

3 The Role of Governmental Relations in Public Administration

3.1

Historical Perspective

The study of governmental relations falls within the framework of the more comprehensive study of Public Administration as a discipline and public administration both as a discipline and as activity. Hence it is considered advisable to provide a brief historic perspective of public administration both as a discipline and as an activity.

3.1.1

Public Administration as an Activity

Public administration as an activity has been practised since earliest times. The irrigation schemes devised by the early inhabitants of ancient Mesopotamia as a means of survival were presumably preceded by a number of activities currently identified as basic functions of the administrative process, including policy-making, organisation and finance (Mumford 1961:10). While it is unlikely that these functions were identified as such in those early days, it is virtually unthinkable that construction of the irrigation schemes could have got under way without some form of previous administrative arrangements, no matter how elementary.

By the same token, other official activities such as the construction in 312 BC of the first Roman road, the *Via Appia*, street lighting in Ephesus in approximately the fifth century AD, and numerous water and sewerage schemes throughout many centuries would have been impossible had they not been preceded by even the slightest indication of elements of the administrative process.

In pre-Greek and pre-Western times, government in the most simplistic

sense was vested in the monarch. In those far-off times there was absolutely no question of local self-government or any other form of subordinate government as we know it today, and all forms of government and administration were vested in the monarch (Hammond 1972:2).

The administrative process was probably initiated during the Classical Greek period, between 510 and 338 BC, with the inception of the democratic city states (Hammond 1972:174). The sovereignty initially vested in the ruling monarch, later passed to the aristocracy and subsequently to civil gatherings. In the city states, activities were eventually divided on an elementary, functional basis, for example tax gathering, public works and defence. There is also evidence that formal *relations* existed between Athens and Sparta, albeit solely with a view to regulating competition between these two city states (Hammond 1972:155).

With the advent of the Dark Ages (500-1000 AD), all forms of government virtually came to an end, leaving no more than a few historic fragments for posterity. This fate befell even sizeable cities such as London which, during the Dark Ages, was inhabited by small, heathen groups of Saxons living in squatters' camps protected by the city walls (Collingwood 1949:435).

With the reawakening of Europe at the end of the Dark Ages, new governments came into being. Manuscripts subsequent to 1100 increasingly refer to administrative functions, particularly financing. Records even refer to the progress achieved during the thirteenth century in respect of systematic record-keeping, which was regarded as a cornerstone of documentation for reconstruing historical events (Platt 1976:136).

With the ascension of William of Orange to the British Throne in 1680, the absolute autocratic power of the Stuarts came to an end, authorities were established on a vertical and horizontal level, and administrative control and the application of administrative functions were delegated to individual governmental bodies (Hattingh 1984:43). Normal administrative relations between various governmental bodies eventually developed within the framework of the overall sovereignty of the British government, and this basic system was eventually introduced to South Africa, where, in essence, it is still in force today (Shorten 1963:115).

Public Administration as Academic Discipline

Whereas public administration as a process of government dates back to ancient times, Public Administration as an academic discipline is far more recent. The first indications of this development date back to the early eighteenth century, and were preceded by the so-called *Kameralwissenschaft*, a science in which professors were appointed by Frederick William I of Prussia as early as 1792 and subsequently incorporated into the *Verwaltungslehre* (Hanekom & Thornhill 1983:42). Cameralism was aimed exclusively at training persons to serve the ruling monarch. While publications on the *Verwaltungslehre* are dominated by administrative law principles, this apparent negation of Public Administration is not evident in the works of some French authors, who regarded Public Administration as a discipline unassociated with legal discipline (Hanekom & Thornhill 1983:). It was eventually left to an American, Woodrow Wilson, who subsequently became president of the United States, to plead for the academic study of Public Administration as an independent discipline (Wilson 1887).

In view of the unprecedented extension of government activities, particularly after World War II, the study of Public Administration progressively gained importance due to the increasing demand for public servants thoroughly trained in the administrative sciences. Today, a course in Public Administration is even mandatory in some technical and scientific government departments and institutions, and indeed it has been pointed out that in addition to the highly developed scientific technologies required to manufacture an atom bomb, the contribution of the administrative process in this regard should not be underestimated (Waldo 1955:1).

This points to the logical conclusion that the application and continued uses of the administrative process in every government body has increased the importance and necessity of the study of governmental relations, for the simple reason that wherever one or more governmental persons or bodies have dealings with each other, the question of relations will become manifest.

The Meaning of Administration

The concepts “administration” and “public administration” have so far been used without elucidating their respective meanings. Since this chapter deals mainly with governmental relations within the framework of the administrative process, it is necessary to clarify the meaning of these two concepts. An explanation of the term “administration” appears in the works of Cicero, dating back to the era before Christ. According to Cicero, administration means “to serve” (Dunsire 1981:1,2). The term subsequently acquired several diverse connotations and Dunsire, for example, identified 15 different definitions for this term (Dunsire 1981:228-229). No purpose would be served by analysing and elucidating these definitions, since this book consistently focuses on the relevant meaning, that is that administration consists of the mental processes and actions required for determining and implementing an objective, but does not include all processes and actions and is restricted to a specific number of such processes and actions (Botes 1973:17-19), hence the logical conclusion to refer to administration in the governmental section as *public* administration.

The Administrative Process and Governmental Relations

The above administrative thought processes and actions comprise a number of mutually inclusive generic functions. While much has been written concerning the nature of these functions, the broad classification of Cloete and others is deemed adequate for the purpose of this chapter. These functions will be dealt with under the headings policy-making, financing, organising, personnel utilisation, procedures and control respectively.

3.3.1

Governmental Relations as a Phenomenon in Policy-making

How does one define policy-making? Policy may be regarded as a norm or norms laid down by an authority or authorised body or person (the Cabinet, a Minister, a city council, or a head of a department) to engender actions for the realisation of objectives (Botes 1975:23). This broad definition includes three more or less identifiable types of policy, that is political, executive and administrative (Marais 1966:183). In practice, these three types of policy are arranged in vertical order, with political policy as the primary type. Political policy represents the policy of the political party in power, that is the government, which is presented to the electorate during elections as a series of value preferences, and according to which government is elected to implement those preferences. Hence the relevant value preferences are, in fact, the policy of the elected government.

Once the government thus elected commences the task of governing, and enacts its policy by means of legislation, it becomes the task of the Cabinet or, in the case of municipal elections, the management committee, to analyse the political policy of its elected members and transform it into an executive policy which is eventually translated into one or other enforceable form and passed on to the government or municipal department for implementation.

To enable a policy received from the highest authority to be duly implemented, an administrative policy must be laid down to serve as a guideline for the departments, thus ensuring that the overall policy be effectively and correctly applied.

In the hierarchic process identified by the three types of policy, a continual chain of different types of governmental relations may be distinguished. First, there are the relations between the electorate and the elected government (or city or town council). It is conceivable that once the body in authority has been elected to power, it has the option of various actions. Value preferences of the electorate may even be disregarded and a different or amended policy may be followed which diverges from the will of the electorate. Hence it is essential that the electorate should have the fullest

confidence that their value preferences will be implemented. Besides specific relations of trust between the authority and the community (electorate), the authority also enters into legal relations with the same community in terms of which the community is obliged to comply with the legal requirements prescribed by the authority.

In addition, specific relations are established between the central government and subordinate governmental bodies in regard to policy legislation whereby such subordinate bodies are established, controlled and provisions laid down in respect of their functions and duties. Finally, relations come into being between political office-bearers and public servants responsible for preparing, laying down and implementing prescribed policy. While these and other forms of governmental relations will be more fully identified and discussed elsewhere, it should be clearly evident at this stage that numerous comprehensive relations are established during the process of policy formulation - relations which must be maintained by governmental bodies and persons in their service.

In the case of bodies established by policy decisions and resultant legislation, the overall policy-making authority assigns powers to such bodies to enable them to determine their own policy within their field of authority. This gives rise to a framework of complex hierarchic policy relations indicating sustained policy reciprocity and policy interdependence (Hinings 1980:59).

The formulation and implementation of public policy increasingly involves governmental bodies at various horizontal and vertical levels and includes relations with bodies outside the government sector. Systems are therefore devised for determining and deciding policy matters and, as a consequence, the numerous tasks of government are fragmented and delegated to a large number of governmental bodies, each with its own duties and resources. Each of these bodies have their own system and sources of information representing a diversity of interests, and at times they even pursue conflicting objectives (Hanf & Scharpf, 1978:1).

This is one of the compelling reasons for appointing advisory committees comprising or representing various sub-systems to ensure the greatest possible degree of uniformity in determining policy in regard to specific matters.

The problems associated with policy decisions and relations inevitably become more complex as the process of government is extended and expanded and the government's sphere of influence progressively increases. In formulating and implementing policy decisions which appear to be subjected to increasing lines of responsibility and the progressive delegation of powers, it becomes increasingly difficult to determine the *source* of policy decisions and, indeed, to assess whether or not the requirements of an original policy decision have been duly met. It increasingly occurs that the responsible Minister is at times unaware of significant policy decisions taken by a department under his or her control. A very relevant example in this regard was afforded by the former Department of Information during the seventies, when numerous policy decisions were taken by subordinate officials without the knowledge of the responsible cabinet minister.

When one considers that in Britain in 1981, the control over half a million civil servants was in the hands of 40 ministers and 50 junior ministers (Hecklo & Wildavsky 1981:375), it seems inevitable that a large number of policy decisions of various types are taken and implemented without ministerial instruction and approval. This emphasises the need for effective relations between policy-makers at all levels of government and the importance of effective control over policy decisions.

3.3.2

Fiscal and Financial Determinants in Governmental Relations

Irrespective of any governmental objective and priorities accorded to a specific object, the availability or lack of funds is inevitably one of the most important criteria for implementation, at times even to the exclusion of national political considerations. Although the broad approach is adopted in this review of fiscal and financial determinants, a discussion on relations of this type between authorities is not restricted to the availability or lack of funds but encompasses all measures with financial and economic implications. To cite an example, the government establishes specific fiscal relations with local authorities by placing restrictions on the latter's capital expenditure. The fundamental aim of this arrangement is to regulate global capital expenditure in the Republic of South Africa in the inter-

ests of the country's economy, rather than to limit the expenditure of the various local authorities on capital goods.

Generally speaking, the fiscal aspects of governmental relations are for some purposes also controlled by geographical considerations, in the sense that regional interests at the local, provincial or central level may be taken into account in making fiscal decisions. In addition, specific areas are sometimes earmarked for attention.

Fiscal and financial matters in South Africa have always been a major consideration in the establishment of effective relations. This is illustrated by the many committees of investigation appointed during the course of years: the Schumann, Franzsen, Borckenhagen, and Browne Committees. The reason for the avid pursuance of satisfactory financial relations is largely a matter of speculation but may be one or both of the following:

■ *Ineffective division of functions:* At the time of unification in 1910, South Africa opted for a policy based on the specific division of functions between the uniting territories. Following protracted discussions, the uniting territories eventually agreed to a division of functions which, in the interests of unity, included a great many concessions and compromises (Pretorius 1978:94). It may be accepted with a reasonable measure of certainty that the resultant division of functions did not necessarily represent a just or logical division. As a consequence, the government in due course accepted responsibilities for functions originally allocated to the provinces and local authorities, such as health administration, roads and personal tax (Pretorius 1978:95-96). In regard to health services, the government in 1919 established direct relations with local authorities by assigning specific duties to them without any intervention by or consultation with provincial authorities, and in disregard of constitutional provisions which allocated matters pertaining to local authorities to the provincial authorities.

■ *Tendency to centralisation:* The fact that high-level authorities constantly strive to take over the functions of subordinate authorities is an age-old phenomenon. These attempts are motivated by the pretext that the high-level authority is capable of implementing a particular task more efficiently, that the subordinate authority is shirking its duty or that the central authority's policy is being thwarted (Hattingh 1984:47). As a consequence, local and provincial authorities may, for example, be uncertain

whether they will continue to be responsible for a specific function or whether some committee of investigation may decide to reassign that function.

3.3.2.1 Financial Relations Between Central and Provincial Authorities

Financial relations between central and provincial authorities are regulated in chapters 9 and 13 of the 1996 Constitution, which *inter alia* provides for the following:

- The appointment of an Auditor General, who is, among other duties, required to audit and report upon all the accounts and financial statements of all accounting officers at national *and* provincial levels (section 188).
- The establishment of a Financial and Fiscal Commission (section 220), which is required to apprise itself of all financial and fiscal information relevant to national, provincial and local government, administration, and development, and to render advice and make recommendations to the relevant legislative authority on financial matters.
- An interesting innovation in the promotion of financial relations between levels of government is the establishment by the Minister of Finance of a Budget Council (*The Citizen*, 13/3/1997). This council consists of the Minister of Finance, the Deputy Minister and officials, together with the nine MECs for Finance of the respective provinces. The Financial and Fiscal Commission has *observer* status on the Budget Council. This council is involved in governmental budgeting aspects and it can be regarded as being a co-operative and decision-making body in respect of financial and fiscal matters of the government and the provinces.

3.3.2.2 Financing by Means of Subsidies

Specific forms of governmental relations are established when higher authorities supplement the income of lower authorities by means of grants or subsidies. Byrne (1983:179-198) mentions five aspects in justification of subsidies whereby central government may attempt to regulate its relations with subordinate bodies.

- The higher authority may wish to stimulate the development of a specific service of national interest (for example, library services in the former Transvaal, in respect of which local authorities received substantial grants from the provincial authority).
- Subsidies may be granted by higher to lower authorities with a view to reducing the disparity between local authorities with ample funds and those whose funds are inadequate.
- The granting of a subsidy may be motivated by the desire of a higher authority to assist a lower authority to overcome problems in providing a specific service, for example in a scarcely populated area or in an area populated by a surfeit of indigent persons.
- Subsidies may be granted to local authorities with a view to alleviating the pressure of, say, local property taxation.
- A higher authority may grant subsidies to lower authorities by way of compensation for restrictions which may have been placed on other sources of revenue.

Whatever the case, it appears to be a worldwide phenomenon that *control over lower authorities is enhanced* when financial aid is granted by means of subsidies and that this leads to an intensification of relations between higher and lower authorities. In Britain, where the system of granting funds to local authorities for numerous purposes dates back to 1835, the danger even exists that the British government may, within the foreseeable future, attempt to influence expenditure on *individual items* by local authorities (Byrne 1983:283).

It may thus be concluded that fiscal and financial determinants may in all respects play a major role in establishing effective relations between governmental bodies. Moreover, finances and financing are flexible and readily adaptable to changing circumstances, and may at all time be utilised to underscore or amend certain aspects of official policy.

In South Africa, an interesting system of grants to provincial legislatures now applies. In terms of Section 214 of the 1996 Constitution provinces are entitled to an equitable share of revenue collected nationally, to enable it to provide services and to exercise its powers and functions.

Governmental Organisational Structuring

The effective realisation of government objectives, whether political, economic or social, depends to a large extent on the organisational structuring of government as a comprehensive body. Hence organisation, which is one of the functions of the generic administrative process, also makes a vital contribution to the state's ultimate objective of promoting the general welfare of society, as identified in chapter 1. It follows that every identifiable governmental body, irrespective of its structuring, is involved in realising the ultimate objective of the state. This results in total and continual *interdependence* between government structures and governmental bodies (Rhodes 1981:4).

In view of the complex organisational structures of today which have greatly increased interdependence between governmental bodies, relations between these bodies are progressively becoming more problematical. The formulation and implementation of governmental policy is becoming more and more risky, since it is becoming increasingly difficult to discern the lines of communication between objectives, policy recommendations, steps required to implement such recommendations, inputs and the consequences of any actions. This is primarily due to the fact that decisions are no longer necessarily reached by a particular body (for example by elected representatives) but are the outcome of numerous negotiations and deliberations between numbers of governmental bodies and their reciprocal reactions in respect of each other. In the modern system of government it is virtually impossible for a particular body to fulfil its allocated tasks in isolation without the necessity, at some or other stage, of having recourse to facilities (in the broadest sense of this term) possessed or controlled by another body or bodies (Jones 1980:3). This points to the conclusion that in respect of the *organisation* function in public administration, governmental bodies are subject not only to relations of *interdependence* but that such relations also display marked elements of *interaction*. In this context, Rhodes (1981:42) maintains that analysis within the organisational framework of any specific governmental body will always demonstrate its dependence on and interaction with other bodies.

It stands to reason that this process of interaction must of necessity influence the institution's structure, behavioural patterns and performance and,

according to Jones (1980:4), this merits the conclusion that every governmental body must mobilise its own facilities as well as those of others to achieve its objectives. Hence, in an organisational context, relations between governmental bodies vary according to the number and variety of facilities controlled by each body, the different levels of proficiency in the application or use of these facilities, and their respective abilities to compensate for the lack or inadequacy of a facility by drawing on another facility which is readily available (for example information may be purchased). As a consequence, we find a continual interaction between facilities, proposed actions, proficiencies and the application of skills.

Since the terms "facility" and "facilities" are constantly used in this text, a brief explanation would be appropriate. In organising the achievement of its objectives, the government establishes a variety of governmental bodies to assist it in achieving those objectives. In addition, minor objectives will be assigned to such bodies and they will be granted authority, powers, and provided with manpower, funds, information and everything required to ensure that they function efficiently. For the purposes of this chapter, these are all classified as "facilities".

3.3.3.1 The Organisational Milieu

As previously stated, organisation is necessary for the successful achievement of an authority's objectives. Organisation may also take place within the framework of several environmental factors, all of which may influence the nature and extent of organisation.

■ Organisation takes place in a historic milieu. South Africa has had a three-tiered structure of authority (central, provincial and local) since unification in 1910. Any organising demanded by altered circumstances or additional governmental is normally undertaken within the framework of this three-tiered structure of authority.

■ Organisational structuring may be resorted to for party political reasons. Watson (1981:152) cites the example of events following the disclosure of anomalies in the former Department of Information and its eventual incorporation in the former Department of Foreign Affairs. Watson also maintains that this decision was not taken on rational and functional grounds, since the need for a department of information at that point in

time was greater than ever before. As a consequence, he concludes that the decision was motivated by political considerations in an attempt to avoid embarrassment on the part of the former government.

■ Organisation may take place within the framework of the economic climate (Watson 1981:125), at times with a view to enhancing relations with the private sector but usually with a view to promoting the general welfare of society. The large number of agricultural control boards are examples of organisational structuring with a view to economic objectives.

Organisation may also be applied for various other reasons, such as cultural, sociological, religious, technical and security considerations and for the purposes of geographical analysis, etc (Watson 1981:153). Irrespective of the underlying reasons for organisation, all forms of organisation generate additional relations between existing and newly established institutions, and all such relations must of necessity be maintained and promoted.

3.3.3.2 The Transient Aspect of Governmental Structures

Since the task of government is becoming progressively more comprehensive, while changing circumstances as well as the necessity for revised or additional relations constantly demand attention, governmental structures cannot be regarded as permanent. The problem in this regard is that the creation of any new organisational units, or the amendment or abolition of existing governmental relations, changes the pattern of relations between any number of bodies and necessitates consequential adjustments.

There appears to be a need for a model of organisational relations to shed light on the causes and consequences of the various types of structures, and the salient features contained in selected organisational governmental structures (Rhodes 1981:42). The question, therefore, to which Rhodes would like an answer, is *what classification of governmental structures would under specific circumstances establish mutually satisfactory relations between governmental bodies and at the same time serve the interests and welfare of the community in the best possible way*. Factors demanding consideration in an investigation of this type would presumably include the nature and scope of the relational milieu to be established, the organisational objectives of

each individual body, the type and scope of powers to be vested in these bodies, and the possible consequences of resultant interaction. Whatever the outcome of such an investigation, we may rest assured that various structural classifications could be forthcoming which would, to a lesser or greater degree, provide the optimum results sought by Rhodes (1981:61).

3.3.4

Personnel and Manpower Issues in Governmental Relations

Personnel and manpower utilisation is an important function of the administrative process, particularly in respect of the maintenance of relations between governmental bodies. A particular problem inherent in personnel administration is that administrative process is performed by people, who cannot be programmed like machines to conform to specific patterns of behaviour or perform prescribed tasks in a specific manner. Every official has a different personality and his or her sense of values could sometimes be extremely subjective.

The progressive expansion of governmental functions necessitates a continual increase in personnel and rules to ensure that objectives are achieved. On the debit side, this also creates a greater potential for unsatisfactory work and even for corruption which, in turn, may necessitate even more rules to counter undesirable practices (Thornhill 1982:43). Hence it may be stated that the personnel function plays a progressively important role in public administration and sound relations and that man as such has become a critical input in the continued administration of government (Van der Merwe 1982:104). It stands to reason that personnel fulfils a key role in a system where government bodies established by legislation must operate as distinct units in relation to each other to optimally achieve their objectives. This points to the fundamental requirement that in determining overall personnel policy, the government should prescribe a personnel policy which will not hamper the personnel function of other governmental bodies. Although public administration cannot be divorced from the political milieu, it should nevertheless be accepted that every official in a position to provide guidance should be endowed with sensitivity and should strive to be objective in his particular sphere of influence (Thornhill 1982:145).

3.3.4.1 The Task of the Public Servant

Generally speaking, government is responsible for an impressive list of functions. Some of the functions referred to by Thornhill and Hanekom (1979:1) are listed below in an attempt to facilitate appreciation of the need for a diversity both in manpower and in relations between officials. These functions include the promotion of tourism and sport; forestry; animal diseases, their control and eradication; posts and telecommunications; health promotion and health control; schools, universities and other educational centres; the manufacture of arms and defence of the Republic, and many more. Because of the interdependence and interaction between governmental bodies referred to in the discussion on organisation, the high-ranking official must keep abreast of the activities of his or her particular institution. Although this facet is pre-eminently the responsibility of the higher-ranking official, it also involves the entire personnel to a greater or lesser degree.

A chronic shortage of sufficient and adequately trained personnel is an unfortunate feature of governmental bodies at virtually all levels of authority. One reason for this state of affairs is that until quite recently, conditions of service in the private section were far more attractive than in the public sector. This problem has to a large extent been resolved (De Klerk 1984:83) by considerably improving the conditions of employment in the public service.

The shortage of adequately trained personnel also resulted in competition for personnel between the various governmental bodies and in staff members being lured from one body to another (Van den Berg 1978:121). This practice had a generally adverse effect, also on relations between governmental bodies. The reality of personnel movement between governmental bodies should nevertheless be accepted and may, within reason, even prove advantageous (Delpoort 1978:130) in that it may enhance relations between governmental bodies and promote a mutual understanding of the functions and activities of the various bodies.

This conceivably beneficial effect on relations between governmental bodies was recognised many years ago by the United States Federal Government. In 1971, the United States approved the Intergovernmental Personnel Act, whereby personnel employed by the various states were afforded

the opportunity to work in the Federal Office for varying lengths of time and to spend time in the other states and with local authorities (Berkley 1978:509). President Johnson's Executive Assignment System had a similar goal in mind, namely to increase the mobility of qualified personnel in the Federal Service by encouraging interdepartmental transfers (Berkley 1978:510).

Besides the introduction of a competitive element in relations between governmental bodies, a few other aspects of personnel functions also affect relations to a greater or lesser degree. These are, first, that training arrangements differ at various levels of authority and that uniformity in regard to training may be totally lacking, even between bodies at the same level (for example at local government level). Moreover, the qualifications required by different governmental bodies for identical posts may differ considerably. Second, the establishment of personnel associations at all levels of government and the matter of professionalism have given rise to considerable problems. This aspect merits specific attention.

3.3.4.2 Professionalism in Governmental Bodies

Personnel groups throughout the public service are organised by means of a large number of personnel associations, and virtually every conceivable profession and occupation in the public sector has formed its own personnel association or professional institute. To cite but a few examples, there are associations for public servants, roadworkers, municipal employees and municipal transport workers (all, fundamentally, trade unions). There are also institutes for town planners, building inspectors, licensing officers, town clerks, municipal valuers and accountants, members of the fire brigade, traffic officers, municipal civil engineers, municipal electrotechnical engineers, municipal evaluators and town planners. Although these associations and institutes should be able to play a significant role in promoting relations between governmental bodies, there is no form of liaison between them whatsoever, except for very minor, direct horizontal contact between individual members of a specific association. Nevertheless, the importance of professional institutes in the public sector is not open to question, since they afford members the opportunity to improve their knowledge in their particular field by attending meetings and congresses. An aspect deserving of attention is the patent lack of research concerning the role which professional public servants and their professional associations could and should play in promoting relations between governmental bodies.

By means of professional associations promotion of relations between governmental establishments on a horizontal level has already become a reality. It is, indeed, an aspect which practically manifests itself in various respects. The membership of *The Institute for Local Government Management* (formerly Town Clerks of Southern Africa) extends to virtually the entire body of municipal top officials in the Republic and consultations concerning various matters are held during joint conferences, from whence recommendations are channelled back to the individual local authorities for implementation or cognisance. However, no contact exists between, for example, this institute on municipal level and the Public Servants Association on governmental level. Each association and institute promotes only the interests of its own members, on its own governmental level and within the framework of its own area of expertise, notwithstanding the fact that their policies may at times coincide, and that a decision by one of the associations, regarding those governmental bodies in which it has an interest, could have a detrimental influence on the specific governmental establishments with which the latter may be involved.

The problem, essentially, is to what extent a professional association or its members would be in a position to criticise the legislature or an employer in regard to legislation or decisions affecting the relevant profession. If, for instance, an institute of municipal treasurers does not approve of the government's decisions on finance or believes them to be detrimental, to what extent could such an institute be in a position to criticise the government's policy decisions? And what influence, if any, would such critical comments have on mutual relations between the various treasury departments at central and municipal level? Hence the issue at stake is whether relations would be promoted or damaged by voicing or abstaining from criticism. In the latter event, an institute's members - and the public - may conceivably lose confidence in the relevant institute or association (Laffin 1980:20).

Another aspect regarding the role of the personnel function in governmental relations is that professionalism has given rise to so-called "technocratic politics" (Laffin 1980:18) in that the initiation, formulation and implementation of policy is increasingly left in the hands of the various professions without the effective participation of the elected representatives of the bodies involved, on the pretext that the professional officials are the experts, while council members are the laymen. By the same token, it is not inconceivable that the professions may support a reassignment of powers and authority by claiming that their expertise demands it

or that it will promote efficiency, while the true motivation may be to enhance the status of the profession concerned.

Despite these problems, the role of professional institutes in promoting governmental relations is undoubtedly significant. In this respect a measure of official recognition has been accorded to local governmental bodies by nominating members of municipal institutes on councils dealing with matters where relations are particularly important.

A vitally important question in this regard (Laffin 1980:25), and one which has cropped up from time to time, is whether the governmental authority is fully satisfied that such professional societies will unswervingly promote the interests of the community rather than their own. Although there may be no easy answer, it must be accepted that the governmental authority is obliged to honour the *bona fides* of professional institutes unless there is evidence to the contrary. Similarly, it must be accepted that professional societies prescribe certain ethical norms and that such norms will be upheld by their members.

3.3.5

Working Procedures and Governmental Relations

As administration developed and expanded, specific methods were developed to facilitate various tasks and the procedures required to perform them. This applied especially to repetitive tasks, where fixed procedures ensure that a given task will consistently be performed in precisely the same way. The advantages of this system were demonstrated during the previous century, notably by F W Taylor's experiments on the handling and loading of cast-iron blocks, where it was shown that worker's performance could be trebled by changing the working procedures.

Devising detailed procedures for numerous tasks is an integral part of the public sector's function (Hanekom & Thornhill 1983:166) and manuals on procedures consisting of loose pages (to facilitate revision and replacement) are a well-known feature in the offices of numerous governmental bodies.

Procedures may be prescribed by law or left to the discretion of the relevant governmental body, depending on the importance of adhering to a

specific procedure in carrying out a given task. In some cases, it may be considered essential that a subordinate authority should follow specific procedures in performing a given task and in such cases it may be stipulated by law that a governmental body wishing to perform a specific task may do so only on the approval of a higher body. A case in point is the adoption of by-laws by a local authority. Such by-laws must be published for public comment before they can be passed by the local authority (section 160 of the Constitution). In mentioning numerous reasons for prescribing formal procedures, Cloete (1972:158-160) makes the important point that since people are not automats, a tendency to prescribe working procedures down to the last infinitesimal detail may cause the administrative process to become inflexible. Hence excessive procedural regulations may also have an adverse effect on relations, not only between political office-bearers and officials but also among officials and among governmental bodies.

The functions and powers of the central authority are divided and entrusted to governmental structures established for this purpose. When powers are divided, it is important to make provision for effective control, and control should also be exercised by laying down procedures by means of legislation or other regulatory means. Hence, relations are also created by means of such procedures. In the interests of clarity, this aspect of procedural arrangements will be illustrated by furnishing examples of the various methods of dividing power, namely by *decentralisation*, *devolution* and *delegation*. The following is a brief explanation of the context in which these concepts are employed.

3.3.5.1 Decentralisation

In the normal course of public administration the concept of decentralisation is relevant to a wide range of economic, political and social activities. In this discussion, however, the importance of decentralisation centres on its connotation as an essential mechanism for achieving specific administrative objectives and the resultant procedural implications, particularly in respect of relations established by this means.

Brian Smith (1980:138-141) identified several contexts within which the concept of decentralisation is applied and which provide an indication of the diverse meanings attached to this term. To name a few examples:

- (a) When a central authority establishes subordinate authorities and assigns functions to them, this is referred to by some as decentralisation of functions.
- (b) The division of income and other resources between a higher authority and lower authorities is also referred to as decentralisation.
- (c) The division of a single governmental function on a regional basis as, for instance, when regional branches are established by a state department, is referred to as decentralisation.
- (d) Decentralisation may also denote the assignment of powers to specific subordinate government bodies by the central authority.
- (e) The allocation of discretionary powers to specific political office-bearers by the legislative authority may be referred to as decentralisation.
- (f) Finally, decentralisation may refer to regulatory measures in respect of capital expenditure by various governmental bodies.

The fact that all of these procedures may be referred to as decentralisation may readily lead to misunderstanding. It is not advisable, for instance, refer to both the establishment of regional offices (c above) and the establishment of local authorities (d above) as decentralisation.

In South African publications dealing with public administration the term decentralisation is primarily employed to denote a concept, such as the decentralisation of functions with a view to streamlining a service rendered by the authority - in other words by establishing regional offices (Cloete 1972:90). The best example of decentralisation in South Africa in this context is the Post Office which renders essential services to the community by establishing numerous post office branches throughout the country. At local authority level, a good example of decentralisation is provided by the establishment of regional fire stations within the boundaries (in a geographical context as well as in scope) local authorities, such as Johannesburg and Cape Town.

The establishment of geographically divided branch offices with a view to providing a specific service to the community does not imply that all

branches are identical, nor does it exclude the possibility of substantial variables. For example, different branches may function at different hierarchic levels (depending on the amount of work to be dealt with). As a consequence, different levels of responsibility and powers will be assigned to such branches. These differences may lead to differences in co-ordination, in reporting to a regional head office, in possible conflict between specialists and generalists, and in differences in regard to the frequency of personnel transfers (Smith 1980:139).

Hence control and regulatory measures are obviously essential to ensure effective relations between the various decentralised bodies and the central authority, while formal working procedures and procedural measures play an extremely important role.

Indeed, it appears that under a system of decentralisation, *work procedures* are *essential* for the effective realisation of objections. Precise directives for numerous repetitive tasks greatly facilitate the central authority's task of exercising control. Another important consideration is that it promotes uniformity, particularly in regard to relations between the community and a governmental body, since any individual member of the community who must visit more than one branch will not be confused by a diversity of procedures.

3.3.5.2 Devolution

The term decentralisation occasionally also refers to the allocation of powers by the central authority to specific governmental bodies. A clear distinction should be drawn, however, between this action and devolution. The assignment of power, functions and authority to governmental bodies by the central authority has been discussed in a previous section (par 3.3.3) and such organisational structuring should be referred to as the devolution of power. In South Africa, for instance, the assignment of powers by the central authority to provincial and local authorities is referred to as the devolution of power.

In view of the comprehensive scope and interrelation of modern governmental duties, a governmental body finds it difficult to pursue its assigned function in isolation from other governmental bodies. In some or other way and at some or other stage a governmental body will inevitably find it

necessary to utilise facilities controlled by another governmental body - hence the interdependence between governmental bodies previously referred to.

In a unitary state, despite comprehensive devolution of power to a large number of subordinate governmental bodies, the ultimate accountability for the actions of all subordinate bodies rests with parliament, which is the central legislative authority. Hence devolution of power is usually associated with extensive formal directives which generally consist of prescribing the required procedures. Procedures ensure that a task will be performed in a specific, prescribed manner, and are an invaluable aid in creating the desired relations, as evidenced by the following example.

An important recommendation of the Marais Commission, which investigated the system of local government in the Transvaal during the fifties, was that the post of town clerk of local authorities should be upgraded to that of chief administrative and executive officer (Marais 1956:3). The motivation for this recommendation was the following: the post of town clerk is a key position in local government and the incumbent of this post plays a major and important role in the promotion and maintenance of internal relations within the local authority. More important, however, is the fact that he or she is closely involved in relations with other governmental and non-governmental bodies which fall outside the jurisdiction of the local authority. Hence it is vitally important to ensure that the post of town clerk should be filled by the best person available.

This recommendation was accepted by the then Transvaal Provincial Council. Since the matter was considered of the utmost importance, it was decided that the final decision concerning the appointment of town clerk should rest with the provincial authority. As a consequence, detailed procedures were laid down in respect of the appointment of town clerks. These steps naturally also led to the creation of specific relations between the provinces and local authorities. (This procedure no longer applies.)

The effective utilisation of manpower is important - for example for promoting economic prosperity - and it is also important to maintain healthy relations between the central authority and the private sector in this respect. Since this necessitates strict legal control over industrial unrest, detailed procedures for investigating and settling industrial disputes are prescribed by labour relations legislation.

However, not all prescribed procedures aimed at promoting governmental relations are laid down by legislation, and circular letters are used by the various governmental authorities to regulate procedural relations between the provinces and local authorities and also among different local authorities. Townships development involves a large number of governmental bodies comprising state and provincial departments, various local authorities, quasi-autonomous governmental bodies (such as Eskom), and private developers. Circular letters containing comprehensive instructions on working procedures are issued and local authorities must meet these requirements before applications for establishing a township are considered.

Procedures may from time also be prescribed on an *ad hoc* basis, for example, where devolution of a particular function to a governmental body by the legislature requires a specific investigation to be conducted in that regard. In such cases, the legislature's representative (for example a Minister) may instruct the subordinate body to conduct the investigation in a specific manner.

By laying down procedures in regard to the devolution of powers, the central authority ensures that it will determine the manner in which relations are established and maintained between itself and subordinate bodies.

3.3.5.3 Delegation

Decentralisation is defined as the distribution of a specific service (for example postal services) on a geographic basis to ensure that the services will be reasonably available to all members of a community. Devolution, in contrast, is defined as the assignment of functions and the authority to governmental bodies established for that purpose by the legislative authority in cases where the central authority on its own is unable to perform all the functions which should be performed by government.

In distinguishing between decentralisation and delegation, it should be borne in mind *first*, that in the case of decentralisation, a specific task is *divided* (as in the case of providing postal services) and the identical task is then performed by each of a large or small number of governmental bodies, although in different areas or geographic regions.

Second, in the case of devolution, various functions of a central authority are *assigned* to a number of governmental bodies established for that purpose and each body thus has distinct functions to perform. Although these functions may be assigned on a geographical basis, this is not essential. Local authorities throughout the country perform numerous identical functions but each performs these functions only within its own prescribed area of jurisdiction. In contrast, an institution such as Eskom performs one function but operates countrywide.

What is delegation? To delegate means to entrust the performance of a task which is the responsibility of a specific body, political office-bearer or official to another. In essence, therefore, a task or function legally assigned to a governmental body, political office bearer or official in terms of the devolution of power may, by means of further legal provisions, be delegated to yet another body or person for implementation on behalf of the person or body entrusted with the said function (Wiechers 1973:53). South African law contains numerous examples of the functions of government being assigned to a Minister who, in turn, authorises the head of a state department or a provincial premier to implement such tasks.

Legislation by local authorities also contains provisions enabling a municipal council to authorise a committee or official to perform a specific task on behalf of the council. The delegation of power generally entails extensive regulations for ensuring that the delegated task will be duly performed by the person to whom it is delegated. Such regulations frequently include fixed procedures for determining the relationship of authority between the person who delegates power and the person to whom it is delegated. Procedural measures are extremely important in cases where relations between governmental bodies may be affected by exercising delegated power. This factor comes into play in multiple delegation, for example delegation to the nine provincial premiers or to the town clerks of local authorities. In such cases, provisions by the legislature avoid strained relations between provinces or local authorities due to the individual actions of each of the persons to whom an identical task has been delegated. However, the delegation of power at times makes provision for discretion to be exercised (Meyer 1975:43). Discretion is relevant, for instance, in cases where the person delegated to perform a task may at his own discretion decide on the method to be employed, as long as the delegated task is duly performed. In the interests of maintaining healthy relations between governmental bodies, the legislature may lay down fixed procedures regulat-

ing such discretion, in which event the person so delegated will naturally be obliged to follow those procedures when performing the delegated task.

3.3.6

Power, Conflict and Control

3.3.6.1 Political Supremacy

In any community there can be no more than one central source of supreme authority. This source has the authority to determine its task and to establish governmental bodies by means of devolution, delegation and decentralisation to assist it in performing its task. The supreme political authority thus has the power to issue instructions and demand compliance (Reynders 1969:377).

The supreme political authority (in South Africa, this authority is vested in parliament) is established by the community (the electorate) and hence has a duty towards the electorate to promote the community's general welfare by complying with the priorities determined by the electorate.

The power vested in the supreme political authority may be defined by posing the question, "the power to do what?" The obvious answer is that power is the major instrument whereby the legislature is empowered to enforce compliance with its instructions. The decisive criterion may thus be defined as the ability to exercise power, rather than the possession of power (Schultz 1961:7). Hence the concept of power may play an important part in governmental relations, and the extent of this role will depend on the intention and willingness of the wielder of power to utilise that power, and the manner in which it is utilised.

The supreme political authority is ultimately also responsible to the community for the deeds and actions of all bodies established by it. Legislation or other directives by the supreme political authority does not necessarily imply that such directives will be duly carried out in accordance with the relevant decisions in this regard (Hanekom & Thornhill 1983:38). Decisions, and even policy, may be amended or circumvented by means of misleading statements, manipulation and political untruths (Hattingh 1983:38), as well as by persuasion and coercion. Hence legislation and

other directives should contain provisions to ensure that functions will be performed in the prescribed manner. This means that the legislature should exercise control over the actions of governmental bodies and persons in authority.

Control is usually dichotomous, since it involves both internal and external control. In regard to internal control, relations are aimed at ensuring order within the administrative framework of a governmental body, whereas relations in external control are aimed at ensuring orderly control between governmental bodies, as well as between these bodies and the outside world. The latter control measures are usually laid down by law. Hence external control plays an extremely important role in regulating governmental relations generally, and usually covers a far wider field than internal control.

The fact that the legislature exercises control over subordinate persons and bodies with a view to meeting its general responsibility of accountability towards the electorate is an extremely important factor in promoting governmental relations. However, several other fundamental reasons for control aimed at ensuring meaningful governmental relations are generally also recognised. Some of these reasons are briefly discussed in the following paragraphs.

3.3.6.2 Fiscal and Financial Control

Control may be exercised for fiscal and monetary reasons. In view of the central government's responsibility for ensuring a healthy economic climate, it would obviously be undesirable to permit uncontrolled, independent financial decisions by each subordinate governmental body. In terms of the Constitution (section 230) a province or a municipality may raise loans in terms of conditions determined by national legislation. In addition, financial control by the central government is continually being extended by means of numerous exchange control regulations and other financial measures applicable to the private sector. Examples of such control measures include the exchange rate, import and export control, legislation in regard to labour and accident control and manpower utilisation, etc.

In spite of several claims that the present Constitution contains a number of *federal* principles, there is no *autonomy* (which is a prerequisite for a

federation) whatever. An example is the following: *education* is a functional area of *concurrent* national and provincial legislative competence in terms of schedule 4 to the Constitution, and the indications appeared to be that *tertiary* education would be reserved to the national government and the rest to the provinces. In a statement in Parliament (*The Citizen*, 22 April 1997) the Minister of Education emphasises that the central government should have a *direct* say in the education spending of provinces, and justifies this statement by explaining that he is talking about *co-operative government* and not *national dictation*. The fact remains that the Minister is applying a purely unitary principle, namely that of *political supremacy*.

3.3.6.3 The Protection of Group Rights

Control may be exercised by the central government to protect the rights of population groups. Laws such as the former Group Areas Act and the Prohibition of Political Interference Act provided examples of such control. An implication of the new dispensation in the Republic which has been confirmed by ministerial announcements is that personnel in executive bodies will increasingly become multiracial.

It would be naive to deny that this has the potential of creating conflict situations, and adequate control measures may thus be required to regulate relations. In this regard, it is interesting to note that the United States of America with its fully integrated society finds it necessary to regulate relations in federal executive bodies, as evidenced by the Equal Employment Opportunities Act of 1972 (Rose & Chia 1978:245).

3.3.6.4 Government Objectives

The legislature institutes control to ensure that the defined objectives of the government will be met. As previously explained, the legislative authority assigns powers and functions by means of the devolution of power to numerous governmental bodies and semi-governmental and executive bodies, each of which is responsible for discharging the duties assigned to it. Some of the functions assigned to some bodies are related to the functions of others, and in such cases, specific measures are instituted by the legislature to ensure realisation of the overall objective.

3.3.6.5 National Priorities

Control may also be instituted in the interests of national priorities. Governmental bodies established by legislation to perform specific functions in due course develop their own distinctive traits and identities. Such governmental bodies are eventually inclined to develop their own objectives, which are pursued in conjunction with objectives assigned to them by legislature. Hence it may be accepted that in many instances matters which should serve as a means of attaining a specific objective eventually come to be regarded as objectives in themselves, with the inevitable result that subordinate authorities tend to neglect national objectives and priorities and to damage good relations. Although these measures do not prevent subordinate bodies from pursuing their "own" objectives (provided such objectives are not illegal), they nevertheless induce governmental bodies to accord priority to matters of national interest.

3.3.6.6 Co-ordination

Control may also be instituted to ensure co-ordination between governmental bodies. A lack of effective co-ordination readily leads to anomalies in government administration, including the overlapping of functions and the straining of relations. Overlapping has at times occurred in South Africa, as exemplified by the former Department of Tourism and the Tourist Bureau. It is also well known that the foreign activities of the former Department of Information and the Department of Foreign Affairs overlapped considerably. As a consequence the Department of Information was abolished in 1984 and its functions taken over by the Department of Foreign Affairs.

A lack of co-ordination may cause a government objective to fall between two chairs and be completely overlooked. In view of the demanding and difficult task of co-ordinating thousands of governmental functions and ensuring adequate attention to each function, irrespective of the hierarchic rank of the body to which a function has been assigned, matters may go wrong despite concerted efforts at co-ordination. However, since efforts to ensure co-ordination may also be circumvented, thwarted or even disregarded, control measures obviously play a significant role in co-ordinating functions and establishing healthy relations between governmental bodies.

3.3.6.7 Conflict Potential

Finally, another important reason for control is to eliminate and settle conflict. It should be noted that although definitions of conflict generally tend to convey a negative connotation, this does not of necessity apply to all aspects of conflict. In essence, conflict is the purposeful expression of opposing behaviour between various parties (Buntz & Radin 1983:404-410). Buntz and Radin maintain that conflict between governmental and executive bodies and persons in authority is engendered by structural circumstances (national objectives as opposed to local objectives), processes (political change), and governmental conditions or circumstances.

The objective envisaged by conflict is self-evident. Parties (a useful collective term which denotes governmental bodies and persons in authority) arrive at a situation of conflict in an attempt to change or improve their relative positions in regard to a mutually desirable resource - be it power, money, time, position - and to ensure the permanency of this change or improvement.

Conflict may have far-reaching ramifications. Its consequences may be functional or dysfunctional in respect of one or all parties and may change relations of authority. Depending on the point of departure, such change may be regarded as advantageous or disadvantageous. Pre-eminently, however, conflict may have far-reaching and extensive consequences in regard to interrelations. Hence appropriate control measures are required for dealing with conflict situations so as to minimise the negative effects of conflict.

The aforementioned reasons for instituting control measures underscore the fact that such measures must of necessity be external and are fundamentally essential for the general promotion of governmental relations. Control measures for these identical reasons may naturally also be identified and applied between the various internal executive bodies of a single governmental body, although on a far smaller scale.