations therefore justify separate attention.

This chapter takes a brief look at this matter.

2.8.1

International Politics

Any discussion on international relations, even by way of a historical review, could readily trespass on the field of international politics. Interna-

tional politics deals with relations between states and governments and include topics such as the politics of power, the balance of power, conflict, diplomacy, foreign policy, propaganda, interference, war and associated "political" matters. In other words, international politics deals with relations between nations. This discussion, however, does not pertinently include politics although the study of governmental relations may, under certain circumstances, include political implications. International Politics is recognised as an *independent* academic discipline. The accent in this discussion falls on identifiable relations within the administrative process and subject matter is referred to as inter-state rather than international relations.

2.8.2

The Development of Inter-state Relations

Relations between sovereign independent states were originally established for the simple reason that every identifiable state throughout the world since ancient times has experienced a measure of dependence on other states in some way or another, although different connotations were admittedly attached to the concept "world" at different times. Early history proves that despite an awareness of a measure of interdependence, every sovereign independent state consistently insisted on being regarded as equal in sovereignty to every other state (Goodrich 1960:2). Hence each state insisted on the right to determine its own domestic and foreign policy - frequently without regard to the wishes and interests of others. These states nevertheless experienced an enduring need for contact with a view to trade, the control of movement of people across the borders of sovereign states, the control of shipping and numerous other inter-state matters.

According to Goodrich (1960:3), during the seventeenth century Hugo Grotius contributed substantially towards the formulation of the principles and regulations of international law which could be accepted by sovereign states for regulating relations between them. These states at an early stage realised that coexistence necessitated some form of control for regulating relations between them, notably in respect of non-hostile relations (Goodrich 1960:4). The concept of co-operation came to be increasingly accepted and countries entered into multilateral and bilateral agreements on a wide variety of matters. In this context, O'Connell (1971:4) points out that as many as five hundred agreements and treaties governing rela-

tions of various types may be entered into by the modern state of today.

Inventions and technological progress during the eighteenth and nineteenth centuries further increased interdependence between states (Goodrich 1960:6). Improved production methods caused foreign trade to flourish, while the frequency and pace of inter-state travel increased and communication between states improved. In addition, growing contact between states heightened the realisation that relations between states need not necessarily be based on bilateral agreements and that agreements should preferably be multilateral. In 1874, for instance, this realisation led to the establishment of the Universal Postal Union for regulation inter-state postal services (Goodrich, 1960:6).

The need for improved and organised relations was not restricted to international co-operation, however. Economic development and social relations between states contributed to the realisation that uncontrolled competition between sovereign states could lead to conflict and that open conflict in the form of war could result in extensive economic repercussions (Goodrich 1960:7). This fear became reality with the outbreak of World War I in 1914.

The reality of war demonstrated that co-operation between states based on the principles of international law formulated by Grotius and others no longer sufficed to prevent disputes and even armed conflict between states. After World War I, urgent deliberations on ways and means of achieving co-operation to ensure peace among nations by international agreement culminated in the founding of the League of Nations. However, since the USA was neither a member of this organisation nor provided it with any form of support, the League of Nations proved ineffective and was eventually dissolved (Goodrich 1960:20).

In view of the devastating consequences of World War II, another attempt at international co-operation was launched which led to the United Nations being founded in 1946, with South Africa as a founding member.

It is interesting to note that the issue of membership or non-membership and the right to withdraw from the UN is not the sole consideration governing the establishment or severance of relations between states. Section 2(6) of the Charter contains a provision of fundamental importance for

interstate relations throughout the entire world. In terms of this section, the *UN has the authority to take action against any state which it feels is contravening the principles of the Charter, irrespective of whether the state guilty of such contravention is a member of the UN.*

2.8.3

South Africa and the United Nations

South Africa was for a number of years excluded from participation in the activities of the General Assembly of the UN, because of the racial policies of the former government.

With the advent of the new constitutional disposition, however, South Africa is now a full participant in all the activities of the UN. This question of international (inter-state) relations is not pursued beyond this brief summary, for the simple reason that this book basically concerns governmental relations within the boundaries of the Republic. To go beyond that would entail entering the massive field of *foreign relations* which is a subject which really falls outside the scope of the basic aims of this book.

2.8.4

Visual Illustration

The illustration which follows, and termed “Umbrella model for governmental relations in public administration” is self-explanatory and indicates the place of governmental relations in the overall field of public administration. All of the individual concepts and norms mentioned in the model and their relevancy to governmental relations are discussed in this and later chapters.

The six functions of the administrative process used in the model and in this book are the well-known and all-encompassing functions used in the study and practice of public administration in this country, and as propounded by Cloete and the majority of writers on the subject in this country.

There are a number of variants to this division, among others the POSDCORB (planning, organising, staffing, directing, co-ordinating,

commanding, reporting, budgeting) of Luther Gulick, and Henri Fayol's organising, co-ordinating, commanding, controlling and prévoyance (a mixture of forecasting and planning).

These divisions are, however, seldom used in South Africa.

Umbrella Model for Governmental Relations in Public Administration

