THE NATURE OF POLITICAL CONTROL OVER THE BUREAUCRACY WITH REFERENCE TO THE NORTHERN PROVINCE

by

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DEDICATION

This dissertation is dedicated to my loving daughters

Lidiwe Annabel
Maporoma Irene
Matlhogonolo Laura
Neo
and to their Grandma, Tshikani Lucia.
SUMMARY

This dissertation focused on the nature of political control over the bureaucracy with reference to the Northern Province (1994 – 1998). Bureaucracies are controlled in various ways. Mechanisms aimed at ensuring public accountability towards ministers, national assemblies, the courts or ombudsmen may be instituted. The civil service may become politicised, so that it shares the ideological enthusiasm of the government of the day. Counter-bureaucracies may be formed to create an alternative advisory service and to strengthen the hand of elected politicians. Should the bureaucracy be subjected to political control? The reality of 'government by officials' may function behind the façade of representative and democratic accountability, which is the precise reason why control over bureaucratic power is one of the most urgent problems in modern politics and public administration and why no political/administrative system has found an easy solution to this problem yet.

It is against this background that answers can be found to the question of whether the bureaucracy should be subject to political control and how such control should be exercised. Research questions which could herald possible solutions to the problem, were pursued. The study describes, analyses, and evaluates political control over the bureaucracy as an integral part of public administration and an essential ingredient of representative democracy.

The dissertation also investigated the difference between the variables of the political and the administrative systems State-related structures and institutions and the ideological grounding of Sate-related concepts that influence the milieu of political control over the bureaucracy. Among others, the study determined the nature of the bureaucracy, provided a picture of how bureaucracies function, and described the factors and institutions that influence the interaction between the political and the administrative systems in terms of political control.
KEY TERMS

Control; accountability; political office-bearer; bureaucracy; organisational structure; organisation; representative bureaucracy; hierarchy; democracy; state; government; public administration; administration; governance; legislative authority; executive authority; administrative state.
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CHAPTER ONE

GENERAL INTRODUCTION

1.1 Introduction

This study will focus on the nature of political control over the bureaucracy with reference to the Northern Province. The introductory chapter will provide a background and rationale to put the problem into context.

The demarcation of the study will be set out briefly. The statement of the problem that arises, the research problems and objectives and the approach to the study are also provided. The research approach in this study is descriptive and analytical, though sometimes interpretive. To clarify this approach, it has also been necessary to explain the manner in which information was gathered as a method of investigation. A concise description of terms frequently used in this dissertation is given to avoid misinterpretation. This chapter concludes with an overview of the chapters contained in the thesis.

1.2 Background and Rationale

In a democratic state the authority of politics is a basic guideline for public administration. Historically there are three main factors that gave rise to political authority (Viljoen 1987:87).

- Functions are divided. Political office-bearers are mainly charged with government functions while the administrative functions are entrusted to officials.

- Politicians are almost exclusively elected to office by popular vote while officials are appointed.
• Political office-bearers are directly responsible to legislative authority and therefore accountable to the electorate, while officials are directly responsible to the political-office bearer (Viljoen 1987:87).

The absolute nature of government is the main difference between government and other organised enterprises. Similarly, the main difference between the public bureaucracy and other bureaucracies lies in the political nature of public administration. Policymaking in private business can take place in relative safety at various levels because it is determined by demand and supply, competition, and an intra-organisational interplay of divergent interests. Policymaking can take place in relative safety at different levels of the executive authority of government because the demand for any decision making is always subject to political determinations and is formulated in a political environment (Appleby 1949:12).

In the current context of a new political dispensation the administrations in all the new provinces are faced with a variety of issues, including the execution of government policy, the establishment of political guidance and ideology for the improvement of the overall welfare of the public, nation-building, stability, and respect for democratic values. Public administration in South Africa also has to overcome numerous difficulties caused largely by four factors: the burden of history; unethical and corruptive constraints; affirmative action, and the legitimisation of the transitional process. Faced with such difficulties, as a prerequisite for strengthening the political control over the bureaucracy to strengthen the credibility of the State, both internally and externally, is the setting up of 'an efficient administration at the service of citizens which is sound, responsible and accountable and served by honest officials.'

South Africa, like many other countries in the southern hemisphere, made its historic transition from authoritarian rule to democracy with the founding elections in 1994, when a democratic constitutional dispensation replaced the previous
selective and undemocratic government. Consequently, it opened up new opportunities for accountability over government activities. Political control and accountability can be regarded as one of the cornerstones of democratic government. Public calls by political office-bearers, the media and the public for greater accountability in matters of governance and politics currently reinforce the need for political control to a significant degree.

Underlying the constitutional transition is the sound principle that political office-bearers may not promote party-political interests and that they must be regarded as officials carrying out the policy of the government of the day within the clearly demarcated conventions of constitutional provisions.

In an unstable political environment it is of the utmost importance that aspects regarding morality, equality, fairness and the rights and freedom of individuals be taken into account when policy decisions are made and executed. Politicians and civil servants should be seen as supporters of the transition to a fairer system. If the majority of the population does not have this perception, there will be a significant potential for conflict between on the one hand, the values of the majority and, on the other hand, the values of the bureaucracy. To avoid conflict and serve the community, it is necessary for political office-bearers to be aware of what the public regards as fair. This sense of fairness must be everyone's goal and must ensure a stable society.

Although it seems that there may be measures for the execution of political control, little research has been undertaken to discover how effective such measures have been, especially when viewed against the ongoing presence of corruption in the public service in South Africa.
1.3 **Demarcation of the Study**

This study focuses mainly on the variables that influence the milieu of political control over the bureaucracy. Although the investigation is not aimed at a specified state-bureaucracy, selected aspects of the Northern Province Provincial Government have been researched, within the boundaries of the effect of the new Constitution of 1993.

The selection of the topic of this dissertation was prompted by the need to explore whether the transformation challenge could be met during the period under study from June 1994 to June 1999, specifically in terms of exercising control over a bureaucracy imbued with apartheid values and practices. The scope of this dissertation is focused on the control aspect in order to provide room for the description and analysis of the nature of political control, as well as to determine whether control was adequate or not.

Research and sources regarding political control in the public sector in South Africa are relatively rare compared to sources regarding the accountability dimension of control. Sources regarding bureaucracy, control, supervision and other state related concepts and institutions were used to obtain as much information as possible about the phenomenon of political control.

Though the requirements of the degree required a dissertation of limited scope, the process of documentation of a field of study with so many variables influencing the actual process of control over the bureaucracy resulted in a full dissertation.
1.4 Statement of the Problem

The contemporary call for fundamental reappraisal of ethical conduct, legislative direction, public accountability and democratic principles in governmental institutions is a worldwide phenomenon as is evidenced by current literature as well as by the agendas of inter alia national and international conferences on the administrative sciences. The current emphasis on the need for accountable, efficient and democratic governance may be attributed to the problems arising from the detrimental effect of corruption and undemocratic and unethical conduct and practices, and also through the added process of current political and constitutional reform towards the establishment of post-apartheid democracy in South Africa.

The phenomenon of political control over bureaucracies cannot be quantified. Naturally, the phenomenon can only be discussed in relative terms, and not in absolute ones. Thus, where reference is made to the scope (quantity) of variables within bureaucratic control, this must be interpreted relative to certain circumstances.

This is all the more essential in South Africa's case, as the country emerges from apartheid rule during which the majority of South Africans were, in the process of governing, actively turned away from and denied the right of a democratic governmental system. The legacy of apartheid rule continues to haunt the implementation of democratic and open practices in the civil service. Often, the democratic institutions of Government, as well as their concomitant processes and rules, of which the aim is to bring them closer to the public, appear to be distant, alien and perplexing. No reminder is needed of the inherent danger this poses for a healthy system of democracy. The public will not support democratic institutions that appear unethical, corrupt and incomprehensible to them.
However, popular support for democracy and its institutions is not, as is
commonly assumed, expressed solely via the ballot box during elections, but is
also dependent upon political control over bureaucracies to ensure sound public
administration.

Within the context of the strategies and legislation adopted to set up an efficient
administration and the political desire for accountability and service by honest
officials, there is little doubt that this subject is both important and topical.

In view of the background provided above, the main problem to be addressed by
this dissertation will, therefore, be:

What is the nature of political control over the bureaucracy and what
practical actions could be taken at an institutional level to enable the South
African government to promote political control over the management of
public assets, policies and services?

1.5 Research Problems

The need for such reflection as stated in the problem statement is important,
because the necessary measures for ensuring political control within democratic
institutions can form a useful benchmark against which the progress of
democratisation in South Africa and the consolidation of our democratic gains
can be assessed.

Through the application of primary and secondary source research methods, the
following research questions, which could herald possible solutions to the
problem, were pursued:

- What is the nature of the interaction between the variables of the political
  and the administrative system, state-related structures and institutions,
and the ideological grounding of state-related concepts that influence the milieu of political control over the bureaucracy and how can this interaction be strengthened and made more fluid by democratic governance and public administration?

- What determines the nature of the bureaucracy and how can a clear and meaningful basis for interpretation and utilisation by both political as well as administrative aims and functions be established with regard to the role of political control?

- What is the nature of the interaction of control and accountability as external variables influencing control over the bureaucracy and how can this interaction be strengthened and made more fluid in the Northern Provincial Government?

- How can political control be effectively and efficiently integrated and encouraged in the process of legislative measures in the South African and Northern Provincial Governments?

1.6 Objectives of the Study

Given the absence of a known and proven system of norms for definitively setting the guidelines for political control over the bureaucracy in the State, the need exists for the establishment of an appropriate corpus of criteria which would be comprehensive enough to cover the entire field of political control over the bureaucracy. These criteria should be as scientifically accountable in theory as it should be workable in practice, and should be of enduring validity by being rooted in the fundamentals of the administrative sciences. To meet these requirements, it is also a purpose of the dissertation to investigate the level of political control prevalent in the Northern Provincial Government. Control
manifests itself in many different ways and should not be considered as having a single form.

In order to achieve the aim of the study, the objectives of the study are as follows:

- to analyse and define state, government and public administration-related concepts and institutions that influence control over the bureaucracy
- to find out what factors and institutions influence the interaction between the political and the administrative system
- to get a clear picture of how a bureaucracy functions
- to analyse and define control and accountability and to find out what political control entails
- to evaluate the efficiency of existing measures in promoting political control in the Northern Provincial Government

1.7 Approach to the Study

Once the questions and uncertainties regarding political control over the bureaucracy had been integrated with each other, the research problem for the purposes of this study manifested in the selection of a framework in accordance with which the nature, role and functioning of political control over the bureaucracy could be set out and evaluated.

The most useful theoretic approach to understanding and explaining the role of political control over the bureaucracy, was to isolate and consider the variables that affect it – namely the political and administrative system, bureaucracy, control and accountability – and to test such variables by analysing the specific relationship between them. These variables, which form the greater part of the dissertation, helped define the parameters and limitations within which political control function, and from this developed the basic framework for the dissertation,
which forms the necessary theoretic basis for the study. However, it obviously remains a mere framework and the influence of these respective variables varies all the time, as the variables react to each other or are modified by the course of events.

The concluding part of the dissertation evaluates the role of political control in view of these variables. The purpose of the dissertation was not to become drawn into the fine details of the historic record, but to investigate the application of certain variables to sound and good governance. It was also neither the purpose to make a value judgment regarding political control. However, an effort is made to generate generalisations regarding political control over the bureaucracy, and the emphasis is placed on the relevance of studying the political and administrative dimensions in order to understand the role of this phenomenon.

This dissertation is primarily intended to be an exploratory study on political control. This is the reason why the dissertation is essentially descriptive in nature.

1.8 Method of Investigation

As may be expected, the research methods to be adopted for the collection and interpretation of the data required for the study will be determined by the nature of the study. In the absence of a documented system of norms to guide the investigation, the principal means employed to do the research for this dissertation was available literature and the questions posed during informal interviews. Seeing that the activities of Government to achieve sound public administration today are concerned with many aspects of Public Administration, the comprehensive literature consulted covered a wide spectrum of themes — state, government and public administration related concepts, control, responsibility, accountability, organisational structure, bureaucracy and case studies and factual information regarding political control.
When the final choice had to be made, the author was concerned mainly with the offering of representative examples, rather than merely including a variety of similar examples in historic-chronological order. This led to the regular inclusion of older sources, as well as sources in other fields of study, which gave greater insight than the most recent literature would have into the actions taken within specific situations and the reasons specific customs originated.

The most important sources of literature on the field of control and bureaucracy in public administration as an aid to gaining a better understanding of political control over the bureaucracy include:

- relevant books on public administration
- unpublished dissertations and theses
- the South African Constitution and other relevant legislation, White Papers and Statutes of the Republic of South Africa
- official and unofficial documents, commissions of inquiry reports and annual and other reports of the Northern Provincial Government and Public Service Commission
- research reports
- political speeches
- articles from journals and newspaper reports

The deductive nature of the study, its largely uncharted terrain, and the definitive role that particular points of departure played in the development of the various measures or guidelines and criteria called for conducting selective informal interviews as a supplementary and hence, secondary means towards that end. Discussions with senior officials, specialists and experts from the Northern Provincial bureaucracy and other State institutions, academics, as well as with persons and associations of persons from other sectors verified, interpreted and clarified supplementary data or tested certain hypotheses or criteria.
1.9 Terminology

Comprehensive conceptual clarification of terms pertinent to the research occurs particularly in the appropriate chapters. The definitions and concepts in this dissertation are of interest only in relation to their political and administrative relevance. In other words, they interest us only in so far as they apply to the interaction between politics and public administration. The terms utilised throughout the thesis are concisely defined below:

1.9.1 Public Official

The term 'public official' will be used interchangeably with bureaucrat, civil servant, and state official and would be referring to a person who is permanently employed by the government in one capacity or another in accordance with professional requirements.

1.9.2 Political Office-bearer

In this dissertation the term 'political office-bearer' will be used inter-changeably with minister, member of the executive council, and executive office.

1.9.3 Control

In general it refers to the authority to give orders to be executed or to put a restraint on actions, and to set standards of comparison for checking the results or organisational activities.
1.9.4 Governance

Governance refers to the function, action, process or qualities of Government. It does not refer to Government structures such as a cabinet or a local council, but to the policies made and the efficacy with which these policies are implemented.

1.9.5 Government

Government can be defined as the institutions responsible for making and carrying out the laws of a polity and for adjudicating disputes that arise under those laws.

1.9.6 Administration

It can refer collectively to top-level officials in the executive branch or to the coordination and implementation of policy.

1.9.7 Bureaucracy

In this dissertation, the term ‘bureaucracy’ has a broad as well as a stricter meaning. In the broad sense the concept termed ‘public bureaucracy’ is used in its simplest form, namely to refer to formal institutions that act with the consent of the state. In the narrow sense ‘bureaucracy’ is conceptualised as a kind of organisation with special characteristics common to present-day organisational structures.
1.10 Overview of Chapters

After completion of the research, the collected material was integrated and coordinated so that the facts and observations could speak for themselves. The results were divided into the following chapters, forming a logical continuous unit:

**Chapter One** of the thesis provides a general introduction to the entire study.

In order to gain a better understanding of political control **Chapter Two** gives a literature study on state, governance, and public administration-related concepts as well as external variables, state-related structures and institutions that influence control over the bureaucracy.

In **Chapter Three**, various definitions of bureaucracy will be provided and analysed. Once a definition of bureaucracy has been established, the various characteristics, prerequisites and sources that allow for the occurrence of political control will be dealt with. Finally an explanation of the organisation of bureaucracies and spectrum of the provincial sphere with reference to the Northern Province will be provided.

In **Chapter Four** attention will be given to the concepts and types of control and accountability as external variables influencing control over the bureaucracy as well as possible objectives of public institutions in exercising control. The chapter will also focus on normative requirements for control over the bureaucracy.

In **Chapter Five** attention is given to the various facets of political control over the bureaucracy. The difference between elected and appointed officials, the relationship between the government and the bureaucracy, the role and style of ministers in a democratic system, the influence of bureaucrats on decision making as well as the neutrality of public officials came to the fore. The
discussion also centered on various aspects of ministers' control over the bureaucracy.

In Chapter Six a synthesis is given and conclusions are drawn, based on the findings of the study. Possible recommendations are also made, which may encourage the support and practice of control over the bureaucracy.

Finally, the sources consulted are listed.
CHAPTER TWO

LITERATURE STUDY

2.1 Introduction

To provide background for later chapters, this chapter reviews the variables that influence the milieu of political control over the bureaucracy. The chapter elaborates on State, governance and public administration-related concepts as well as external variables, State-related structures and institutions that influence control over the bureaucracy.

It is also a purpose of this chapter to interpret some central concepts in the milieu of political control over the bureaucracy. The selection of a method for researching the role of political control over the bureaucracy is also beset with problems of an interpretative nature, and to facilitate understanding of this difficulty some background is required on the nature of the interaction between politics and the bureaucracy. This is achieved by surveying local and international literature for research done in the study of bureaucracy and the accountability and responsibility of political office-bearers and public officials.

The chapter also explores the ideological grounding of State-related concepts such as authority in a State, form of authority, constitutionalism and the constitution, the separation of powers, government hierarchy, checks and balances, as well as the objectives and functions of the State in public administration.

Other areas of enquiry that will be helpful in understanding the milieu of the subject field lie in the broad area of governance and State structures such as the executive authority, the government as a concept as well as an institution, and forms of executive authority by outlining executive institutions in non-democratic and democratic political systems.
In this chapter a general overview is also given of concepts relating to public administration such as the field public administration, administration, civil service, public sector, structure and policy as a precursor to the following chapters, which focus on bureaucracy and political control.

Factors and institutions that influence the interaction between the political and the administrative systems are also described. In this regard, the institutional factors influencing the bureaucracy, the Constitution of the Republic of South Africa, 1996, the Parliament, the cabinet, the President, the Auditor-General, the Treasury, the Minister of Finance, the Financial and Fiscal Commission, the Commission on the Remuneration of Representatives, the Public Service Commission, the Public Protector, the Human Rights Commission and a code of conduct for the Public Service are identified.

Consequently each phenomenon is treated as a concept that is defined, and of which the relevance to control over the bureaucracy is important. The purpose is to identify the thread running through the fields mentioned below, where the important concept of political control is situated.

2.2 State-related Concepts that Influence Control over the Bureaucracy

It stands to reason that none of the concepts that relate to the State and influence public administration can be applied in an absolute sense in a single dissertation, because the field of State-related factors that influence the control over the bureaucracy is extensive and also because theories, processes and institutions in politics and public administration interact constantly. Although the discussion here is limited to a specific area in view of the extensive nature of this field of study, the purpose of this dissertation is to continually relate the various chapters and sections to each other.

The approach is also broadly generalised, particularly with a view to familiarising the reader with certain related concepts that influence the course of interaction between political control and public administration. Factors that
influence this interaction are discussed in this section and include the authority in a state, the concept form of authority, constitutionalism and the constitution of a state with specific reference to the South African case, the separation of powers, checks and balances, the concept state with reference to the objectives and functions of a state and public administration.

2.2.1. Authority in a State

The modern state consists of a variety of structures, forms and institutions, each with unique characteristics, advantages and disadvantages. States are also structured according to different ordering principles that are usually aimed at effective functioning and achievement of objectives. The concepts "form of authority", "form of state" and "form of government" are used to analyse and understand this ordering (Bekker 1994:65). The concept "form of authority" encapsulates the concepts "form of state" and "form of government".

Before the concept "form of authority," will be introduced it is important at the outset that the concept "form of state" is briefly discussed so that the following discussions can be placed in a specific perspective.

The term "form of state" refers to how governmental authority is distributed through a state. The degree of integration between units of the same society (e.g. provinces) or between societies (e.g. different states) is reflected in forms of state. These degrees of integration are spread over a spectrum ranging from the greatest possible degree of integration on the one hand, to full integration on the other hand. Absolutely independent states represent one pole while centralised unitary states, represent the opposite pole (Kriek in Van Vuuren 1982:167).

Matters of importance here are firstly the concept of "union" or "unitary state", which refers to a state in which the powers of the governmental authority are concentrated in the central or national authority rather than being divided, as in a federal state.
A federation is a state that consists of a variety of regional authorities and a central authority, and in which both the regional and the central authorities have powers over specific matters (Gey van Pittius 1997:194-195). In this context, therefore, it involves the centralisation, rather than the decentralisation, of state authority.

The concept "form of state" is specifically concerned with the analysis of the formal ordering principles occurring in a modern state. The study of forms of state therefore directly concerns the geographic and hierarchical ordering arrangements found in modern states. It is therefore indicative of definite structures and institutions that function in specific relations to each other. There is no fixed relation between forms of authority and forms of state, however, because the form of state does not indicate the existence of a specific form of authority. Both unitary and federal states can be democratic. It is also true, however, that unitary states, given their centralised nature, tend to be a form of state associated with non-democratic forms of authority. It is also possible, however, that an undemocratic state can be ordered in accordance with federal principles (Bekker 1994:77).

The ultimate geographic and hierarchic ordering of the State, whether unitary or federal, remains effective functioning and achievement of objectives. The approach adopted in this dissertation focuses on the nature of interaction between politics and public administration and the context of the interaction, and is not influenced to any significant extent by the nature of a specific form of state.

An authority consists of the sum total of institutions and persons responsible for authoritative decision making as well as the implementation of decisions thus made and the handling of juridical matters arising from them. It therefore subsists in the institution or group of institutions that perform the legislative, executive and judicial functions on behalf of society with a view to optimal promotion of the welfare of the public at large. It is clear from the above that in a society that is organised politically an authority engages in the following three basic activities:
The legislative authority is empowered to pass laws (initiate rules), the executive authority is empowered to implement or administer laws (apply rules), and the judicial authority is empowered to resolve disputes (adjudication of rules). The threefold division of government authority is also a basic principle of the democratic political system.

Depending on prevailing circumstances in a society, it may happen that the same persons and institutions carry out all three kinds of activity. In order to divide power and prevent the abuse of power, constitutions make a distinction between the legislative authority, the executive authority and the judicial authority, which have to function independently of each other. These three forms of authority must therefore be exercised by different institutions.

2.2.2. Form of Authority

Like the concept “state”, the concept “form of authority/regime” represents a high level of abstraction. It refers to the totality of principles, constitutional rules and regulations, techniques, processes, institutions, institutional norms and basic values embodied in the formal structures and functions of a state. Kotzé and Van Wyk (1980:148) note that somehow these factors regulate the operation of the political system. In other words, the rules of the political system in a particular society. Consequently it could also refer to a regime. Various forms of authority are distinguished, but all of them can be classified among either the democratic or the dictatorial variants. Diagram 1 shows the various forms of authority in which power and authority manifest in the different forms of political organisation.
The basic difference between the two groups of forms of authority indicated above is situated in the perception of the State. The democratic form of authority is based on the atomistic perception of the State, whereby the State is seen as no more than a means to an end. The non-democratic forms of authority are based on the organic perception of the State, whereby the State is seen as an end in itself (Bekker 1994:66).

It can be seen from the above that the distinction between forms of authority is derived from the centuries-old conflict between freedom and authority, with freedom being emphasised by the democratic forms of authority while the case of oligarchic forms of authority the emphasis is on authority (Bekker 1994:66).

The South African constitution provides for a democratic system and that certain democratic principles are entrenched in the constitution. The Constitution embodies many ideals and envisages the passing of numerous laws towards the realisation of these ideals. In particular the Constitution bestows universal suffrage on all South Africans, thus extending the principle of representation constitutionally to every citizen. Everybody is therefore entitled to participate on an equal footing by way of elections in appointing the government institutions that exercise authority over them. Through the electoral system of proportional representation seats in Parliament and

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**DIAGRAM 1: Spectrum of Forms of Authority**

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<th>Democratic form of authority</th>
<th>Non-democratic form of authority</th>
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<td>Ideal democracy</td>
<td>Limited democracy</td>
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<tr>
<td>Democracy</td>
<td>Oligarchy/normal dictatorship</td>
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<tr>
<td>Totalitarianism</td>
<td>Perfect totalitarianism</td>
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(As in Bekker 1994:66)
provincial legislators are allocated to political parties exactly in accordance with the total numbers of votes brought out in favour of each of them in an election. A direct correlation between their percentage of support and the number of seats they hold is therefore assured (Rautenbach & Malherbe 1998:4).

2.2.3. Constitutionalism and the Constitution of a State

The term constitution has two meanings: first it means the whole corpus of rules (written and unwritten) whereby the authority of the State is divided. Here the whole matter of constitutionalism and the constitution as a means of expressing the will of the people is at issue. Secondly it means the constitution, which is a written document embodying some or most of the constitutional rules. For example, Britain has a constitution but not a (written) constitution (Carpenter & Viljoen 1992:10).

Because government proceeds to perform its task from a power base it can wield its power by means of persuasion, authority or even coercion. Since the government is also capable of making certain things accessible to certain people while withholding such things from others, an urgent need arises to write the government relations arranged into a constitution (Adlem 1982:17).

Constitutionalism, which refers to the values, needs and demands of a particular society, is embodied in a constitution and comprises those laws, institutions and usage within a society on the grounds of which such society will be governed and its affairs administered (Sinclair 1982:28).

Constitutionalism is closely related to such concepts as the social contract and the separation of governmental powers. A constitution is the most visible form of such a social contract between the population of the State and the governmental authority.

Constitutionalism is the framework within which a political community is ordered by law and where permanent institutions with specific predetermined
functions and rights are allocated by law (Strong 1972:126). This definition of constitutionalism indicates important differences in the application and use of constitutions in non-democratic political systems.

The chief characteristics of constitutionalism can be seen as the existence of (written or unwritten) rules in society according to which political power and authority are exercised, provided that those in power submit to the rules and the rules impose limitations on the abuse of power.

Kotzé (1997:92) maintains that the following are among the most important limitations imposed on the exercise of political power:

- It must be difficult to amend constitutions.
- A human rights manifesto must be enforced.
- The division of governmental powers must be observed.
- Legal decisions and review must be applicable.

According to Kotzé (1997:102) "A constitution embodies the written or unwritten rules forming the highest authority in the land, and it determines the form of the State as well as the distribution of powers among authorities." (own translation)

(Rautenbach & Malherbe 1998:4-5) notes the following characteristics of a constitution:

- It is a set of basic rules, that is, rules with a higher status than any other rules (or legislation) in society.
- These rules determine how a government and other authorities must function and how powers must be distributed in society.
- It determines the form of the State (federal, unitary or otherwise) by creating permanent governmental institutions and it is the function of these institutions to resolve conflict and enforce compliance with
population's obligations towards the authorities (see Rautenbach & Malherbe 1998:4-5).

The supreme authority of the entrenched constitution is probably the most conspicuous characteristic of the 1996 Constitution of South Africa because the sovereignty of Parliament which used to dominate our politics before was abolished by it. The principle that Parliament is the highest authority in the country and is not subordinate to anything or anybody therefore no longer applies. The Constitution is the highest law in the Republic, and therefore Parliament and all other legal institutions are subject to the Constitution, and all laws and actions are invalid if they clash with the Constitution (see Rautenbach & Malherbe 1998:4-5).

According to Roskin (Roskin in Bekker 1994:91) the important functions of a constitution are the following:

- The constitution is a declaration of national objectives.
- The constitution formalises the structure of the State and the government.
- The constitution establishes the legitimacy of the government.

Constitutionalism relates to constitutions in the sense that constitutions can be used in any form of government - from the most democratic to the most authoritarian. Consequently it cannot be argued that there is no constitution if it is a weak or undemocratic constitution.

On the other hand constitutionalism does not only consist in theories of constitutions. It is rather a specific set of ideas about the kinds of constitutional rules that should apply in a state. From this you can deduce that not all constitutions conform to the principles of constitutionalism. Constitutionalism therefore consists in the normative guidelines that a democratic constitution should adhere to.
A flexible constitution has the same status as other laws of the land and no special procedure is required for their amendment. An inflexible (entrenched) constitution usually has a higher status than the normal laws of a country and a special procedure is required for its amendment, for example a two-thirds majority of votes.

It is for this reason that the Constitution is much more difficult to change than any other law. Parliament can usually change if more than 50 percent of the members of Parliament who are present support such a change. This is also commonly referred to as simple majority. The Constitution, however, needs a much higher percentage vote in order to change its stipulations and content. To do so, at least two thirds (66 percent) of the members of Parliament must agree to changes to the Constitution. This implies that the rules by which government's function stay the same, even if government changes. In this way the Constitution helps to ensure that there will always be a democracy in South Africa.

In other words, the constitution as a whole is entrenched, which means that it is more difficult to amend the constitution than it is to amend other laws. This is not to say that an inflexible constitution is seldom changed. If it is amended it must merely be ensured that the prescribed requirements are met (see Carpenter & Viljoen 1992:11-12).

The following principles can be deduced from the above explanation of constitutionalism and the functions of the constitution:

- In the first place the constitution determines both the powers and the duties of a government as well as the rights and liberties of individuals.
- Secondly a constitution determines the limits of what an individual may or may not do.
- Thirdly a constitution provides security because clear guidelines for action within the State are laid down.
Fourthly the constitution determines exactly what procedures have to be followed so that the State will function to the benefit of society (Bekker1994:91).

In the democratic state constitutionalism therefore means much more than a determination of institutions and their sphere of competence. It also literally represents the essence of democracy because the constitution also stipulates and limits rights and liberties.

2.2.3.1 South African Case

The road to the new democratic constitution of the Republic of South Africa began in the mid 1980s. Kotze (in Faure and Lane, 1996:253) explains that the implementation of the tricameral Parliament in 1984 (separate assemblies for whites, coloureds, and Indians) forced apartheid South Africa into a new direction of government. Internal instability and socio-economic challenges compelled the De Klerk government to open the way in 1990 for a democratic settlement in South Africa after forty-two years of the oppressive apartheid regime. The release of Nelson Mandela from prison in this year and the unbanning of black political parties and resistance movements foreshadowed the coming of a free South Africa.

The following four years saw many political leaders negotiating together in a multiparty forum to establish an interim constitution for South Africa. The Convention for a Democratic South Africa (CODESA) brought together twenty-six political parties, with the ANC (African National Congress) and the NP (National Party) as the main parties. In this process the ANC proclaimed that normal democratic procedures should be followed, in other words, that the majority (50 per + 1) should have the right to make decisions. The NP pressed for a constitutional state in which the rights of minorities would be protected. A compromise was reached and the NP accepted the principle of an elected constituent assembly which, as an interim Parliament, would draft the final constitution (Kotze in Faure and Lane, 1996:253).
History shows that an astonishing compromise was reached whereby South Africa would be governed by a “Government of National Unity” (GNU) for the first five years. The development of the GNU took place after the collapse of CODESA II (May 1992), which resulted in the signing of the Record of Understanding between the ANC and the NP on 26 September 1992. Multiparty negotiations started in March 1993 and the interim Constitution (Act 200 of 1993) was adopted in December 1993.

South Africa’s constitution is a written one, spelling out the roles and functions of the different spheres and tiers of government. The South African form of government is not a purely federal or unitary state, but has elements of both. The Constitution spells out the functions of all three levels of government (national, provincial, and local). Some powers are also delegated to each of these spheres. The South African Constitution is also a rigid constitution. Amendments to the Constitution can only be made by a two-thirds majority agreement in Parliament. The ruling party, obtaining a two-thirds majority in a general election, has the right to amend the Constitution without the processes described by it. In the 1999 general election the ANC obtained a 66.58 per cent majority, not enough to obtain the right to unilaterally amend the Constitution. A coalition with the Minority Front, however, gave the ANC its sought-after two-thirds majority.

The South African Constitution has been described by many as the most liberal constitution in the world. This could only be done through the thorough consultative process and the involvement of all stakeholders in the drafting process.

2.2.4. Separation of Powers

The principle of separation of powers is referred to as trias politica in academic terms. In simple terms and in a practical way the trias politica means that the legislative, executive, and judicial powers of government should be divided or split apart from each other. According to Craythorne (1997:5) the most compelling reason for this form of separation is that it
prevents autocratic or dictatorial government. The separation of powers between the legislative, executive, and judicial branches of government provides for appropriate checks and balances to ensure accountability, responsiveness, and openness in the manner in which government executes its activities.

In practice, however, such a separation is often difficult to achieve. The reason for this is that the executive and legislative functions tend to overlap, causing a certain amount of confusion in terms of the principle of separation of powers. It is for this reason that in most Western constitutional states the judiciary is kept separate and independent from the legislative and executive functions. Each of these branches does, however, have a very specific primary responsibility. These responsibilities can be summarised as follows.

- **Legislative authority:** Its primary responsibility is to formulate and adopt policy which is expressed in legislation and which needs to be implemented by the executive authority. This legislation can take the form of acts (national), ordinances (provincial), or by-laws (local), which form the essence of the legislative authority within each sphere of government. It is also the responsibility of the legislative authority within each sphere of government to ensure that laws are made, changed, or repealed to meet the continuously changing requirements in terms of the circumstances that apply to each sphere of government.

- **Executive authority:** This branch of authority should execute the policies adopted by the legislative authority. This is embodied in legislation (acts, ordinances, by-laws) to serve as a framework for implementing policy decisions. The executive is compelled to follow the laws formulated by the legislature and has to account for the manner in which its activities are executed. It is, therefore, in essence, controlled by the policies established by the legislative authority.

- **Judicial authority:** This branch of authority serves the purpose of passing judgement in all cases before the courts of law in South Africa. These courts include the Constitutional Court, established in terms of
Section 98(1) of the Constitution, and the Supreme Court, established in terms of Section 101(1) of the Constitution. The judicial authority is instrumental in determining the interpretation of laws when and if disputes arise. It is also independent of the legislative and executive branches of government, which ensures that the laws of the country followed by everyone, including the government.

It is clear, therefore, that the separation of powers in terms of the legislative, executive, and judicial authorities in South Africa contributes towards ensuring and upholding the tenets of democracy and ensuring sound governance in the manner prescribed in the Constitution. The independence of the judiciary, in particular, ensures that all disputes arising from the principle of separation of powers can be dealt with by courts of law, which are empowered to pass judgements on their own interpretation of any dispute that arises. Each branch, in turn, is organised in a particular way and consists of people and institutions that have jurisdiction over certain matters and are responsible for carrying out certain processes and function.

2.2.4.1 Government Hierarchy

The magnitude of functions that need to be performed within a state necessitates the division of the country into smaller geographical units to ensure that functions can be formed efficiently and effectively. This has resulted in the development of three levels of public institutions which together aim at promoting the general welfare of the public at large. These levels of government are referred to as spheres of government in the Constitution. Within the South African context, government functions are organised into three different spheres or levels, namely, national government level, provincial government level, and local government level. This hierarchy is illustrated in Diagram 2.
DIAGRAM 2: Hierarchy of Government

NATIONAL
• Parliament

PROVINCIAL
• 9 Provinces

LOCAL
• Municipalities

COURTS OF LAW AND ADMINISTRATION OF JUSTICE

(as in Van Niekerk, Van der Waldt and Jonker 2001:67)

• National government level
This level of government makes decisions and has legislative power concerning matters of national interest. These include aspects such as foreign affairs, internal (home) affairs, education, health, and defence. The examples mentioned clearly indicate that the matters dealt with at national government level affect the nation as a whole. Every state also needs to have a supreme legislature. The national sphere of government is often referred to as the sovereign or central legislative authority.

• Provincial government level
This level of government makes decisions and has legislative power on the matters that are dealt with in the provincial context. Examples of functions performed at provincial government level include community development, nature conservation, roads, hospitals, and provincial health issues. This sphere of government, therefore, deals with matters that affect people in a specific province.
• **Local government level**

This sphere of government makes decisions and has legislative powers over those issues that are dealt with by local governments, also referred to as municipalities. The local sphere of government is often referred to as grass-roots government, because of its direct association with communities at a local level. Matters commonly dealt with by municipalities, or the local sphere of government, include refuse, sewerage, electricity, water, and sanitation. These examples reveal the intimacy of this sphere of government in relation to the people it serves.

There are nine provinces in South Africa. These are the Eastern Cape, Mpumalanga, Northern Cape, Northern Province, North West Province, Western Cape, Gauteng, KwaZulu-Natal, and Free State. There are approximately 850 local authorities (municipalities), which serve local communities. It is expected that by early in the year 2001 there will be approximately 450 local authorities after the demarcation process has been completed and adopted. In terms of the Constitution and other legislation, provision is made for the establishment of:

• Functional units into which each territory must be divided for performing public functions, with specific reference to the legislative, executive, and judicial powers.
• A legislature and other institutions that need to be established in each unit to ensure the performance of its functions.
• The powers and authority entrusted to each institution within a unit to be able to execute its functions.
• The relations that need to exist between the central legislature and the legislative institutions of the other spheres of government need to cooperate with each other to maximise output and prevent duplication in an attempt to co-ordinate the activities that need to be rendered to the communities.
Du Toit and Van der Waldt (1999:186) identify the characteristics of the hierarchical structure of government in South Africa as follows:

- It is in the shape of a pyramid.
- There is a single body, the central government, at the top, which has all the necessary authority to devolve legislative powers to other levels and to give instructions to governments, lower in the hierarchy.
- The central government also has the power to control governments lower in the pyramid.
- Towards the base of the pyramid the number of governments increases and their powers subsequently decrease.
- The central government, at the top of the pyramid, has the most status and the governments at the base of the pyramid have the least, notably provincial and local.
- Authority and control are exercised downwards from the top of the pyramid to the base within the confines and stipulations of the Constitution and other legislation applicable to provinces and local authorities.
- Accountability takes place upwards from the base to the top of the pyramid.
- The judicial authority is totally independent.

Numerous factors have led to the establishment of the three spheres of government, which are generally referred to as the government hierarchy. These factors include:

- Geographical realities.
- Political factors.
- Client base, race, and ethnicity.
- The nature and extent of government services that need to be delivered to communities.
- Historical factors.
- Cultural factors.
The factors above have had a significant impact on the way in which provinces have been demarcated and the manner in which local authorities have been established within each province. The municipal structures, which exceed 850 local authorities, are currently being reviewed in an attempt to demarcate areas in a manner that will be more cost effective and efficient in rendering services to people at local level.

Diagram 2 provides a graphic illustration of the separation of the legislative, executive, and judicial powers of government, as well as the organisation of government functions into three different spheres of government.

**DIAGRAM 3: Matrix of Separation of Powers and Spheres of Governance**

<table>
<thead>
<tr>
<th>SEPARATION OF POWERS</th>
<th>SPHERES OF GOVERNMENT/ GOVERNMENT HIERARCHY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>NATIONAL GOVERNMENT</td>
</tr>
</tbody>
</table>
| LEGISLATIVE AUTHORITY| • PARLIAMENT  
- National Assembly  
- National Council of Provinces  
(CABINET MINISTERS) | • PROVINCIAL LEGISLATURE  
(EXECUTIVE COUNCIL) | • COUNCIL |
| EXECUTIVE AUTHORITY  | • CABINET MINISTERS  
AND BUREAUCRACY  
- Departments (Administrations)  
- Director General  
- Public Officials | • EXECUTIVE COUNCIL AND BUREAUCRACY  
(MECs)  
- Departments (Administrations)  
- Director General  
- Public Officials | • CHIEF EXECUTIVE OFFICER (CEO)  
- Departments (Administrations)  
- Strategic Executives (Heads of Departments)  
- Public Officials |
| JUDICIAL AUTHORITY   | CONSTITUTIONAL COURT  
AND | SUPREME COURT OF APPEAL  
⇒ | HIGH COURT  
⇒ | MAGISTRATES COURT  
OTHER COURTS |

(as in Van Niekerk, Van der Waldt and Jonker 2001:70)

2.2.5. Checks and Balances

According to Kotzé (1997:121) one of the most important differences between constitutions in democratic forms of government and constitutions in authoritarian forms of government are the effective use of checks and balances. This concept refers to the need for a counterweight that can limit the exercise of
the government's power (i.e. the essence of constitutionalism). Kotzé goes on
to note (1997:121—122) the following familiar mechanisms that serve as
checks and balances often embodied in constitutions:

• Public “watchdogs" that are independent of the executive
  authority and have to report directly to Parliament

Examples of these are the Auditor-General and an ombudsman (e.g. the
Public Protector in South Africa) who is authorised to investigate any financial
mismanagement or reports of corruption or maladministration in any of the
authorities. In the case of an ombudsman members of the public are usually
also entitled to lodge complaints.

• The role of the opposition in Parliament

A constitution must make provision for opposition parties to act effectively,
particularly in Parliament. There must be opportunities for the ruling party to
account for its actions, for example by answering questions put by the
opposition in Parliament.

• Effective division of powers

Examples of this are the right of the courts to test the constitutionality of
legislation; the right of Parliament (where such a right exists) to amend or
reject the proposals made by the executive authority on legislation; the right of
Parliament (which exists in a parliamentary government system, but not in a
presidential system) to propose a motion of no confidence in government; and
the right of the President (where it exists) to veto legislation proposed by
Parliament (as in the USA).
The possibility for civil society to develop independently

Civil society (particularly the media, unions, professional institutions, churches, social organisations and political organisations) can only be effective if human rights (e.g. freedom of speech or association) are entrenched. These institutions can play an important role in revealing the abuse of power or can help to moderate the abuse of power or influence decisions.

2.2.6 State

The central authority and the State are not synonymous. As explained above, the central authority is a structure with procedures and processes whereby authoritative decisions are taken in the State. A state cannot exist without an authority. Although the form of the authority does not influence the status of the State as an entity, the form of authority can influence society, the political process and public administration. Unlike the State which is a more permanent association, both the form of authority and the Government can change more frequently. Von Glahn (1986:90) notes, however, that change in the form of authority, its representatives and even the constitution cannot affect the status of a state.

The concept "state" is an abstract concept to which different meanings are attached. According to Skinner (1989:90 and 112) the concept "state" is not only abstract but has different meanings and definitions. As a concept relating to constitutional law and the law of nations the State refers to an entity with a particular legal status (as actor). As a philosophical concept the State can refer, amongst others, to achievement of the "good life" and the ordering of society. As a sociological concept the State may refer to the individual's interaction with other individuals, in groups on an organised and regulated basis. At present, though, the State is the highest human association in which the national authority can take authoritative decisions.
Every state therefore has its own authority with decision-making procedures, power and legitimacy that differ from other states. Authoritative decisions include two political groupings, namely the authority or government and the governed (population or subjects) (Bekker 1994:49). The population in a state possesses, or has a claim to certain rights and liberties and have to meet certain obligations, for example paying taxes. An entity must meet certain requirements to be able to function as a state. (Bekker 1994:49).

In the simplest terms one could say that a state is the organisational form of a political community. The commonest political organisational form of our time, however, is that of nation states or a community that is composed and organised according to nationality. We are already approaching the end of the nation state period, however, and the beginning of the supranational or regional community, that is to say where the factors of nationality, language, culture or religious affiliation are no longer a qualification for membership of the organisational entity, but where geographic proximity and economic factors are the qualification for membership, for example the European Union which is the most successful of these new organisational entities to date. (Europeans who work in the European Union’s headquarters in Brussels are therefore no longer civil servants or government employees, but still in the service of the European Union’s administration) (Mulder 1974:21).

In the preceding discussion it was indicated that an entity has to meet certain requirements in order to function as a state. One can speak of a state in the sense of constitutional law when the State has at least the following characteristics:

• a community of people (population) that;
• lives in a particular demarcated territory;
• is subject to the authority enforced in terms of (legal) rules by a particular authority; and
• The State must also have a certain degree of political sovereignty (Carpenter & Viljoen 1992:10).
Although these requirements are stipulated in terms of the law of nations, political, economic and other factors, such as the role of the State in the international community, can influence the status and recognition of an entity (Bekker 1994:21).

During the history of humanity the State has passed through a number of phases, for example city states, empires and national states. It is expected that the present state will also undergo changes in the future. Factors that can play a particularly important role in this regard are the increased interdependence of states in all respects. States are increasingly unable to provide the needs of their populations. Regional co-operation will therefore increase in the future. A further question confronting states is the gap arising between so-called affluent (industrialised) states and poor states (third world and developing states) (Bekker 1994:62).

2.2.6.1 Objectives of the State

Quite a number of objectives are usually ascribed to the State. Pride of place is usually given to the judicial objective, that is the right to protect, create new legislation and amend or even replace existing legislation. In other words the objective is effective maintenance of judicial order in the State. Second is peacekeeping or the maintenance of public safety and security, third is protection, for example against enemies from outside, and fourth is the promotion of material welfare. However, all these are material objectives. Dante holds that culture and knowledge are the primary and overriding objective of the State, which includes information, keeping abreast of developments in the community, tolerance as a basic orientation, and decency as a basic predisposition in human interaction (Mulder 1974:21).

In 1822 James Madison made the following statement about democracy and the individual's role in the State:

"A popular government, without popular information or the means of acquiring it, is but a Prologue to a Farce or a Tragedy; or perhaps both. Knowledge will
forever govern ignorance. And a people who mean to be their own governors, must arm themselves with the power which knowledge gives” (Theunissen 1998:110).

The individual therefore has the capacity to secure his or her future in a democracy by acquiring and using knowledge. In many respects this responsibility is incumbent on every citizen of a state. Individuals and private institutions in a state should therefore be aware that, although they have many rights, these rights were obtained at a price, namely in return for assuming responsibilities. Claims for public services, such as protection, are paid from public funds obtained from tax revenues. Although tax payment is a tangible responsibility, there are other, less visible responsibilities that are equally important, for example to vote regularly and be actively involved with important social issues, such as environmental protection.

The matter of information is not only based on the individual in the State. The State also requires information for the following two reasons: to determine whether the law has been transgressed and to take public policy decisions that are rational and based on factual evidence. All modern states, for example, investigate human rights and the exact dimensions of air and water pollution, before they can issue instructions relating to violations. In South Africa the constitutional court hears citizens’ complaints about the violation of human rights. In France the government undertook an extensive study of the public’s energy needs before it embarked on a large-scale nuclear energy programme (Roskin in Gey van Pittius 1997:227).

Sometimes the problem of invasion of privacy arises when institutions, such as the South African national intelligence agency, investigates the activities of people who are alleged to have subverted the State and in the process their family members, friends and neighbours are questioned. The boundary between investigations that are necessary to protect the public and invasion of privacy is very vague, and it is often difficult to say where the one begins and the other ends (Gey van Pittius 1997:227).
Today people are lost without information, just as social welfare is impossible without education. Information, today mostly second-hand in the sense of having been reproduced, and education are prerequisites for taking part in state functions and giving shape and substance to the democratic way of life. In order to participate effectively in the complex processes of contemporary society, education with a view to responsibility is necessary. Education and teaching are consequently again today, as in the days of ancient Greece, important state functions in order to give meaningful substance to the State (Mulder 1974:21).

To summarise the State can be seen from the viewpoint of its functions: as a judicial state, as a social state and as a cultural state. The sense and activities of the State, extensive and profound they may be, are always limited by law. No state objective is a priori boundless and omnipresent. Like law, the State cannot presume to intrude upon the inviolable core of human existence, the human spirit, if it does this it will miss its purpose and become a state in name only (Mulder 1974:21).

There are rights and responsibilities that have to be mutually recognised and upheld by the State and the individual (political obligation), the State and the private sector, and among individuals themselves. It is the balance between rights and responsibilities that results in a successful democratic society - a society with government and civil institutions that collaborate for the common good and welfare of all the people residing within the geographic confines of the State.

2.2.6.2 Functions of the State and Public Administration

With the above-mentioned objectives of the State as background all state interventions can be divided into four main categories or collective functions: power functions, safety and protection functions, economic functions and redistribution functions. These functions are not limited to the national government, but can also manifest at provincial and local government levels. They are visible in the form of public goods and services provided by the State.
to create a suitable environment in which individuals, groups and society in
genral could strive to maintain and improve their quality of life. The purpose
of this dissertation is not to discuss these functions. The idea is to place the
objectives of the State in the context of the functions of public administration.

For the purposes of this dissertation a distinction can be made between the
interventionist state and the non-interventionist state. In this context the State
refers to both the Government and the whole public administrative machinery
of a country. Interventionist and non-interventionist refer to the extent to which
the State intervenes in the society falling under its sphere of influence.

The nature of the State intervention is also applicable since some States do
not permit complete democratic freedom (for example by means of such
interventions as restrictions imposed on opposition parties), although they
may allow freedom of economic activity by restricting interventions in this area
to a minimum. Totalitarian states, for example, must not necessarily be
classified as interventionist in view of political repression. Democratic states
must also not be seen as non-interventionist merely on the grounds of the
principle of political freedom. There are a number of other considerations to
take into account, such as the extent of economic freedom, the role of the
State in the economy, and so on (Theunissen 1998:115).

The variety of modern political and economic systems and the multitude of
possible and actual combinations defy all efforts to simplifying classification.
Accordingly references to state intervention must always be qualified

With respect to South Africa it is interesting to note that before the 1994
election the State and its policies tended to be both politically and
economically interventionistic there were political interventions in the form of
restrictions imposed on political freedom, and economic interventions in the
form of over regulation of the economy and its various sectors (e.g. agriculture
by means of agricultural control boards). Since the 1994 election, however, a
change has taken place and state interventions have specifically lessened
with respect to political freedom and, to a lesser extent, economic freedom. Certain interventionist actions are still in evidence, for example the Department of Health’s proposals to force medical practitioners to agree to a kind of compulsory “medical service” in areas specified by the government. The future of political and economic interventions by the State is debatable, however, and there are no clear indications in this regard at the present time (Theunissen 1998:116).

2.3 Government and State Structure-related Concepts that Influence Control over the Bureaucracy

The discussion of factors that relate to government and state structures that influence control over the bureaucracy provided in this section clarify the meaning of terms and concepts that are important in understanding the purpose and functions of government.

Governance, therefore, implies the establishment of government structures within the context of a state, to ensure that services are rendered to communities to ensure that their general welfare and quality of life are promoted. Individuals on their own are unable to provide the quantity and quality of services that a government representing the people can provide collectively to the community.

In order for government to comply with its purposes and objectives, it is essential that structures be created to give effect to the needs, wants, and desires of the people. It is for this purpose that the Constitution was established in South Africa. The Constitution serves as the supreme or highest law of the country. It must, therefore be adhered to by the President, government, and all the people of South Africa. A constitution establishes structures of government and specifies the powers the government has in the process of executing its activities. It further ensures that the rights of individuals are protected and that institutions are established to ensure that government does not abuse its power. This in turn protects the rights of each individual.
This section focuses on the executive authority, the concepts governments, government as an institution and function, forms of the executive authority in non-demographic and democratic political systems.

2.3.1 Executive Authority

The executive authority is the irreducible core of government. Political systems can function without constitutions, Parliaments, a judiciary, and even without political parties, but they cannot survive without an executive arm to formulate government policy and ensure its implementation. The potential power of the executive authority is such that political development usually takes the form of endeavours to check or control it by either forcing it to function within a constitutional framework or to be responsible to a popular or national assembly or to a democratic electorate. Members of the political executive authority are most definitely the faces of politics that is most familiar to the public at large. Reasons for this are that leadership emanates from the executive authority, and that this role is raised to particular eminence by the increasing responsibilities of the State on both national and international levels. Naturally the media tend to portray politics in terms of the personalities involved in it however the hope and expectations centred on the executive authority may also be its downfall. In many political systems leaders are finding it increasingly difficult to deliver on their promises. This problem is bound up with the increasing disaffection with politics in general and with politicians in particular.

Decisions must take account of people and the necessary funds must be available to implement decisions. It is mainly incumbent on the executive authority to carry out decisions affecting matters of national import. Like so many other so-called political terms "executive authority" is also used in both a broader and a narrower sense. In its narrower sense it mainly refers to government, while in its broader sense it refers to government together with the bureaucracy (officialdom). For the purposes of this dissertation both these meanings are investigated.
The executive authority is the branch of government that has the authority by virtue of the Constitution to implement the policies and legislation enacted by the legislature, and also to ensure that such implementation takes place. It is a confusing concept because it is so closely related to other concepts, such as those of government and public service. The confusion is worsened by its inclusion of two fields of endeavour that have uniquely distinct institutions designed to accomplish the specific goals pursued by each of these two fields of endeavour. This is where the concept is used in both a narrow and a broader sense. Both meanings relate to the field of study of public administration.

As indicated, the term “executive authority” has a broader as well as a narrow meaning. In the broad sense it comprises the public service as a whole, that is to say all officials charged with the administration of government service, ranging from the President, king/queen or governor-general to the lowliest official, constable or soldier. Sometimes, in the broad sense of executive authority, reference is also made to the State bureaucracy. All officials in the public service are not involved in the highest level of decision making, however top-level public officials are civil servants at the highest level of the civil service. It is these officials who take decisions at the level where the separation between politics and administration becomes artificial or, put differently, where political authority and administrative action flow together.

The focus of this dissertation is on the first-mentioned group of officials, which is why the term “bureaucracy” is used instead of “civil service”. A more comprehensive analysis of civil servants’ activities in the context of the highest decisions in executive management will only be broached in the next chapter because we first have to establish clarity about where public administration fits in as a field of study as well as of activity.

In the narrow sense the concept refers only to the head of the executive authority and his immediate subordinates (usually cabinet ministers). This implies that the cabinet alone represents this branch of executive authority and that the civil service assists the cabinet in the implementation of policy
decisions. There is a distinct difference between the concepts of civil service, government and cabinet. The reason why all these are so confusingly classified together under the umbrella term "executive authority" is attributable to the fact that these concepts form the field of study of public administration, together with the concept "public sector" which has a wider meaning than "civil service" and also falls within the field of study of public administration.

A matter that should be taken into account here is the tendency that the executive authority overshadows the legislative authority. The executive authority no longer concerns only the implementation of legislation, but given the complexity of modern life is the main formulator and determiner of the policy adopted by the legislative authority. The executive authority's sphere of influence is therefore growing.

2.3.2 Government

Large groups develop specific institutions to take and enforce collective decisions. The Government is technically the structure within which political activities take place; it provides a framework for politics, by which we mean the head of the executive authority (in its narrow sense), together with his/her ministers, that is to say the institution charged under the constitution with the performance of the executive task of the State. According to popular usage "government" refers precisely to the highest level of political appointments: in other words, presidents and prime ministers, heads of departments and members of cabinet. But in a broader sense the Government comprises all the institutions that have been charged with the task to take decisions on behalf of the community at large. The Government is therefore responsible for the execution of instructions given to it by the legislative authority in the form of the laws of the State. The conception of government is therefore closely related to "authority".

Nowadays the general idea is that government is the primary policy maker and comprises the foremost institutions of executive authority. It has therefore gained a dominant political connotation. Although it is not a juridical entity
(particular legal status as actor), one finds nevertheless that the courts regard government as an entity that is empowered to act on behalf of the State in legal proceedings (Carpenter & Viljoen 1992:12).

2.3.2.1 Government as an Institution

As with "state" there is a good deal of uncertainty in the case of "government" about who or what government is. Accordingly there are such definitions as "second authority" in the State (besides legislative authority) or the executive authority that has to implement laws. The government is referred to as the institution that is responsible for national government and administration, or the institution that is responsible for the execution of political policy and administration, in other words the principal institution of national administration. Government is also equated to the cabinet, at least in South Africa.

According to Strong (1972:7) government is the institution in which the right of sovereign decision making is vested. The Government's functions are those of peacekeeping and maintaining order, passing laws and levying taxes with a view to performing said functions. According to Strong (1972:7) government needs legislative, executive and juridical powers in order to perform these functions successfully. Reference to a government means, amongst others, that the concept of "government" includes more than just a few individuals who form the cabinet, or a president and his advisers. It also subsumes the bureaucracy (which for the purposes of this dissertation does not include the public sector as a whole), political institutions and any other structures that enable the functioning of the government concerned.

In contrast with "government" which is a much more wide-ranging concept, the term "form of government" is indicative of the nature of the executive authority, which is a much more restricted concept. Strong (1972:9) describes the executive authority as the head of government together with his/her cabinet. This implies that the executive authority that developed from the doctrine of the tripartite division of power and authority presupposes a particular form of government as the ideal "model" for the administration of its
laws, for example the cabinet system which has a cabinet as institution to give practical effect to its governance function. In turn the cabinet has a civil service comprising government departments staffed by civil servants to assist it in giving further practical effect to its governance function.

For the purposes of this dissertation, however, it would seem that the following distinction could be significant, namely that between government as institution on the one hand and as a function on the other. By making this distinction the matter becomes clearer. The Government in a state with the cabinet as the form of government (i.e. the President together with all the other ministers, or alternatively a prime minister together with his/her ministers as appointed by the head of state at the recommendation of the prime minister) has a cabinet as the institution with primary political responsibility based on the authority bestowed by an electoral majority. Government as a function to be explained in the next section is mainly an executive or administrative function based on authority lent by the constitution of the State.

The concepts of "public service" and "public sector" to be explained later are more readily comprehensible than the confusing concept of "government". Reference is often made to officials in the civil service as forming part of government, but this is not strictly correct. It would be more correct to say that persons in the public sector work for government, without being part of it.

Government refers to the institution or institutions that are responsible for governing the State. In South Africa these institutions mainly include the President at national level, the premiers and executive councils at provincial level and the municipal councils at local level - the political executive group. It differs from the administrative executive group that is identifiable with civil service. In everyday parlance the term "government" often refers to any part of the State and the system of public administration. A case in point would be any reference to the legislative, executive and juridical branches of "government", plus their respective components.
Two aspects of the executive authority in South Africa are important, however: its composition and powers. As with the legislative authority the executive authority in South Africa is found at all three tiers of government. Whereas at the national and provincial levels the executive authority is separate from the legislative authority, at the local level both the executive and the legislative authority are vested in the municipal council.

It transpires too, that at both national and provincial levels in South Africa the legislator is entitled to force the executive authority to resign by virtue of adopting a motion of no confidence in the President or premier. Accordingly, and considering the overlap in membership between legislative and executive authority at the various levels of authority, it can be concluded that South Africa has a parliamentary democracy, rather than a presidential democracy.

2.3.2.2 Government as a Function

According to Finer (1974) "government is institutionalised politics". The government comprises institutions that are responsible for collective decision making on behalf of society. In a narrower sense government refers to the top political level in such institutions - that is to say, presidents, prime ministers and ministers. By contrast government as the function of governance or government administration refers to the process of collective decision-making, a task in which the government does not necessarily assume a leading role or any role at all. As regards international relations, for example, no world government sets itself the goal of solving problems, but numerous issues are resolved by way of negotiation. It is therefore a case of governance without government.

A distinction must be made between government and governance. Governance refers to the function, action, process or qualities of government. It does not refer to government structures such as a cabinet or a municipal council, but to the policies made and the efficacy with which they are implemented. A constant theme in this dissertation is that government gives rise to governance, at least in consolidated democracies. This means that
collective decisions are no longer made by a single leader (e.g. the President) or by a single group (say the cabinet). Instead policy is formulated after consultation with and among a variety of concerned interest groups. Policies are often adjusted in the process of being implemented: those who carry out and implement policy participate in governance, if not also in the action of governing. Governance - the task of managing complex societies - entails the co-ordination of a variety of institutions in the public and the private sector (Rhodes 1996:652-67). Government is only one actor, and not necessarily the most prominent one, in governance. The phenomenon of governance is not only common to developed countries. Many international agencies have already asserted that effective governance is indispensable for development. In an influential report the World Bank (1997:1) contended that “the State is central to economic and social development, not as a direct provider of growth, but as a partner, catalyst and facilitator”.

It is precisely the area of international relations that offer the best examples of governance. The reason for this is simple: there is no world government or institution that takes enforceable decisions for the world as a whole. Yet many aspects of global relations are regulated by agreements. The Internet is an example: a massive network of linked computers that are beyond the control of any one government or person. But standards that regulate the linking of computers and information fed into the Internet have been adopted; we can therefore refer to the governance of cyberspace, but not to the government of it (Loader 1997).

International institutions have been established to formulate rules for different areas of interest: the World Trade Organisation, for example, focuses on the dismantling of trade barriers. Such organisations are not governments, they have limited powers, specifically with respect to enforceability, and they have no police force to enforce compliance with their wishes. The emerging pattern in international and possibly also national politics is one of rules without regulators, government without government, in a word: governance (Rosenau 1992:3-6).
According to Van Niekerk, Van der Waldt and Jonker (2001:65-66) numerous characteristics can be identified that contribute towards achieving a system of good governance in all spheres of government in South Africa. These include, amongst others:

- **Openness and transparency:** This refers specifically to community involvement and consultation as to the manner in which the people will be governed.

- **Adherence to the principles contained in the Bill of Rights:** This specifically refers to the principles contained in Chapter 2 of the Constitution.

- **Deliberation and consultation:** The foundations of a democracy are based on the ability of politically elected office-bearers to deliberate and consult with the electorate on the issues that affect their daily lives. The need exists to continuously review the manner in which government executes its activities in the best interest of the communities it serves. Deliberation and consultation can assist in ensuring that the true needs, wants, and desires of the people are identified and correctly prioritised.

- **Capacity to act and deliver:** It is imperative that the structures of government are established to ensure that it is able to deliver services in terms of the expectations of the people. Its capacity to act will depend on the structures created to ensure that such delivery takes place. There is a need, therefore, to ensure that all government structures are geared towards achieving the efficient and effective rendering of public services.

- **Efficiency and effectiveness:** Limited resources dictate that government needs to identify, as accurately as possible, the needs of people and deliver services in an efficient and effective manner in relation to the numerous needs that exist. Continuous review of the manner in which government renders its services is necessary to ensure efficiency and effectiveness.
• **Answerability and accountability:** There is a definite need to ensure that answerability and accountability structures are created in terms of the Constitution. These will ensure that communities are able to call upon their elected representatives to answer and account for the manner in which they perform their duties.

• **Co-operative government:** Chapter 3 of the Constitution states that the national, provincial, and local spheres of government are distinctive, interdependent, and interrelated. Co-operative government ensures that duplication is avoided and that co-ordination between the various spheres of government takes place to ensure the optimal use of resources.

• **Distribution of State authority and autonomy:** The devolution of power and authority to the lowest spheres of government in ensuring the execution of activities and implementation of policies is essential. It is for this reason that each sphere of government should be in a position to pass legislation that will best serve the interests of the communities it represents. In turn, the various organs of civil society have an obligation to identify problems common to the community and to mobilise the community around these issues.

• **Respond constructively to the resolution of these problems by engaging the government and business through various forms of action:** Communities need to be capacitated to embark on a process of reconstruction. This will ensure that relationships are mutually supportive in achieving the common objective of promoting the quality of life of the citizens.

• **Influence the manner in which politicians address their basic needs:** This can be achieved through interest groups, pressure groups, non-governmental organisations, and community-based organisations.
• *Monitor government activities in ensuring continuous answerability and accountability*: Numerous independent statutory institutions have been created in terms of Chapter 9 of the Constitution to assist in ensuring answerability and accountability.

2.3.3 **Forms of the Executive Authority**

The concept "form of authority" was introduced in the first section. Although the form of government is specifically a matter of the various executive institutions that exist, it is important to bear in mind that there are other related institutions, such as the legislative authority, in addition to which there are supporting principles that concern the executive authority and play a role in public administration. It is also important to distinguish between the executive institutions in democratic and non-democratic political systems.

The executive authority of a state can assume a variety of forms known as the form of government. Forms of government cannot be discussed in isolation because they relate directly to the constitution and the legislative and juridical authority. Because the nature and functioning of forms of government are influenced by these factors, it is also necessary to draw a distinction between the executive institutions in democratic and non-democratic systems.

2.3.3.1 **Executive Institutions in Non-Democratic Political Systems**

In most non-democratic political systems, particularly those of the totalitarian variety, the composition and functioning of political institutions are ordered constitutionally (Macridis in Bekker 1994:90). The same institutions as those in democratic political systems are usually found in non-democratic political system largely conforms to the democratic system. Usually the existence of a constitution and concomitant political institutions is where the resemblance begins and ends. Because non-democratic political systems are highly centralised, all institutions are subject to the decisions of a relatively small political elite. The existence of a legislative and juridical authority is therefore a reality. The functions of these institutions are restricted, however, to what is
allowed by the ruling elite (executive authority). The difference between the
democratic and non-democratic political systems does not reside in the
existence of corresponding institutions, therefore, but in the functions and
powers of these institutions (Bekker 1994:90).

Usually the legislative authority's influence is limited to the approval of
decisions taken by the ruling elite and by the judiciary to legitimise the
objectives of the ruling elite by enforcing obedience and subservience (Venter
& Johnston 1991:87). Sometimes limited autonomy is accorded to the
judiciary to protect certain legislation and rights. According to Macridis (in
Bekker 1994:91) the semblance of democracy in these institutions and
processes is totally overshadowed by the centralised and undemocratic
functioning of these institutions.

2.3.3.2 Executive Institutions in Democratic Political Systems

Despite superficial similarities the nature and functioning of executive institu-
tions in democratic political systems differ drastically from those in non
democratic political systems. The differences are particularly noticeable in the
application of two basic principles of democracy, namely that of constitu-
alism and that of the division of powers (*trias politica* doctrine). In essence this
means that the executive institutions are limited constitutionally in the
democracy, and also that power is not absolutely centralised, but it is divided
between different institutions and persons (Bekker 1994:91).

2.4 Public Administration-related Concepts that Influence Control
   Over the Bureaucracy

It is necessary to briefly describe the concepts and terms public
administration, administration, civil service, public sector and structure
because these concepts can easily cause major confusion. The meaning of
these terms is often relative since they may have different meanings or
nuances for people in different parts of the world.
In an attempt to contextualise matters, relating to political control over the bureaucracy, this section also focused on policy, accountability and control. These activities ultimately pave the way for political office-bearers and executive functionaries to perform their activities in the best interest of the communities being served.

2.4.1 Public Administration

It has become common practice to refer to Public Administration (capital P and capital A) as the discipline in which the phenomenon of public administration is studied. The phenomenon of public administration relates to the process whereby all state institutions are organised, managed, administered and controlled. Put simply, public administration concerns itself with the nature and practice of the Government and the public sector (the functioning of the state institutions). It entails, among other things, the management and administration of and interaction between public institutions and other role players and stakeholders, as well as the associated dynamic processes.

Other components of public administration include the organisation and personnel functions, financing and control of the public sector, as well as the formulation, implementation and revision of policy. All state interventions in the country that influence the individual’s and society’s standard of living are attributable to the activities of the State’s public administration under the political control and leadership of the current government (Theunissen 1998:115).

2.4.2 Administration

Administration for the purposes of this dissertation quite simply subsists in the collective activities of the State, with authoritative institutions orientated towards the achievement of public objectives. This explanation serves to give substance to the prevailing conception of the State and its political objectives, and as a result to promote the mental and physical welfare of the population.
at large. The administration derives its function and authority from the executive function of government, and all administrative activities of the State are subject to the political office of the minister as member of both the executive and the legislative authority.

2.4.3 Civil Service

The term "civil service" mainly denotes the civil component of the State's management and public administration system, often referred to as the "bureaucracy".

In South Africa the civil service comprises all persons employed by government departments and the nine provincial administrations in pursuance of the Public Service Act of 1994, and remunerated by the Treasury for their services. The current civil service resulted from the amalgamation of the different civil services that existed in the country until recently, including those of the TBVC countries (Transkei, Bophuthatswana, Venda, Ciskei) and the former self-governing areas.

This consolidation not only involved structures and personnel, but often also a miscellany of legislation, codes, management practices, rules and regulations (Theunissen 1998:113).

2.4.4 Public Sector

According to Theunissen (1998:113), in South Africa the term "public sector" refers to the general assets and public administrative systems of the State; has a wider meaning than "civil service" and subsumes the following components:

- the civil service
- the National Botanical Institute
• personnel employed by parastatal institutions such as scientific councils, performing arts councils and cultural institutions forming part of the Department of Arts, culture, Science and Technology
• personnel employed by public corporations, such as Eskom, Denel, Transnet, SABC, SA Post Office Ltd and Telkom SA Ltd
• personnel employed by local authorities and agricultural control boards (currently being phased out)

2.4.5 Structure

The hierarchical pattern of authority, responsibility, and accountability relationships designed to provide co-ordination of the work of the organisation and the vertical arrangements of jobs in that organisation, is commonly understood to mean the structure by which government executes its activities (Fox & Meyer, 1996:124).

2.4.6 Policy

Since the concept of policy will be topical throughout this dissertation the following brief discussion of it will be included here.

Policy is the product of policymaking and it can be seen as a plan of action aimed at achieving an outcome that enjoys preference in terms of the overarching objectives of government. It also provides parameters within which government actions can take place. Policy and policymaking of all kinds take place at all levels of government and its associated public administration. National or political policy differs from departmental or administrative policy with respect to scope and implications. Administrative policy is necessary as a means of achieving more specific objectives at which the daily functioning of the department is directed. On the whole effective policy is the central collection of resources, but the implementation of policy takes place at the lowest possible functional level. In South Africa no policy may deviate from the conditions of the Constitution of the Republic of South Africa (Act no 108 of
1996), which is the highest law and therefore the supreme policy document in the country (Theunissen 1998:124).

Policy is usually a response to a real or perceived need, and it originates from society as a whole. When needs are expressed by society individuals and groups, the government is obliged to react if at all possible. It must be indicated, however, those needs are unlimited and infinite, while government resources are limited. Once the government has identified a need, a policy must be formulated with a view to serving the need. This is done by the government in co-operation with the public administration. A policy must be seen as a framework or guideline for the achievement of a specific objective or outcome. Once a policy has been approved by the cabinet it is often subject to approval by Parliament in which case it becomes an act of Parliament (or part thereof) (Theunissen 1998:124).

The political importance of the bureaucracy is largely attributable to its role as the chief source of policy information and advice available to the Government. This policy role separates top-level civil servants, who are in daily contact with politicians and have to act as policy advisers, from middle level and junior civil servants, who are more concerned with routine administration. The debate about the political significance of bureaucracies therefore tends to be more focused on the elite group of senior civil servants. In theory a clear distinction can be drawn between the policy responsibilities of bureaucrats and politicians (Heywood 1997:346). Policy is (apparently) made by the political decision-makers (politicians): bureaucrats merely offer advice. The policy role of civil servants therefore amounts to two functions: the description of policy options available to the minister, and the consideration of policy proposals with a view to their possible impact and consequences. The influence that high-ranking officials can influence on policy is further limited by the fact that they are either expected to be political neutral as in Britain, Japan and Australia, or that they must be subject to a system of political appointments, as in France and America (Heywood 1997:346).
There is sufficient reason to accept, however, that the policy role of civil servants is politically more important than is indicated above. For example, no clear distinction is made between policymaking and policy advice. Decisions are based on available information, which means that the content of decisions depends on the advice offered. As the main source of advice available to politicians, bureaucrats actually control the flow of information: politicians only know what the officials tell them. Information can therefore be disguised or at least “shaped” to reflect the preferences e.g. the civil service. The main source of bureaucratic power is nevertheless the expertise and specialised knowledge accumulated in a bureaucracy. If the responsibilities of government increase and policy becomes complex, “amateur” politicians will unavoidably become more dependent on their “professional” bureaucratic advisers.

2.5 Factors and Institutions that Influence the Interaction between the Political and the Administrative Systems.

There are numerous factors that affect the political and administrative systems. Public administration, and more specifically the bureaucracy, must come to terms with, accept or resist these influences. Together the political and administrative systems form a highly complex system that does not exist for the sole purpose of delivering services.

Although the public sector is influenced by a variety of factors, these influences are not passively absorbed. The public bureaucracy makes adjustments under the pressure of certain influences, but it may also offer resistance against influence. Service delivery by the bureaucracy affects the personal life of every citizen in one way or another, as shown in the preface to this dissertation already.

The civil service comprises that portion of the government system that is in direct contact with the public. Teachers, nurses, judicial officers, as well as state officials or departments are all examples. Put differently, for the public the civil service (bureaucracy) is the main point of access to or contact with
the government system. This is precisely the reason why liaison between the public and the public officials is the interface where the results of mutual influence will become evident.

2.5.1 Institutional Factors Influencing the Bureaucracy

A number of the factors that may influence the nature of the bureaucracy will now be indicated. These factors can be classified in different ways. A distinction can be made between factors arising respectively outside and inside the bureaucracy or between so-called institutional factors and political-ideological factors (Marais in Adlem et al. 1997:71—90).

The minister as head of a government department and his or her chief executive officer, as well as the relations between them, will be discussed in the following chapters. The place in the hierarchic chain where the minister and his or her top official relate to each other is the interface where politics and administration interact. The influence exerted by politics on the administration causes politicisation of the administration, while the influence of administration on politics causes bureaucratisation of politics (cf Viljoen 1987).

Certain institutional factors that influence the bureaucracy to a greater or lesser degree will now be discussed.

2.5.2 Constitution of the Republic of South Africa 1996

Metaphorically speaking a constitution forms part of the machinery in the reality of politics that is designed to achieve the orderly functioning of a society. It limits the exercise of political power and institutes rules to protect the rights of citizens and control the authority of authorities (Venter 1998:2—3). A constitution, as indicated in previous section, is a statute according to which the form of a state, the form of government and the form of authority of a country are determined. Such a statute is naturally based on the prevailing political ideology of the country. In South Africa the highest authority vests in
the Constitution and the legislative authority is subordinate to it. Without a constitution there would have been no state institutions in South Africa with which to govern the country. The original 1909-Constitution, as well as later constitutions of South Africa determine both the structuring and the nature of service delivery by the civil service. The Constitution of 1996 made fundamental changes that have become clearly visible in both constitutional and socio-economic terms.

Besides the devolution of power that brought administration closer to politics, the coming into effect of the Constitution of 1996 also helped to bring these two components of government closer together. The procedure followed by Parliamentary committees in considering draft bills or other matters and in obtaining factual information from high-ranking state officials and other specialists, has the result that the bureaucracy is more than ever involved in the legislative process.

2.5.3 Parliament

Constitutionally Parliament has wide powers. It is the legislative institution in and for the Republic of South Africa. In the main the influence of Parliament arises from its authority to pass laws that can influence the bureaucracy - a good case in point is the way in which the civil service is handled in the new constitution. In this dissertation the proceedings of Parliament are merely mentioned where the context requires an explanation.

As indicated in the following chapter a tendency that is becoming noticeable throughout the world is the "relinquishment" of power by Parliaments. This will be discussed in the next chapter. South Africa has followed the trend in most Western states of increasingly leaving power to the discretion of the executive authority.
2.5.4 Cabinet

The concept of "government" refers to a specific institution in the political system, namely the cabinet. It is the task of government to create policy for the country.

Both the function of policy determination, which is the purpose of government, and the implementation of policy form part of the political process (Santos 1969:214). The strongest political party acquires the right to govern because it appoints the cabinet. The strongest political party also has majority support in Parliament, which has the result that the cabinet overrules Parliament as the actual governing body. The cabinet as the seat of government therefore has the right to make use of both Parliament and the civil service to implement policy determined by the cabinet. The cabinet cannot become involved with detailed decision making and does not have the time to pay attention to the finer detail of government. Consequently individual ministers are expected to take all decisions of minor political significance.

It is a principle of democracy that voters elect representatives to make laws on their behalf in the legislative institution. Theoretically the legislative authority should therefore control the executive authority, but in practice it usually works the other way round. The cabinet not only has decisive influence over the national assembly, but also over the civil service. It is important to remember that the cabinet builds its policy goals into the draft bills which are then enacted into law by Parliament on the grounds of the cabinet's influence over the national assembly.

Changes of government naturally result in the operationalisation of new ideologies that are decisive for the functioning of the civil service. They influence both the structure of the civil service and its functioning. The influence of the cabinet on the civil service can be monitored continuously to best advantage in the creation or abolition of departments, or the reassignment of functions among departments. These changes are merely the result of executive decisions and not of decisions of Parliament.
2.5.5 President

The influence potentially exercised by the South African president on the bureaucracy is twofold. On the one hand it comprises the influence deriving from his post or office while on the other hand his influence derives from his person or his personality. The influence exercised by the President in virtue of his institutional position is clear from the Constitution of 1996. The President is not a nominal or ceremonial head of state, but the executive head of state in virtue of his position as head of the national executive authority. He is directly responsible to Parliament for the implementation of acts of Parliament. To assist him in bearing this responsibility he appoints ministers in the cabinet which is under his control. There is no formal restriction on whom he may appoint and he can dismiss any minister at his discretion. He assigns duties to ministers and can assign the implementation of any law to a particular minister. He ratifies and signs draft bills and can refer a bill back to the national assembly for reconsideration of its constitutionality. He can also refer bills to the constitutional court for a decision about its constitutionality. Besides appointments other than in his capacity as head of the executive authority, which the Constitution demands of him, he also appoints commissions of inquiry.

In the normal course of his activities, the President also acts as a critical link between interest groups and the bureaucracy. Interest groups regularly confer with the president about matters that have to be handled by the bureaucracy.
2.5.6 Auditor-General

The Auditor-General must audit and report on the accounts, financial statements, and financial management of:

- All national and provincial state departments and administrations.
- All municipalities.
- Any other institution or accounting entity required by national or provincial legislation to be audited by the Auditor-General (Section 188).

In addition to the duties prescribed above, and subject to any legislation, the Auditor-General may audit and report on the accounts, financial statements, and financial management of:

- Any institutions funded from the national revenue fund or a provincial revenue fund or by a municipality.
- Any institution that is authorised in terms of any law to receive money for a public purpose.

The Auditor-General must submit audit reports to any legislature that has a direct interest in the audit and to any other authority prescribed by national legislation. All reports must be made public. The Auditor-General has the additional powers and functions prescribed by national legislation. The Auditor-General must be appointed for a fixed, non-renewable term of between five and ten years.

This official therefore has an auditing function and is therefore involved with the closing of the yearly financial cycle. The Auditor-General may seize all documents, statements, accounts and other relevant information that may shed light on the audit of any state institution that controls state funds.
The Auditor-General therefore plays an important role in the sense that he or she must ensure that State institutions make proper use of public funds. Waste and corruption are considerably curtailed in this way so that effective government is promoted. The effectiveness of the Auditor-General in eliminating injudicious spending is restricted to some extent because his/her audits are conducted after corruption and misspending have taken place, or when it is suspected that misspending and/or corruption is taking place.

2.5.7 Treasury (Departments of State Expenditure and Finance)

The Treasury is involved with the full cycle of the State's annual financial management. The treasury is responsible for the gathering of each department's budget requests, and for the receipt, safekeeping, allocation and disbursement of public funds. This takes place with the co-operation of a variety of stakeholders and role players, such as the departments of Finance and State Expenditure, the Receiver of Revenue, the Financial and Fiscal Commission, the Budget Council and the South African Reserve Bank. The Treasury does not report on the activities of the Auditor-General, but he does report to the Auditor-General on how the State's finances are being managed.

2.5.8 Minister of Finance

The Minister of Finance is traditionally the one who, together with his or her department, effectively holds the purse strings. The Minister of Finance is also a member of the cabinet, however, and his/her colleagues in the cabinet are the political heads of other departments. They will try to influence the Minister of Finance to give precedence to their interests. It is therefore important that a Minister of Finance have a strong personality and is capable of saying "no". It is also very important that such a minister enjoy strong support from the President in carrying out his task (Theunissen in Venter 1998:130).

It is the responsibility of the Minister of Finance to receive budget applications from each State department and to strike a satisfactory balance between the
competing interests of the various departments (Theunissen in Venter 1998:130).

2.5.9 Financial and Fiscal Commission

Section 220 (Chapter Thirteen) of the Constitution established a Financial and Fiscal Commission for the Republic. The Commission is an independent body, subject only to the Constitution and the law, and must be impartial.

The Financial and Fiscal Commission is a statutory institution. It is a permanent, expert commission with a constitutionally defined structure, set of generic responsibilities, and institutional processes, and deals with inter-governmental fiscal relations in South Africa.

The Financial and Fiscal Commission has the responsibility to make recommendations to all relevant legislative authorities regarding the financial and fiscal requirements of all three spheres of government. The recommendations, which it is constitutionally required to make, or may make of its own volition within its generic responsibilities, concern such matters as:

- Revenue sharing
- Financial allocations.
- Taxation.
- Borrowing.
- Criteria used in the determination of matters of general financial and fiscal policies of government.

The commission’s role is to ensure the creation and maintenance of an effective, equitable, and sustainable system of inter-governmental fiscal relations. The advice of and recommendations made by the Financial and Fiscal Commission concern issues such as:

- Fiscal policies of all spheres of government.
• The fiscal allocations to governments.
• Taxes which provinces intend to impose.
• Borrowing by local and provincial governments.
• Criteria to be considered in determining fiscal allocations.

The first point of contact with the legislatures will generally appear to be standing committees on finance, at both provincial and national levels.

2.5.10 Commission on the Remuneration of Representatives

This Commission has been established in terms of the Commission on the Remuneration of Representatives Act 37 of 1994. In terms of Section 2(2) of this act its objects are to make recommendations regarding the remuneration, allowances, and other benefits, including pension and medical aid benefits, of representatives. A representative includes a member of any elected local government body or municipality. An act of Parliament must, in terms of Section 219 of the Constitution, establish a framework for determining:

• The salaries, allowances, and benefits of members of the National Assembly, permanent delegates to the National Council of Provinces, members of the cabinet, deputy ministers, traditional leaders, and members of any councils of traditional leaders.
• The upper limit of salaries, allowances, and benefits of, amongst others, members of municipal councils of different categories.

The framework for establishing remuneration structures can be achieved by means of an independent commission to make recommendations concerning such salaries, allowances, and benefits.

2.5.11 Public Service Commission

The Public Service Commission is the central personnel institution for the public service and is responsible for such matters as making and presenting
proposals on aspects of the organisation and administration of state departments. This commission is also responsible for personnel matters in the public service, for example conditions of service, promotion of efficiency and the compilation of a code of conduct for civil servants. The Public Service Commission therefore plays an important role in the pursuit of cost-effective service delivery to the public.

2.5.12 Public Protector

The Public Protector is authorised to investigate state affairs or conduct in the public administration that may be improper (excluding court decisions), report on these matters and take corrective measures. Anyone can lodge complaints with the Public Protector. The public has access to the reports of the Public Protector, unless extraordinary circumstances as determined in national legislation require that a report be treated as confidential. Other powers and functions can be arranged in terms of national legislation (Rautenbach & Malherbe 1998:58).

The Public Protector, or Ombudsman, as this institution is known internationally, is a highly respected functionary who functions independently of the government or any political party, and who is appointed by Parliament in terms of the Constitution and who receives complaints from aggrieved persons against government institutions or who acts on own initiative and has the authority to:

- launch an investigation
- recommend corrective action
- issue reports.

2.5.12.1 Constitutional Provision for the Public Protector

The 1996 Constitution provides in Chapter 9 for the establishment of several State institutions supporting constitutional democracy. The office of Public
Protector is identified as one of these institutions. The constitutional provisions relating to the office read as follows:

181(1) The following state institutions strengthen constitutional democracy in the Republic:

(a) The Public Protector
(b) ..... 

(2) These institutions are independent, and subject only to the Constitution and the law, and they must be impartial and must exercise their powers and perform their functions without fear, favour or prejudice.

(3) Other organs of state, through legislative and other measures, must assist and protect these institutions to ensure the independence, impartiality, dignity and effectiveness of these institutions.

(4) No person or organ of state may interfere with the functioning of these institutions.

(5) These institutions are accountable to the National Assembly, and must report on their activities and the performance of their functions to the Assembly at least once a year.

182(1) The Public Protector has the power, as regulated by national legislation-

(a) to investigate any conduct in state affairs, or in the public administration in any sphere of government, that is alleged or suspected to be improper or to result in any impropriety or prejudice;

(b) to report on that conduct; and
(c) to take appropriate remedial action.

(2) The Public Protector has the additional powers and functions prescribed by national legislation.

(3) The Public Protector may not investigate court decisions.

(4) The Public Protector must be accessible to all persons and communities.

(5) Any report issued by the Public Protector must be open to the public unless exceptional circumstances, to be determined in terms of national legislation, required that a report be kept confidential.

2.5.12.2 Jurisdiction of the Public Protector

The word "jurisdiction" refers to the legal authority of a person or institution to act. The scope of action of the Public Protector is accordingly determined by his or her jurisdiction. The jurisdiction of the Public Protector is spelled out in broad terms in the 1996 constitution and in the 1994 Act.

The constitution provides that the Public Protector has the power to investigate any conduct in state affairs or in the public administration in any level or sphere of government that is improper or could result in any impropriety or prejudice (section 182(1)(a). Court decisions are specifically excluded. Examples of improper conduct or improper prejudice, which probably fall within the bounds of the above constitutional jurisdiction, are mentioned in the 1994 Act and comprise the following:

- maladministration
- abuse of power
- unfair, capricious, impolite or other improper conduct
- inexcusable delay
• improper or unlawful enrichment
• receipt of any improper benefit
• unlawful or improper prejudice suffered by a complainant as the result of a decision by the authorities (section 6(4)).

It is clear from the above definition that the jurisdiction is particularly wide and includes virtually any imaginable subject in the broad spectrum of public administration and state affairs. In addition the Public Protector, like any ombudsman, has a considerable discretion in determining the extent of his authority within the broad context of his jurisdiction. The 1994 Act also gives the Public Protector the authority to investigate any matter falling within his/her jurisdiction on his own initiative (mero motu) (section 6(4)—(5)). This authority to investigate a matter mero motu, without the bringing of a formal charge, represents one of the most positive characteristics of the system.

In terms of the 1994 Act the procedure followed in holding an investigation is determined by the Public Protector with reference to the circumstances of each case (section 7(1)). It is clear that the Public Protector prefers an informal investigative method because it has the advantage of investigations conducted on a basis that may be described as rapid, smooth and non-adversarial. The Public Protector has free access to information required for an investigation. (Section 7(4)).

The 1996 constitution provides that the Public Protector has the authority to investigate any improper or prejudicial conduct in the public administration and to recommend appropriate corrective steps (section 182(1)(a)&(c)). The Public Protector regards this institution as a last resort for complaints of improper prejudice by the authorities. This implies that the complainant first has to obtain a final reaction from the relevant institution before the Public Protector is approached.
2.5.13 Human Rights Commission

The functions of this commission are to promote respect for human rights and the development, protection and upholding of human rights, and to monitor the maintenance of human rights in the Republic and determine the status of human rights. State institutions report annually to this Commission on what they have done to give effect to the Manifesto with respect to housing, health care, nutrition, water, social security, education and the environment (Rautenbach & Malherbe 1998:59).

In terms of Section 184 the functions of the Human Rights Commission include:

- Promoting respect for human rights and a culture of human rights.
- Promoting the protection, development, and attainment of human rights.
- Monitoring and assessing the observance of human rights in the Republic.

The Human Rights Commission also has the powers, as regulated by national legislation, necessary to perform its functions, including the power:

- To investigate and report on the observance of human rights.
- To take steps to secure appropriate redress where human rights have been violated.
- To carry out research.
- To educate.

Each year the Human Rights Commission must require relevant organs of state to provide the Commission with information on the measures that they have taken towards the realisation of the rights in the Bill of Rights concerning housing, health care, food, water, social security, education, and the
environment. The Human Rights Commission has the additional powers and functions prescribed by national legislation.

The fundamental task of the South African Human Rights Commission is to promote the observance of human rights as enshrined in the Bill of Rights. All South Africans need to be informed of their human rights and those rights must be protected. The Commission seeks to build a culture of human rights through public awareness and training programmes, special projects, inquiries, hearings, and legal interventions. The chief executive officer and the Commission are assisted by officers in five departments.

These are:

- Legal services.
- Education, training and information.
- Research and documentation.
- Media and public relations.
- Finance and administration.

The Commission has established seven standing committees, each of which has a commissioner as convenor. The following are the designated committees:

- The Policy and Planning Committee.
- The Government and Parliamentary Liaison Committee.
- The Legal and Constitutional Affairs Committee.
- The Non-governmental Organisation and Community-based Organisation and Statutory Bodies Liaison Committee.
- International Co-ordination Committee.
- Committee on the Rights of People with Disabilities.
- Committee on the Rights of the Child.
2.5.14 Code of Conduct for the Public Service

The code of conduct is mainly concerned with three relationships that affect civil servants: the relationship between public officials and the legislative and executive authorities and the public; and among public officials themselves. The code of conduct provides clear guidelines on how civil servants should carry out their duties and on personal conduct which should be unimpeachable, particularly as regards misconduct in the form of abusing official positions to promote private interests.

As regards the relationship between public officials and the legislative and executive authority, the official must act within the provisions of the Constitution and must implement the policy of the day to the best of his or her ability. The official must also put public interest first at all times, and must obey all laws, rules and regulations that regulate his or her conduct.

As regards the second matter, there is a strong movement to promote the ideal of respect for the dignity, rights and welfare of the public. This includes unbiased and impartial conduct towards members of the public, and the rendering of service of a high standard in a polite, professional manner. It is specifically important that no public official abuse his or her position or discriminate against any individual.

2.6 Conclusion

In order to provide background for the following chapters, this chapter has reviewed a range of concepts, core practice fields and institutions in which political control over the bureaucracy is situated. Attention was given to the conceptual clarification of concepts related to the State, including concepts related to government and governance.

The field of state-related concepts are extensive, and theories, processes and institutions in politics and public administration interact constantly. Factors that influence this interaction include variables such as the authority in a state, the
form of authority, constitutionalism and the constitution of a state (including the case of South Africa), the separation of powers, checks and balances and the objectives and functions of a state and public administration.

This chapter has also looked at concepts related to government and public administration from a conceptual angle. It focused on the executive authority, the concept government (including government as an institution and government as a function) and dealt with the variables influencing forms of the executive authority in non-democratic and democratic political systems.

In an attempt to contextualise the matters relating to the bureaucracy, this chapter focused on the concepts and terms “public administration”, “administration”, “the civil service”, the “public sector”, “structure” and “policy”. These concepts ultimately pave the way for political office-bearers and executive functionaries to perform their activities in the best interest of the communities being served. Attention is paid in the theoretical literature overview to identifying, defining and describing the core concepts and indicating their relevance in political control over the bureaucracy.

There are numerous factors that affect the political and administrative systems. Public administration, and more specifically the bureaucracy, must come to terms with, accept or resist these influences. Together the political and administrative systems form a highly complex system that does not exist for the sole purpose of delivering services. To provide background for the chapter on political control over the bureaucracy, an overview of the nature of the interaction between the political and the administrative systems was also provided.
CHAPTER THREE

THE MILIEU OF BUREAUCRACY AS AN EXTERNAL VARIABLE INFLUENCING POLITICAL CONTROL

3.1 Introduction

It is a vexing problem to try and define bureaucracies. In the widest possible sense the concept “bureaucracy” in this dissertation refers to the formal institutions staffed by salary earners who conduct the detailed “business” of government, and who offer advice on and implement decisions. Unlike the personal advisors who support a reigning monarch, a modern bureaucracy is a public institution and recruits employees on merit and concentrates specifically on consistent adherence to rules in the performance of their duties.

Although the word “bureaucracy” is often used descriptively as a synonym for public administration, it is also used in a narrow and more abstract sense to denote a model according to which public administration is organised. The analysis of German sociologist Max Weber (1864-1920) is important here and is central to the rest of this chapter.

The organisational structure of government is influenced by political as well as administrative aims and functions. It must therefore satisfy and fulfil the objectives of both institutions as far as possible, that is, the political office-bearers must be satisfied with the efficient execution of their policies, while on the other hand the aims of bureaucracy (which is to promote the general welfare of the society in other words to ensure the greatest measure of spiritual and material well-being for the citizens) are effectively met (Cloete 1986:55).

Organisational structure is a result of well-defined aims and functions of government institutions. Botes et al (1992:233) define the organisational
structure as the logical arrangement and sequence of homogenous functions with underlying relationships grouped together to form sections or subsections. The organisational structure must, therefore, have a meaningful balance and logical sequence of activities.

In the introductory chapter, the question “What is the nature of political control over the bureaucracy?” was posed as part of the problem that has to be addressed. This chapter sets out to clarify the concept ‘bureaucracy’, in order to establish a clear and meaningful basis for its interpretation and utilisation in the role of political control, in the context of this dissertation. The purpose is to eliminate the confusion that could flow from the variety of dimensions of a public bureaucracy. In this regard, attention is paid to the meaning of the concept ‘bureaucracy’ and the distinctive characteristics and prerequisites of a bureaucracy in public administration. Consequently the provincial sphere of government, (including the provincial legislative and executive authority) as well as the nature, size and structural aspects of the Northern Province, will be briefly considered. The sources of bureaucratic power are also presented. Finally the functions and organisation of bureaucracies in South Africa and elsewhere are explained.

Consequently the provincial sphere of government (including the provincial legislative and executive authority) as well as the nature, size and structural aspects of the Northern Province, will be briefly considered. Attention is paid to the functions of the bureaucracy in the Northern Province in particular.

3.2 Bureaucracy in Public Administration

For many people the term “bureaucracy” means ineffectiveness and senseless, time-consuming formalities and furthermore is used in common parlance as a derogatory reference to meaningless administrative routine or, in short, red tape. In its political sense the term “bureaucracy” refers to the “administrative machinery” of the State, in other words, the body of public officials tasked with the implementation of government decisions. Others endorse Max Weber’s view that bureaucracy is a recognisable organisational
structure that not only constitutes the executive branch of government, but forms part of all spheres of modern society. What is beyond dispute, however, is that as governments and the extent of their responsibilities have grown, bureaucracies have begun to assume an increasingly important position in politics. Public officials can no longer be defined dismissively as mere administrators or implementers of policy. They are key figures in the process of policymaking, and in some instances they even govern their countries.

Bureaucracy has strong overtones and misleading connotations. People at all levels of society use the word with amazing self-assurance to express divergent opinions and pronounce on government institutions and officialdom. In most cases the opinions and pronouncements are negative and officials are cast in a poor light.

This is paradoxical because public administration is actually intended to achieve the highest degree of social and economic justice in the delivery of public services. But what does the word “bureaucracy” mean and why is it so widely used in a negative sense?

By drawing on the pronouncements of Max Weber one could easily make a list of a number of concepts relating to the term “bureaucracy”. In this chapter it is intended to interpret some of the central concepts of bureaucracy. It is fitting, therefore, to consider the meaning of the term, particularly since it has such a dominant influence on public administration aspects. To develop an understanding of bureaucracy, this section reviews the definition and meaning of the concept bureaucracy.

3.2.1 Bureaucracy

The concept “bureaucracy” refers to the body of public officials as a whole who are responsible for the administrative activities required to implement government decisions. It is characteristic of these actions that they have to be performed in compliance with certain instructions and procedures.
The term “bureaucracy” is frequently used incorrectly in common parlance - as indicated it is commonly used in a negative context as an unflattering reference to an administrative system that is ineffective or unpraiseworthy in other respects. It refers to public servants with such typifying characteristics as excessive formality and verbosity and who tend to communicate in specialised technical jargon, follow prescribed procedures inflexibly and place abnormal emphasis on the powers and limitations of their office. In short, it refers to red tape (Roberts 1971:22).

This popular use of the term must not be confused with another use of it in a somewhat different context. Some important writers on the subject of social organisation have used the term in a positive and more technical sense, particularly the German economist and social philosopher Max Weber (Weber 1966), who used the term mainly to denote a rational system of general administration based on the underlying supposition that organisations serving the purpose of implementing government decisions had to be structured to be as effective as possible, and that this could be best achieved by instituting a hierarchical decision-making process that eliminated arbitrary or personal factors as far as possible (Jackson 1995:276 & 309).

Max Weber’s elementary theory of an “ideal type” of bureaucracy, together with his view that a bureaucracy is a complex and hierarchically organised institution, had a particularly pronounced influence on American writing on the subject. A number of other writers therefore accepted his terminology, often with confusing results (see Auriacombe 1999:112).

Bureaucracies stir up profound political feelings. Nowadays these feelings are often negative. Liberals criticise the bureaucracy for its lack of openness and accountability. The socialists, more specifically the Marxists, condemn it as an instrument for class subordination, while the New Right portrays bureaucrats as selfish and inherently ineffectual. Underlying these divergent sentiments is a profound lack of agreement about the nature of bureaucracy. Put simply, the term “bureaucracy” has been used in so many different ways that by now the
effort to find an overarching definition of it has probably been abandoned (Heywood 1997:340).

Before the concept of bureaucracy is defined for the purposes of this dissertation however, the different meanings of which there are many are discussed by the researcher. When the literature is examined it becomes clear that the different practitioners of bureaucracy as an aspect of public administration, use different explanations and definitions to shed light on the essential characteristics of the relationship between bureaucracy and politics. It appears from the relevant literature that there is simply no all-encompassing definition of the meaning of “bureaucracy”. Two researchers' contributions in this connection are briefly touched on, namely those of Weber and Albrow.

3.2.1.1 Max Weber's use of the term “Bureaucracy”

In his comprehensive work on sociological phenomena Weber (1966), the well-known German sociologist, developed a mainly organisational definition of bureaucracy in which he describes two facets of this concept:

- the social mechanism that enhances efficiency in administration
- a form of social organisation with specific characteristics

3.2.1.2 Albrow's Use of the term “Bureaucracy”

Albrow (1970:84—105) also endeavoured to give definitions of different meanings of the word “bureaucracy”. Based on original pronouncements by Max Weber, he identifies no less than seven concepts that are denoted by the term “bureaucracy”:

- Bureaucracy as rational organisation
- Bureaucracy as organisational inefficiency
- Bureaucracy as rule by officials
- Bureaucracy as public administration
These contradictory concepts and usage reflect to an extent the fact that bureaucracy is defined differently by different academic disciplines. Students who study different forms of government, for example, have traditionally regarded bureaucracy in the literal sense as "government by appointed officials" (Auriacombe 1999:113). In Considerations on Representative Government, which appeared for the first time in 1861 (Mill 1951:44), bureaucracy was juxtaposed with representative forms of government - in other words, government by elected and accountable politicians. In Sociology bureaucracy is typically seen as a specific type of organisation, and as an administrative system rather than a system of government. In this sense bureaucracy exists not only in democratic and authoritarian states, but also in corporate enterprises in the business world, in trade unions, in political parties and so on. Economists sometimes see bureaucracies specifically as "public" organisations in the sense that they are funded through the tax system and are therefore not burdened with the obligation of serving the profit motive or responding to market pressures (Auriacombe 1999:113).

In the above context, and with a view to understanding the concept, the main focus is on the meaning of bureaucracy as government by officials, the civil service and red tape. The problem of clearing up the confusion is not as simple as might be deduced from the above two meanings, however. To gain some clarity and formulate a definition of bureaucracy presupposes the removal of certain derogatory and emotive descriptions (Barber 1975:96 & 97). The meanings given above for the concept include the following:

- **Bureaucracy as an institutional concept**

Many politicologists use the term "bureaucracy" as a synonym for "administration" and the "civil service". The term "bureaucracy" can refer to government
by appointed officials, as opposed to government by elected representatives. It can also be used to indicate that, although there is a representative government, officials play a dominant role. These definitions are inadequate, however, because they exclude situations where the government consists of a combination of elected and non-elected members and officials.

**Activities of officials**

In contrast to the above definitions, there are others that are based on officials' tasks or how they act. In this regard the following interpretations are relevant:

(a) Derogatory

For many people the term “bureaucracy means a kind of government malaise of which the main symptoms are the following, as indicated above: officials’ addiction to circuitous procedures (red tape), senseless and inflexible rules, evasion of responsibility (buck passing) and uncouthness towards the public. The above perception of bureaucracy arose as a result of actual or perceived problems in interaction with the official environment, including the misuse of power and authority by public officials.

The scathing use of the word exemplifies the increasing alienation of the community supposedly served by the official from, and its lack of confidence in, Western democracies. In the condemnation of bureaucracy by the attachment of one or other of the above meanings to it, however, the focus is directed at symptoms rather than the cause of the community's disaffection (Dyman 1982:9).

(b) Regulated system

The above use is indicative of a regulated administrative system that functions by way of complex and interdependent institutions. In this sense the concept means that government has a precisely demarcated area in which its officials
function, a system of central authority, a central system of information and officialdom with professional training who follow fixed rules and procedures. The rules applied by officials and the exercise of authority by professional administrators are included here.

(c) Methodological

A study of methods based on a and b above

3.2.2 Definition of the Concept “Bureaucracy”

In a purely literal sense it simply means “government by officials”, but what is really meant by it is less clear. The literal meaning of “bureaucracy” comes from the old French term *burel*, which meant the fabric with which a desktop was covered—hence possibly the literal meaning of “desktop” government (Hague *et al* 1998:219).

In the social sciences the term “bureaucracy” is used specifically in a neutral sense although it refers to divergent phenomena such as government by non-elected officials, the “administrative machinery” of government, and a rational type of organisation. Despite disagreements about its nature and place, it is generally accepted that abstract organisation and rule-bound administrative officials are standard features of a bureaucracy (Auriacombe 1999:115).

In view of its objective and analytical formulation the definition of a regulated system as explained above is adopted for the purposes of this dissertation. All the other definitions have subjective and derogatory connotations. In this dissertation therefore, the term “bureaucracy” has a broad as well as a stricter meaning. In the broad sense the concept termed “public bureaucracy” is used in its simplest form, namely to refer to formal institutions that act with the consent of the State. In the narrow sense “bureaucracy” is conceptualised as a kind of organisation with special characteristics common to present-day organisational structures.
Where comparative government studies are concerned, the term "bureaucracy" presents fewer problems because the approach adopted in examining the activities of bureaucracies is to focus on the "administrative machinery" of the State, which comprises professional bureaucrats who are non-elected officials and who advise the political executive authority and apply policy decisions.

3.3 Distinctive Characteristics of a Bureaucracy in Public Administration

In the previous section different conceptions of the meaning of "bureaucracy", which originally meant "government by officials", as opposed to government by elected politicians. In the social sciences it usually referred to an organisational form. However, modern political analysts engaged in comparative government studies use the term "bureaucracy" to refer to the "administrative machinery" of the State, with professional bureaucrats as non-elected state officials, who are either subject to political control, or not.

Simply put, bureaucracy and everything associated with it is the outcome of a socialisation process in which the community has entrusted certain functions to a central authority as it has become more and better organised. The conferral of such functions was of necessity accompanied by a directly proportional relinquishment of authority by the community (Dyman 1982:9).

This socialisation of communities, even in capitalist countries, drew the observation from Max Weber (Weber 1966:110) that sustained progress is only possible if the Westerner, who is the bearer of democratic values, is prepared to relinquish some of his liberties to large-scale organisation and specialisation according to functions. Weber maintained that the development of the bureaucracy did exactly the same for social organisation that the introduction of mechanical energy did for economic production—it made the administration process more efficient and faster (Hague et al. 1998:343).
Morstein Marx (in La Palombara 1963:83-84) endorses this view by saying: "To an increasing degree, Western man is being accompanied by a condition relatively new to him-the condition of being administered", and further "... administered man benefits from public provision for his likely needs almost from the cradle to the grave, though mainly without having such care forced upon when there is no necessity".

A controversy arose from the expectation on the one hand that government should intervene increasingly in the affairs of society by delivering services while on the other hand the pronouncement made by the liberal economist Adam Smith in 1776 that "good government (is) limited government, and the best government (is) the government that governs least because government (is) an evil" was endorsed at the same time (Greene 1967:64).

The theme value for money rose to specific prominence in the nineties with an increasingly sharp focus on a "lean government". There is more at stake here than merely accepting that public services should be delivered to society. These services are rendered to society by permanent salaried staff (the bureaucracy) employed by the State and whose salaries are directly or indirectly drawn from public funds. What is less obvious is how the bureaucracy can be indispensable to government without the sanction of elections. Central to this debate is the contradiction that the bureaucracy must be geared to needs fulfilment and efficiency. This is a viewpoint from which to consider the requirement of a public bureaucracy in the context of public administration with a view to gaining answers to key questions about the nature of this contradiction. A review of the question follows as a precursor to the application of characteristics and prerequisites of Weber's ideal bureaucracy to the South African civil services.

3.3.1 The Typifying Characteristics of a Public Bureaucracy

Although the word "bureaucracy" is sometimes used in a negative sense that evokes images of inefficiency and red tape, it is explained in this section in the more technical sense developed by Weber (Gerth & Mills, 1948).
In contrast to the perception of bureaucracy as government by officials, Weber compiled a list of characteristics that, when combined, define bureaucracy (Albrow 1970:84-105). In his compendious work on sociological phenomena Weber points out that the institutionalisation of rational-legal authority, which is the source from which community development proceeds, is characterised by the following, among others:

- A sustained organisation with a specific function or functions where rules are applied to determine the functioning of the organisation. Decisions are taken by the methodical application of rules to specific cases and are not dependent on any private initiative. Continuity and consistency in the organisation is assured by the use of written documents to record actions, decisions and rules.

- Offices are hierarchically structured. The extent of authority in the hierarchy is clearly defined. Each office has its own area of competence and the rights and duties of personnel on every level are specified.

- Personnel members do not hold office in their own right, nor do they own the means of administration or production. They have personal freedom and are only subject to authority where the rules applying to their impersonal, official obligations are concerned.

- Personnel are appointed, and not elected, on the grounds of impersonal technical qualifications as determined in virtue of diplomas and certificates or examinations which testify to technical skill, and they are promoted on merit. Personnel are paid fixed salaries and are subject to fixed terms of service. The salary scales are usually graded according to ranks (or grades) in the hierarchy.

- The post is an occupation and the only, or at least the primary employment provided to the public servant. An appointment is usually permanent with some certainty that it will continue until retirement, and pensions are usually paid to officials after their retirement.
3.3.2 An Organisation Regarded as a Bureaucracy

In addition to the above characteristics of an organisation, Weber (Albrow 1970: 84-105) specified the following characteristics or conditions to which an organisation must conform in order to be recognised as a bureaucracy:

- The regular activities that are essential for the purposes of the structure are allocated in prescribed ways as official duties. This entails a carefully defined division of labour and a clearly delineated sphere of authority. Specific areas of expertise are singled out as part of a systematic division of labour. Expertise and sustained training are a prerequisite for post occupancy.
- The official is subject to strict, systematic discipline and control in the execution of his/her office and must defer to the authority of the hierarchical superior.
- All enterprises are controlled by a coherent system of abstract rules.
- There is consistent application of predetermined, formalised rules, work procedures and methods to ensure consistent action.
- The organisation of offices is based on hierarchic principles, in other words every lower office is under the control and supervision of a higher office.
- People are recruited to serve in the bureaucracy, based on proven or at least potential competence.
- Being a bureaucratic official is regarded as a profession and there is a system for the promotion of officials on seniority or merit, or on both, as judged by superiors.
- Officials who perform their duty competently are sure of their posts and salaries.

3.3.3 The Implications of Bureaucracy of Weber's and Albrow's Views

In the previous section Weber's and Albrow's views on bureaucracy are explained. Although there has been much criticism of Weber's perception of
bureaucracy it remains a fact that bureaucracy is indispensable for the orderly functioning of a modern state. Many people see bureaucracy as a kind of sin, but bureaucrats who do their work conscientiously and responsibly are among the good and faithful. In spite of the fact that bureaucracy is a means of doing business without which we could not cope in the complex world of today, there are problems associated with bureaucracy.

There are two main problems with the application of Weber's "ideal type" of bureaucracy. First it could mean that the differences between the bureaucratic styles of different countries are under emphasised.

For example, Heady (1979:170-194, 198-212) draws a distinction between classical and political bureaucracies. Classical bureaucracies arose from the administrative instruments that were created by absolute rulers in Europe. As in France and Germany, many bureaucracies are professional and efficient although they tend to be rigid and to adopt a condescending, even mistrustful, attitude towards party politics. Political bureaucracies, like those in Britain and the United States, are more receptive to political control and accept their constitutional role of executing the will of elected governments (Hague et al 1993:343).

Secondly Weber's "ideal type" distinguishes too categorically between politics and administration. This implies that politicians make policy which is administered by civil servants; that politicians make choices while civil servants offer choices. At the higher level of a bureaucracy this distinction is not valid—particularly not in the communist world, but also not in the First World. It would be more accurate to say that state officials are just as involved in politics as politicians themselves, only in different ways. State officials work silently behind the scenes; for example, they also negotiate with relevant interest groups. Elected politicians, however, have to visibly promote themselves and their party's image with the general populace. But there is no doubt that both have political tasks in the sense that they shape collective decisions (see Auriacombe 1999:120).
When one thinks of the bureaucracy it is important to distinguish between the small number of civil servants at the highest level and the swarms of routine personnel at the bottom of the pyramid. State officials in the upper echelons work in the middle, have to advise on policy and are in daily contact with politicians. In Europe they are frequently recruited from the "fast lane", which guarantees rapid promotion to influential positions (Hague et al. 1993:343). Because they live in a political world in the broadest sense, the discussion is mostly centred on the power of bureaucrats in this theme that is on the élite group.

The vast majority of civil servants do not work on this exalted level, however. They carry out routine tasks, removed from the high level where decisions are taken. Although the discussion is largely concerned with the power of officials in high places, this chapter also concerns the organisation as a whole, including personnel in the lower echelons.

This distinction between higher and lower levels, or between policy advisers, managers and other administrative personnel, is becoming more important now because the governments of some countries want to delegate the management and implementation tasks to at least semi-independent agencies. It is a well-known phenomenon in Sweden, for example, that the majority of state officials do not work for government departments, which usually consist only of small planning groups of civil servants. On the other hand councils and agencies handle most of the daily work and enjoy considerable autonomy. Although the councils and agencies (running into several dozen) have standardised salary scales and regulations, they mostly recruit their own personnel (Roskin et al 1991:31).

As indicated, Weber's central standpoint was that the bureaucracy makes administration more efficient and rational. He believed that this was the best way to apply modern industrial efficiency to the affairs of public administration. In his view the fully developed bureaucratic apparatus could be compared to other organisations just as the machine can be compared to non-mechanical means of production. Precision, speed, clarity, knowledge of files, continuity,
discretion, unity, strict obedience, reduced friction as well as material and personal costs—these hallmarks are taken to the highest level in the strictly bureaucratic administration. For Weber the ideal bureaucracy was not a refined piece of "administrative machinery" but, like any other machine, it had to be subjected to human control.

In his analysis of the crisis of confidence between the public official and the public Albrow identifies three symptoms to which he then offers solutions. In his own words: "The first is that officials have acquired too much power and need to be brought back to their proper functions. The second is that officials necessarily have ever-growing power and the task is to see that this is exercised wisely. The third is that power necessarily accrues to officials and the quest should be for methods whereby their services might be dispensed with altogether" (Albrow 1970:110).

The common denominator in these symptoms and the apparent cause of the public's dissatisfaction with, and, in some instances, even its downright revulsion against the bureaucracy, is the power of the official. Albrow and his colleagues fail to indicate, however, why officials are gaining more and more power and how in fact this power is gained. Understanding this process can go a long way towards bridging the gap between the officialdom (bureaucracy) and the community it is intended to serve (Auriacombe 1999:121).

3.4 Characteristics and Prerequisites of Weber's "Ideal Bureaucracy" in the Context of the Civil Service

There is a relationship between Weber's distinctive characteristics of the bureaucratic institution and the criteria of validity for administrative action (Wiechers 1973:192-248) as applied to the South African civil service. These criteria of validity are calculated to curtail the abuse of power by officials about which Albrow (Albrow 1970:110) is so concerned. The criteria of validity are listed below with a few comments.
Criteria of validity for:

- the author of the administrative action
- the form of the administrative action
- the purpose of the administrative action
- the consequences of the administrative action.

The practice in the civil service of clearly demarcating tasks and authority must be seen as a measure to protect the official and the community in certain situations. It is particularly the community that should be confident that unauthorised action or transgression of the limits of power could be remedied by the judicial process.

The purpose of separating official from nonofficial work is to promote objectivity in public administration. In his/her official capacity the official may not favour one individual over another. The upholding of community values such as impartiality, fairness and reasonableness, and honesty must be the dominant behaviour pattern in the workplace. Just as all citizens are equal before the law in Western democratic states, citizens must also be equal in the administration of legislation. This approach is naturally not always readily acceptable to pressure groups. Max Weber noted this problem in public administration at an early stage when he observed that: "One of the obstacles to the development and maintenance of rational-legal authority is the extent to which this legal formulism offends the sentiments of substantive justice in a population." (Weber 1966:64). And further: "... the development of rational-legal authority with bureaucratic administration, is both dependent on the breakdown of traditional particularistic groups and in turn has a levelling influence, in that it treats social class by birth or other privileged statuses as to a large degree irrelevant to status in the system of authority" (Weber 1966:74).
The practice of dismissively characterising official action as bureaucratic when the matter in question is not given special or favourable attention is where the rift between the official and the community starts.

Formalised work procedures and methods are regarded in South African government circles as critically important because they have to serve as a yardstick by which to determine whether the legislature's objectives in enacting the legislation have been achieved effectively and economically. Here too, the community is protected against arbitrary behaviour and consistency is assured. Where improper action is suspected, the member is at liberty to appeal to the courts of law. The popular observation that civil servants have unlimited and indiscriminate power, and that the community is at the mercy of arbitrary behaviour on the part of the bureaucracy, is at odds with reality.

3.5 The Sources of Bureaucratic Power

The organisation and administration of modern states is a complicated process that requires skill, experience and expertise. Bureaucracies have been playing an important role in the political and administrative system for centuries and rulers are constantly struggling with the problem of exercising effective control over their civil servants. The impact of the bureaucracy on policy making has increased over time, however, as the role of government has expanded (Auriacombe 1999:125).

A modern state department is a large, multifaceted organisation that embodies a vast store of knowledge and experience of its area of specialisation. Departments, like all other organisations, develop their own procedures, their own set of priorities, and their own unique approach. They maintain a network of ties with other departments and interest groups with whom they are connected by way of tradition, agreements and personal relationships. All these things complicate the control task, which means that to steer a department in a new direction is a slow, complicated process requiring
sustained effort from the minister concerned. Without such effort the departments tend to revert to their previous state.

Since politicians as well as government officials are involved in governing and managing the country, one of the main issues in studying the bureaucracy is whether these two roles are related and reconcilable. In many respects politicians and civil servants perform the same kind of functions, but there are three important differences between the executive authority’s political role and civil servants’ administrative functions.

- First there is a difference in the sense of the partisanship between the members of the executive authority and the supposed neutrality of the civil service.
- Secondly their terms of service are different. On the whole political leaders’ term of service is generally determined by elections, which makes their term of service relatively short, while civil servants traditionally have permanent appointments.
- Thirdly civil servants are only expected to administer the execution of government policy, and not to determine such policy. The political masters are supposed to determine public policy and advise officialdom on its implementation. The civil servant’s task is to find ways of making politicians’ plans feasible and to implement them (Jackson & Jackson 1997:278).

The tripartite division of state authority subscribed to in Western countries contrasts starkly with the realities of modern public administration. Multiple and complex functions that have to be performed by ministers on national and international levels have made it imperative to confer their administrative task almost, if not actually, as a whole on the bureaucracy. This evolution of public administration whereby an “administrative authority” has arisen, is also helped along by the actions of Parliament and the development of the administrative state (Dyman 1982:9).
In the first chapter the point was that political control has a role to play in the process of public administration due to increasing political influence exercised by civil servants in the upper echelons, particularly in Western democracies. In order to explain this phenomenon this section deals with the aspects related to the gaining of power by bureaucrats.

Consequently, the decline of parliamentary power will briefly be discussed. Attention is paid to the rise of the administrative state and other factors that lead to an increase in the political influence of top government officials.

3.5.1 Decline of Parliamentary Power

Parliamentary power is on the wane in most European countries. Legislative functions are partially conferred on the executive authority, as we can see from the importance of the delegated powers that enable the public administration system to promulgate regulations. These regulations enable the implementation of laws in matters that by rights should be the domain of parliament. Laws passed as guidelines, or regulations made by the executive authority, are also indicative of this delegation of authority by the legislative authority. Even bills passed by Parliament are generally prepared and launched through Parliament by government - actually by top administrative officials. Parliament also has less initiative than government, not only where the number of bills introduced to Parliament is concerned, but also with respect to the probability that a bill will be passed if it is introduced by government rather than by parliament. As Alfred Grosser (Grosser in Graubard 1964:228 in Auriacombe 1999:127) puts it: "Everywhere the legislative initiative has passed into the hands of the administrations. The legislatures sometimes amend, rarely reject, usually ratify. The members continue, indeed to call themselves collectively 'the legislative power on the law books', but in most cases they merely participate in a procedure of registration."

A number of writers emphasise this transfer of power. Christoff (in Dogan 1975:7 in Auriacombe 1999:127) writes the following about England:
"Parliament lays down a framework of policy and statutorily empowers the minister to work out the details.

The delegated legislative power is in turn sub-delegated by the minister to his top civil servants. Sub-delegation takes place because members of Parliament - except in special cases - have no direct ties with top-level civil servants. "With neither direct access to civil servants nor their own expert staffs, MPs can serve only fitfully as informed critics of policy and administration." (Christoff in Dogan 1975:7 in Auriacombe 1999:127) Roland Ruffieux (Ruffieux in Dogan 1975:7 in Auriacombe 1999:127) notes that "the civil service's role in ordinary legislative processes is longstanding.... Every year the Swiss Federal Administration prepares legislative texts, the budget and the management report; and high officials can amply exercise their powers of initiative, arbitration and even decision making." In Austria: "More than 90% of all draft bills are introduced by the cabinet.... The bureaucracy is indeed in charge of legislative work in the ministries.... It is often the bureaucracy itself which takes the first steps to draft the bills and to start a legislative process" (Kneucker in Dogan 1975:7 in Auriacombe 1999:127).

In France the National Assembly no longer takes part in drawing up its own agenda. Moreover the 1958 Constitution restricts Parliament to meeting for only a few months of the year. The Constitution also reduced the amendment powers that parliamentary committees and even the National Assembly used to have. A government bill can even become law without a formal vote by Parliament! To do this, the government can literally wager its future on the proposed bill, and if it is not defeated by a motion of no confidence, the bill will be passed! (For an evaluation of this read Auriacombe 1996).

Traditionally the main task of the legislative institution was to pass the budget, but this prerogative was gradually relinquished. Nowadays it is the task of the executive authority to draw up the budget, and in turn it relies on the bureaucrats for the performance of this task, more particularly on Treasury officials. The practice that the minister of finance informs other cabinet
members of the main features of the budget shortly before his speech in Parliament is common in Europe (Dogan 1975:8 in Auriacombe 1996:129).

The present French constitution restricts parliament's participation in drawing up the budget. Delegates have no right to propose amendments that would increase public spending or reduce income. "Parliament is now only a registry office in financial matters.... After several weeks of discussion, less than one thousandth of the proposed budget is changed.... A simple fact: What can Parliament do when facing the budget? Nothing. What can the government do? Everything!" ( Cotteret & Emeri in Dogan 1975:8 in Auriacombe 1996:127).

From the Statement above it is deduced that an essential legislative prerogative - control over the budget - has been transferred to the executive authority and ultimately to the higher levels of the bureaucracy.

Economic planning also does not fit in well with parliamentary procedure. The rigidity of law contrasts unfavourably with the flexibility required for this kind of planning. Parliaments do not have the technical means to control a national economic plan effectively. Even if the government gives Parliament a range of choices, members of Parliament cannot propose another overall plan as alternative. They can do no more than adopt a position with respect to a general choice.

Once again the transfer of power is ultimately more in favour of top level civil servants than of ministers. Cabinet ministers naturally play an important role in the initial and final stages, but the planners themselves write alternatives and determine the criteria for the most rational choice.

3.5.2 The Concept "Administrative State"

What is the administrative state? This is the question that has to be answered at the outset. Observers of this phenomenon often attach different meanings to it. The real meaning of the phenomenon is that it emphasise the increasing significance of the executive branch (of which the administrative branch is a
component) of government, relative to the legislative and judicial branches (Brynard 1997:3).

In practice it implies on the one hand that a good number of legislative functions of government are carried out by administrative officials and institutions rather than by Parliament, and on the other hand that a good number of juridical functions that would otherwise have been fulfilled by the law courts are now being carried out by administrative officers at tribunals. Another meaning attached to the phenomenon of the administrative state is that it continues the regulation of the economy by government or public administration. This is always referred to as government intervention in the economy. The existence of the administrative state is not unique to South Africa, but is in fact a world-wide phenomenon (Brynard 1997:3).

Critics charge that true rulers of the modern state are not the elected legislators and executive officials, but the "faceless bureaucrats" who work behind the scenes. This problem is described in general terms as "the administrative state", a system in which politicians, in a sense, give a display of shadow boxing, whereas the real decisions are taken elsewhere. The administrative state may not have replaced "politics" with "administration", as the old basic rule had it, but it may rather have shifted both politics and policy away from the domain of the legislative authority, the prime ministers and the presidents to the officials in public administration.

Even if this last conclusion were somewhat far-fetched, it remains a fact that the problem of the administrative state affects all modern constitutional governments. No-one doubts the growing impact of the official bureaucrats on the content and execution of public policy. However, this calls for a closer investigation of the problem of decision making and policy formulation in terms of the administrative state. In the first place we have to form a better understanding of the kinds of public policy and the various problems attending each of them. The alternative modes of decision making have to be investigated since different administrators act in different ways and because using the "wrong" mode of decision making may be responsible for the
disappointing results of foreign and internal policy decisions in many
countries. Finally if it is accepted that even if the role of the administrative
state as a villain is exaggerated, there are many and widely varied
relationships between bureaucrats and elected or appointed “political”
officials.

A characteristic of the administrative state is that it creates a public
administration that keeps on growing in terms of size, powers and penetration
of every facet of public life. As regards size there is an extension of
government functions and an increasing allocation of public functions to the
administrative structures of government (Brynard 1997:4).

The above has the inevitable implication for the administrative state as
phenomenon that public institutions begin to influence and penetrate every
aspect of the lives of citizens, particularly in the economic and social spheres.
In practical terms this means that public officials are increasingly involved in
the management of public affairs in society in the sense of taking the initiative,
providing financial support and developing technical skills. This implies that
the public are now simultaneously served and controlled by public
administration (Brynard 1997:4).

A variety of factors exert pressure on government to extend the administrative
branch can be mentioned (Brynard 1975:5-6):

- Population growth imposes demands on government in terms of the
  extent of public services that have to be provided. The fact that
  population growth promotes urbanisation – clustering together of
  people in restricted areas – further increases pressure on government
to make public services available.

- Complexity of society: public administration grows as government tries
to protect people against each other, alleviate misery and arbitrate
conflict. In brief it amounts to the obligation of government to maintain
order in society.
• Regulation of the economy.
• Implementing a new constitutional dispensation.

Certain internal factors also expedite the emergence of the administrative state:

• Organisational characteristics of the bureaucracy.
• Influence of public officials on the process of policymaking and policy itself.
• Mobilisation of administrative experience and technical skills

It is important to realise that the official is thoroughly embroiled in this controversy about the phenomenon of the administrative state. On the one hand the charge is often levelled at the official that he/she is failing in the discharge of his/her duties and plods along without initiative, while on the other hand the official is sometimes reproached with the charge of exceeding his/her powers by encroaching on the domain of the legislative and judicial authorities (Brynard 1997:4).

3.5.3 Bureaucrats Gain Power Implementing Political Decisions.

Ministers cannot be everywhere at the same time because the extent of their control is limited. Civil servants must have discretionary power in any case if they are to implement policy effectively. This means that in their implementation of policy civil servants cannot "bend" such policy merely to suit the circumstances in which it has to be operationalised or even to serve their concerns and interests. Control over implementation [of policy] is one of the main sources of bureaucratic power. According to Auriacombe (1999:131):

• The balance of power also tends to tilt towards the bureaucracy if there is a vacuum somewhere else in the political system. This is a particularly important phenomenon in a large part of the Third World. If
the politicians will not or cannot govern, then the civil servants want to and can in their stead.

- Another source of bureaucratic power is to be found in a comparison between the career structures of civil servants, and in those of elected politicians. Civil servants hold their positions much more securely than politicians who are the heads of divisions and government departments. Particularly in parliamentary governments, ministers are reshuffled, promoted, downgraded and dismissed if the balance of power changes within the leadership. This encourages bureaucrats to resist change - they merely have to dig in their heels until the minister is transferred.

- Politicians have less technical knowledge of the portfolios under their control than do civil servants. Civil servants at the highest level of the bureaucracy have decades of experience of the area concerned by the time they reach such top positions, compared to cabinet ministers who are still relative newcomers. Ministers therefore become dependent on the advice and information conveyed to them by their civil servants. The bureaucracy therefore has considerable potential power in that it decides what information is disclosed to politicians and what is withheld. This power can affect the functions of decision making in two ways:

First, civil servants and advisers may decide to withhold information that according to their knowledge would not impress decision makers favourably.

Secondly, bureaucrats influence decisions through the realities of bureaucratic politics. The future of civil servants depends on what happens to their departments. They would like to see their departments (and therefore their posts) grow in size and stature. Bureaucrats tend to act with a view to defending their particular organisation when resources are allocated or fundamental reforms are considered. As Dunleavy (1991:147) notes in his discussion of the literature on the bureaucracy: officials and public servants are mainly portrayed as people who want to maximise their budgets within
external political limits. Bureaucracies are often characterised as expansionist organisations with a desire to increase their size, staff, financing and the scope of their activities.

Communist-party states used to abound with examples of bureaucratic politics. For example: in the late seventies China took important decisions about its future economic policy. One possibility was to decentralise power from central departments to provinces, and to place greater emphasis on small industries. The bureaucracies that advocated large industries and central planning were against this step since it would mean a loss of both political power and the financial resources allocated to their departments. Bureaucratic resistance to economic reforms in the Soviet Union was an important factor in the failure of Gorbachev’s Perestroika, which also contributed significantly to the eventual collapse of the entire system (Hague et al 1993:345).
3.5.4 Other Factors that Lead to an Increase in Political Influence Exerted by Top-Level Civil Servants

Besides the above-mentioned general factors there are others that work towards an increase in the political influence of top-level civil servants. These factors are active in some countries and not in others. The influence of the bureaucracy also varies from one country to another, depending on the nature of the political and economic system concerned. According to Auriacombe (1999:131) there are specific factors that lead to an increase in political influence exerted by top level civil servants, such as:

- **Administrative centralisation** - naturally strengthens the positions of top-level officials. France is the most typical example.

- **Ministerial instability** - A high turnover in the cabinet strengthens the position of civil servants who remain in office to the disadvantage of politicians who occupy their positions temporarily. This is what happened in France during the Third and Fourth French Republics, and from 1946 onwards in Italy and Finland. The following statement of a top-level bureaucrat in France illustrates the case: "In thirteen years I was personally compelled to be involved with twenty-six different governments. This means that the same government was not in power at the drafting and detailing of the plan, the subsequent parliamentary debate, and the eventual implementation of the plan. Much of the time was spent on explaining to some minister or other who was facing the prospect of a parliamentary debate or experiencing a crisis what a good plan for the next four years would be. I often got the feeling that the minister is wondering whether I really have an inkling of the position in which he found himself." (Hirsch in Méndes-France 1962:40 in Auriacombe 1999:131).

- **Irreconcilability between ministerial posts and parliamentary seats** - The French and Dutch constitutions forbid the same person from occupying a post in Parliament as well as in government. These
stipulations lead to the election of more top-level civil servants as ministers.

- **Personal staff of ministers** - The institutionalisation of the so-called ministerial cabinets in France, Belgium and other countries places some civil servants in quasi-political positions. When a top-level official of the Treasury or some other service in a state department is transferred to a minister's cabinet, his role changes so frequently that even his outlook on the political decision-making process changes (see Auriacombe 1996 for an evaluation).

3.6 **Functions of Bureaucracies**

Ostensibly bureaucracies perform a single, but an indispensable, function. As indicated earlier, their main task is to administer and uphold the legislation enacted by the legislature, as well as the policies on which the executive authority has decided. While other government functions (e.g. representation, policymaking and the expression of interests) are carried out by a variety of institutions, the implementation of policy is the responsibility of public officials working under the supervision of their political masters.

It is clear from the preceding sections that top-level bureaucrats are important role players in the process of determining policy. This power derives from their ties with other state departments and interest groups, from their permanence, from their involvement with the implementation of policy and, above all, from their close association with ministers.

Before the functions of bureaucrats are considered in further depth the author needs to refer back to Weber's perception of bureaucracy. Weber's model, whereby bureaucracies are perceived as rational and objective "machinery", clearly separates the administrative from the political world. In this context bureaucrats are regarded as mere "cogs in a big wheel", as reliable and effective administrators who function within a fixed hierarchy and according to clearly defined rules. The real state of affairs looks completely different, however. In spite of their formally subordinate and impartial status,
bureaucrats exercise considerable influence over the process of policy determination, thus fulfilling a number of key functions in any political system. The most important functions among these for the purposes of this dissertation are to:

- perform the administrative function
- offer policy advice
- express interests and bring them together
- maintain political stability and progress

3.6.1 Bureaucracy's Administrative Function

In the preceding sections it was shown that the key functions of the bureaucracy are those of implementing legislation and policy. The administration of government's decisions is therefore assigned to the bureaucracy.

The object of this section is to gain more clarity about the functions of the bureaucracy in the context of public administration as treated in the preceding chapter. It is clear, however, that there is more to the functions of bureaucracies than administration pure and simple. It has also been shown that the public service cannot be separated from political issues of a more general nature.

3.6.2 Role of the Bureaucrats as Policy Advisers

The political significance of the bureaucracy largely emanates from its role as the main source of policy information and advice that is made available to government. This policy role distinguishes top-level civil servants, who are in daily contact with politicians and have to act as policy advisers, from middle-level and junior civil servants, who are more concerned with routine administration. The debate on the political significance of bureaucracies therefore tends to focus more sharply on this élite group of top-level officials. In theory a clear distinction can be drawn between the policy responsibilities
of bureaucrats and politicians respectively. Policy is (apparently) made by politicians; bureaucrats merely act in an advisory capacity. The policy role of civil servants therefore amounts to two functions: the description of policy options available to the minister, and the consideration of policy proposals in terms of their possible impact and consequences. The influence that top-level officials can exert is further curtailed by the fact that they are expected to be either politically neutral, as in Britain, Japan and Australia, or to be subject to a system of political appointments, as in America (Heywood 1997:346).

There is sufficient reason, however, to accept that the policy role of civil servants is more important politically than has been indicated above. For example, no clear distinction is made between policy determination and policy advice. Decisions are based on available information, which means that the content of decisions is determined by the advice offered. As the main source of advice available to politicians, bureaucrats actually control the flow of information, while politicians merely know what officials tell them. Information can therefore be disguised or at least “massaged” to reflect the preferences of the civil service. The main source of bureaucratic power is nevertheless the expertise and specialised knowledge centred in the bureaucracy. If the responsibilities of government increase and policy becomes complicated, “amateur” politicians will inevitably become more dependent on their “professional” bureaucratic advisers (see Heywood 1997:346).

3.6.3 **Role of Bureaucracy in the Expression of Interests**

Although it is not one of their formal functions, bureaucracies often help to express interests and, in some instances, to bring interests together. Bureaucracies are in touch with interest groups as a result of their obligation to implement policy and their involvement in policy formulation and advice. This contact has increased as a result of corporatist tendencies that have blurred the boundaries between organised interests and government agencies. Groupings such as doctors, teachers, farmers and businesses thus become “client groups”, which are served by their respective agencies, but which are naturally also an extremely valuable source of information and
advice. This clientelism can benefit the political system if it maintains consensus. When client groups have access to policy formulation they will be more inclined to follow government policy. However, clientelism can also erode the public responsibilities and tasks of civil servants. This happens, for example, when American regulatory agencies are ultimately controlled by the industries that they are supposed to regulate. When group interests coincide with those of the bureaucracy a policy power block may arise that could be difficult for democratic politicians to dismantle (Heywood 1997:346).

3.6.4 Role of Bureaucracies in Maintaining Political Stability and Progress

The role of the bureaucracy to promote stability and progress in a country, in some instances without the necessary political initiative, is dearly evident from cases in France and Italy during the years immediately after World War II. The promotion of stability is valuable, particularly where it is characterised by a slower-paced advance in living standards. The ways in which this can be achieved, as well as the result of such achievement, may not be sacrificed at the whim of impatient entrepreneurs on the altar of so-called free enterprise and the free-market mechanism for the sake of short-term advantages. Gaining a further political mandate to govern depends largely on whether the government of the day is sensitive to the community's needs - that is to say, on whether it is farsighted enough to react and act timeously in certain situations (Heywood 1997:347).

It goes without saying that the bureaucracy is obliged to assist the government of the day in this matter, not only in the implementation of policy as formulated in legislation, but also in identifying problems in the life of the community, trying to gauge the national repercussions of such problems, and initiating policy with a view to allaying the problems. Samuel Beer sketches the role of the American bureaucracy in this regard as follows: "I would remark how rarely additions to the public sector have been initiated by demands of voters or the advocacy of pressure groups or the platforms of political parties. On the contrary, in the field of health, housing, urban renewal, transportation,
welfare, education, poverty and energy it has been, in very great measure, people in government service, or closely related with it, acting on the basis of their specialised and technical knowledge, who first perceived the problem, conceived the program, initially urged it on president and Congress, went on to help lobby it through to enactment, and then saw to its administration.” (Mosher in Dyman 1982:10) Kinsley (Albrow 1970:112), who made a study of the British civil service, concurs by observing that the civil servant has become a permanent politician and that his/her opinions on policy have become indispensable in modern times.

The bureaucratic function of securing stability and continuity in political systems is regarded in some quarters as particularly important in developing countries where the existence of a group of trained career officials is at times the only guarantee that the government function will be carried out in an orderly and dependable way. This stability is extremely sensitive to the status of bureaucrats as permanent and professional civil servants; ministers and governments may come and go, but the bureaucracy remains a permanent fixture. The *Northcote Trevelyan* reforms of 1879 which gave rise to the modern British civil service, are based on the principles of impartial selection, political neutrality, permanence and anonymity. Even in the USA, where top-level officials are political appointments, the majority of federal bureaucrats are career officials (Auriacombe 1999:136).

Continuity can also have negative effects, however. Failing effective public selection and accountability, it can certainly lead to corruption, a problem that occurs in many developing countries, and that is exacerbated by poverty and deprivation. In other cases permanence can lead to arrogance and exclusivity, or a tendency towards conservatism. Career officials may believe that they are better qualified than elected politicians to determine the best interest of the public. Consequently they may feel that their resistance to radical political tendencies or reforms are justified, particularly in the light of their role as guardians of State interests.
3.7 Organisation of Bureaucracies

Public services are delivered in the context of the tripartite division of
government authority. Furthermore, it appears that this is the primary
responsibility of the executive authority.

The division of authority within the executive authority in the broad sense, or
more specifically in the public service, can be done territorially or
hierarchically. Territorial concentration refers to the division of authority over
areas (e.g. regions) while hierarchic concentration refers to how much is left to
the discretion of subordinate individuals in the execution of their duties in the
public service.

Institutions in the public sector include government departments, control
boards, public corporations, institutions of the provincial authorities as well as
those of local authorities. There is a distinction between the departments
forming the stable core of the central government on the one hand, and other
institutions, such as parastatal institutions (or agencies, to use the term that is
current in comparative studies).

This section also explores the organisation of government activities in order,
metaphorically speaking, to see how the "gears of the administrative machine
mesh". This section deals with the principles of bureaucratic organisation and
the organisation of government departments to deliver public services.

The information given in this section merely outlines the different related
aspects of the organisation of public bureaucracies as background to the
study. However, in doing so numerous underlying questions are raised.

3.7.1 Principles on which Bureaucracies are Organised

The principles of bureaucratic organisation vary from one country to another.
The four main organisational principles are briefly outlined below.
The most common and categorical form of organisation is organisation by objectives or functions. Most state departments exist in order to pursue specific objectives, such as tax collection, transport, education, health, defence and so on. An ambiguity arising from the definition of the actual objectives of a functional bureaucracy can be identified in terms of the following questions. Are government departments the objective of the originator of the relevant state department? Or of the politicians (ministers) who are commonly perceived to be in control of government departments? Or of the officials who staff the departments? The objectives of these groups may be wholly irreconcilable, which would make the idea of the objective of the organisation as an integral whole completely untenable.

A British television series, "Yes, Minister" gave comical insight into how bureaucracies can counteract objectives that do not accord with their own. The series gave a comical portrayal of the relationships between politicians and government officials in a fictional government department, "the Department of Administrative Affairs". The minister would like to better his career prospects while the officials want to preserve their influence and protect the minister's interests against the depredations or encroachments of other departments. The interests of government departments are often in conflict with those of other departments and rarely coincide with those of the government as a whole. The popularity of the series on British politicians (particularly Margaret Thatcher) was an indication of how close the fiction came to fact in this case (Hague et al 1993:347).

The other three types of bureaucratic organisations considered can be more specifically categorised as functional organisations.

- Organisation by area consists in the responsibility of a separate department for all the policies pursued by a central government in a particular area. The prefectural systems of France, Italy and Japan are cases in point. Bureaucratic organisations of this kind are embodied in the system of British colonial rule under which a local commissioner
was responsible for all the activities of the colonial government in a specific district (Hague 1993:348).

Organisation by area can coexist with organisation by objectives, although this system of dual control often causes major co-ordination problems. The decentralised system applied (at times) in China is a good example of dual control in action. Because China is such a vast country it is impossible to govern the entire country from one particular centre. For example, the province of Sichuan alone has a population of 150 million. Each provincial government has its own administrative system, but each government department in the capital, Beijing, also has a branch office in the provincial capital. This branch office is therefore answerable to two authorities. It reports vertically to the central government department in Beijing, and at the same time horizontally to the provincial government. By deferring to the provincial authority it might upset the central government department, and vice versa (Hague et al 1993:349).

- Organisation by clientele is often instituted to co-ordinate the delivery of services to groups that make extensive use of state programmes (e.g. disabled war veterans in the USA) or disadvantaged minorities (such as the aborigines in Australia) (Hague et al 1993:349).
- The last organisational principle is organisation by process. This type of organisation is typically designed to achieve large-scale economies in the administrative system. It centralises such functions as data processing, auditing and bookkeeping (Hague et al 1993:349).

3.7.2 The Organisation of Government Departments

The core of modern democracies consists of about twelve government departments (or ministries). The USA has fourteen departments with a secretary of state appointed by the president at the head of each department.
The Netherlands has thirteen and Canada, with its tendency to political inflation, has twenty (Hague et al 1998:223).

**DIAGRAM 4: The Organisation of Government Departments, Divisions and Agencies**

<table>
<thead>
<tr>
<th><strong>Government department (ministry)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>An administrative unit over which a minister exercises direct executive control. Usually structured as a formal hierarchy and established by statute.</td>
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</table>

<table>
<thead>
<tr>
<th><strong>Division, section or bureau</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>A functional unit in a department that reports to the minister, but in practice has considerable autonomy (particularly in the USA).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Agency (Parastatal institution)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Functions “once or twice removed” from the government to promote flexible management and political independence. The term is rather confusing. It usually refers to any institution that performs government functions and is staffed by the way of formal appointments. Staff are part of the “arms-length” government because their non-governmental status means that they are part of the “non-elected state”. Advisory, regulatory, research and developmental institutions are examples of agencies.</td>
</tr>
</tbody>
</table>

According to Weber’s principles government departments are administrative units usually organised in clearly defined hierarchies. A single minister is responsible for the department as a whole, but in the case of large departments he/she may be assisted by a number of junior ministers responsible for specific sections. A top-level official, often designated Secretary or Director-General, is responsible for the administration and for establishing a critical link between political and bureaucratic levels (in Japan...
this person is called the deputy minister, a title indicating the high status of top-level bureaucrats). The extensive structure of German ministries is a good example of Weber’s quasi-military chain of command. It is not correct, however, to expect that work practices coincide exactly with such organigrams, particularly where the image of information flowing smoothly up and down the administrative pyramid is concerned. The 2 000 sections in the German federal ministries possess a concentrated pool of expertise that enables them to block or at least evade changes coming from above (Hague et al 1998:224). The minister can also evade the public administration by soliciting advice from political advisers, such as the French cabinet system (Auriacombe 1996).

Public bureaucracies are traditionally partitioned according to objectives or functions, hence their division into departments, divisions or agencies. The internal level of centralisation or decentralisation differs considerably from one country to another, and even from one department to another. The modern tendency, however, is to separate policy determination from policy application, and to include private-sector management techniques, or to privatise interests.

3.8 Provincial Sphere of Government

Due to the size and magnitude of activities that need to be performed by government, it is essential to use provincial spheres of government in assisting national government in executing its activities. As has previously been mentioned in Chapter One there are nine provinces in South Africa, all aimed at enhancing the quality of life of the citizenry in each specific province. The functional areas of con-current national and provincial legislative competence are listed in Schedule 4 and the functional areas of exclusive provincial legislative competence are listed in Schedule 5 of the Constitution.
3.8.1 Provincial Legislative Authority

Among many other stipulations contained in Section 104 of the Constitution, provincial legislatures have the authority to pass legislation in their respective provinces with regard to:

- Any matter with a functional area listed in Schedule 4 of the Constitution.
- Any matter with a functional area listed in Schedule 5 of the Constitution.
- Any matter that has been expressly assigned to the province by national legislation.
- Any matter for which a provision of the Constitution envisages the enactment of provincial legislation.

A provincial legislature may recommend to the National Assembly legislation concerning any matter outside the authority of that legislature. Section 105 deals with the composition and election of a provincial legislature and states that it consists of persons elected as members in terms of an electoral system that:

- Is prescribed by national legislation.
- Is based on that province's segment of the national common voter's roll.
- Provides for a minimum voting age of eighteen years.
- Results, in general, in proportional representation.

A provincial legislature consists of between thirty and eighty members. The number of members, which may differ among the provinces, must be determined in terms of a formula prescribed by national legislation. The requirements for membership of a provincial legislature is very similar to those of the national legislative authority and are dealt with in detail in Section 106 of the Constitution. In terms of Section 108 of the Constitution a provincial legislature is elected for a term of five years.
In exercising its legislative power, a provincial legislature may consider, pass, amend, or reject any bill before the legislature and initiate or prepare legislation, with the exception of money bills. A provincial legislature must provide for mechanisms to ensure that all provincial executive organs of state in the province are accountable to it, and to maintain oversight of the exercising of provincial executive authority in the province, including the implementation of legislation, and any provincial organ of state (Section 114).

Section 116 of the Constitution deals with the internal arrangements, proceedings, and procedures of provincial legislatures and makes provision for a provincial legislature to determine and control its internal arrangements, proceedings, and procedures and make rules and orders concerning its business. Due regard, however, must be given to ensuring representative and participatory democracy, accountability, transparency, and public involvement.

Section 119 stipulates that only members of the executive council of a province or a committee or member of a provincial legislature may introduce a bill in the legislature. Only the member of the executive council who is responsible for financial matters in the province may introduce a money bill in the legislature. Section 120 stipulates that a bill that appropriates money or imposes taxes, levies, or duties is a money bill. A money bill may not deal with any other matter except a subordinate matter incidental to the appropriation of money or the imposition of taxes, levies, or duties. A provincial act must provide for a procedure by which the province's legislature may amend a money bill.

The premier of a province must either assent to and sign a bill passed by the provincial legislature in terms of the conditions of this chapter of the Constitution, or, if the premier has reservations about the constitutionality of a bill, refer it back to the legislature for reconsideration.

It is clear that the Constitution provides certain parameters within which the provincial legislative authority can execute its activities and functions. The manner in which provincial legislatures are expected to function, is clearly defined within the Constitution. This ensures answerability and accountability in the hierarchy of government.
3.8.2 Provincial Executive Authority

The executive authority of a province is vested in the premier of the province. The premier exercises the executive authority, together with other members of the executive council by (Section 125).

- Implementing provincial legislation in the province.
- Implementing all national legislation within the functional areas listed in Schedules 4 and 5 of the Constitution, except where the Constitution or an act of Parliament provides otherwise.
- Administering in the province national legislation outside the functional areas of Schedules 4 and 5 of the Constitution.
- Developing and implementing provincial policy.
- Co-ordinating the functions of the provincial administration and its departments.
- Preparing and initiating provincial legislation.
- Performing any other function assigned to the provincial executive in terms of the Constitution or an act of Parliament.

Furthermore, a province has executive authority only to the extent that the province has the administrative capacity to assume effective responsibility. The national government, by legislative and other measures, must assist provinces to develop the administrative capacity required for the efficient and effective exercising of their powers and performance of their functions. The provincial executive must, however, act in accordance with the Constitution and the provincial constitution, if one has been passed by the province. In terms of Section 127 the premier of a province has the following powers and functions to perform:

- Assenting to and assigning bills.
- Referring a bill back to the provincial legislature for reconsideration of the bill's constitutionality.
• Referring a bill to the Constitutional Court for a decision on the bill’s constitutionality.
• Summoning the legislature to an extraordinary sitting to conduct special business.
• Appointing commissions of inquiry.
• Calling a referendum in the province in accordance with national legislation.

The executive council of a province consists of the premier, as head of the council, and no fewer than five and no more than ten members, appointed by the premier from among the members of the provincial legislature. The premier of a province appoints the members of the executive council, assigns their powers and functions, and also reserves the right to dismiss them (Section 132).

Section 133 states that members of the executive council of a province are responsible for the functions of the executive assigned to them by the premier. Members of the executive council of a province are accountable collectively and individually to the legislature for the exercise of their powers and the performance of their functions. Members of the executive council of a province must act in accordance with the Constitution and, if a provincial constitution has been passed for the province, also comply with the requirements of such a constitution.

Members of the executive council of a province must also provide the legislature with full and regular reports concerning matters under their control (Section 133). Section 139 provides a detailed description of the circumstances under which provincial supervision of local government can occur. When a municipality cannot or does not fulfil an executive obligation in terms of legislation, the relevant provincial executive may intervene by taking any appropriate steps to ensure the fulfilment of that obligation.

A decision by the premier of a province must be in writing if it is taken in terms of legislation or has legal consequences. A written decision by the
premier must be countersigned by another executive council member. If that decision concerns a function assigned to that other member. Proclamations, regulations, and other instruments of subordinate legislation of a province must be accessible to the public (Section 140).

The roles, responsibilities, and powers of provincial executive authorities and powers of provincial executive authorities are dealt with in Sections 125–141 of the Constitution.

3.8.3 **Nature and Size of the Northern Province Bureaucracy**

The bureaucracy of the Northern Province is composed of a conglomeration of four administrative structures, that is, the former Gazankulu, Venda, Lebowa and Northern Transvaal Administrations, which were trained and nurtured in a particular ideology and socialisation milieu, that is, their training was more focussed on the preservation of separate development.

The above mentioned structures were serving different ethnic groups with vastly varying ethical standards, values and norms as far as public administration and management are concerned. Although the characteristics of the bureaucracy should depict similar characteristics despite their location or ethnic origins, these groups are not homogeneous at all. Their working doctrine was different. They portrayed faltering feeling for peculiar responsibility towards the South African civil society, that is, the former Northern Transvaal Administration for instance, like all others, view the same society differently.

The civil service of the Northern Province, like other public service institutions in the various provinces, was established by the Public Service Act, Act 103 of 1994. This Act gives effect to the provisions of the Constitution of South Africa. The Public Service Act stipulates in detail the service conditions of public servants.
The conditions include the establishment of departments; conditions for heads of department; qualifications for appointments; appointments; and the filling of posts; transfers, promotions, secondments and retirements; discharge of officers; inefficiency; disciplinary procedures; the obligations, rights and privileges of officers and employees; and the Public Service Code. The Act replaces both the Public Service Act of 1984 and the Public Service Acts of the former independent homelands and the self-governing territories.

As indicated above, the said Act places obligations on public officials for the effective management and administration of departments or other public institutions. For example, in terms of section 7 (3)(b) of said Act, heads of department are responsible for the efficient management and administration of their departments, the maintenance of discipline, the promotion of sound labour relations and the proper use and care of state property.

The nature of a portion of bureaucracy in the Northern Province has over a short period of time become concerned with a pattern-maintenance and tension-management, integrative, and adaptive as well as goal-attainment functions. There are within the departments some individuals who are pessimistic as well as optimistic.

One of the questions raised in this regard during interviewing revealed that some senior officials accept the above as an established norm which cannot be carried out in practice, the major cause being that officials have developed different attitudes towards the new dispensation: Some want to maintain the status quo, while others see the need to adapt to the new situation.

The Public Service Act of 1994 was only a general framework within which the administration should base its function but most senior civil servants viewed it with scepticism. They could not adapt at the same pace as the executive office-bearers. This fact is supported by the observations of the Public Service Commission. In its report, it distinctly highlighted that the grievances and misconduct of staff emanated from the fact that they continued to operate within the repealed prescripts, which were applicable to
the public services of the former RSA, the TBVC states and the self-governing territories (Public Service Commission 1995:21).

Perhaps it would be appropriate to point out that the term conglomerate of administrative structures is used to depict the fact that these structures or bureaucracies could not be fused together with ease to produce one responsible and accountable bureaucracy. The problem that persists—although there is an indication that they are beginning to gel, albeit slowly—is how they perceive one another.

It emanated from the responses that most of the former Gazankulu public service officials view those from former Lebowa public service as irresponsible, due to the fact that the latter homeland at a certain stage had serious financial problems because of mismanagement and alleged corruption. The former Venda public service officials are viewed in the same way, and the former Northern Transvaal Provincial Administration, too, has a fair share of its own baggage.

According to Hanekom et al, (1993:20) a bureaucracy should be characterised inter alia by the following:

- honesty and probity
- fairness and justice towards every citizen, irrespective of political views
- diligence and the willingness to make sacrifices
- endeavour for efficiency.

With the advent of the new dispensation, particularly after the first democratic general elections of 27 April 1994, a major feeling of uncertainty had manifested itself among public service officials. This uncertainty emanated from the fact that the objectives of the new government were in no way similar to those of the previous government. Hanekom et al (1993:22) stresses the fact that public officials in a changing community are expected to adjust continually. As corroborated by the responses, this is not easy to
achieve. Things were also made more difficult because there was a realignment of political beliefs and correctness at the same time.

It is worth noting, nonetheless, that even before the dawning of the new dispensation, the bureaucracy in those various territories did not meet all the requirements of the effective civil service, in the sense that it was not geared to needs fulfilment and efficiency. This came out in most of the respondents’ answers to the question as to why they had taken up employment in the civil service of the various homelands.

The answer given most often was that in terms of the availability of jobs, the civil service was the first option. Other reasons were that the homelands offered bursaries and people had to pay these back in one form or another - which meant that future employment was virtually assured. Therefore, one of the conspicuous characteristics of the homelands bureaucracy is that it was groomed to serve or service its political master, rather than to focus on civil society at large. According to Bayat and Meyer (1994:129) the combined colonial era and apartheid social engineering created a civil service caste which was subjectively Nationalist Party supporting.

Upon the introduction of the new dispensation, that is, from May 1994, the following characteristics were very eminent, because the old order had crumbled with the former governments:

- There was no organised and clearly defined hierarchy of offices;
- Offices had no clearly defined sphere of competence;
- There was no strict systematic discipline and control in the conduct of the offices and officials; and
- There was no compliance with rules and regulations.

To overcome the situation described above Government had to hastily proclaim the said Act in order to fill the vacuum that the new order had created in the interim period. The major motivating factor was that there was an urgent
need to establish one united public service encompassing all the various bureaucratic structures from former homelands and the former white areas of South Africa.

It is therefore understandable that the behaviour of the public service in the Northern Province was due to the influence of political office-bearers in the former homelands, who had a semblance of bureaucratic practices, that is, they were administrative bodies rather than policy formulation bodies. The public service therefore could not continue with what ought to be their professional responsibility. This was reflected in the practice of the public service in the following fashion:

• services were orientated both to political office-bearers and major strata in society, and greater emphasis of service delivery was directed to political office-bearers;
• public officials in most cases were merely passive actors controlled by the political heads;
• service goals were displaced towards the 'high class' people who in most cases were political office-bearers themselves or friends; and
• service goals were geared towards the maintenance of the political power of various homeland leaders.

According to Hanekom (1993:123) the exposition set out above, that is, in a situation where service delivery was orientated towards the political office-bearers, the bureaucracy can become a negative force in efforts to promote the general welfare of society. These attitudes were inherited by the Northern Province Provincial Government.

The public service administration in the Northern Province was therefore faced with a challenge of democracy. The newly appointed political office-bearers were in a hurry to democratise the bureaucracy, while at the same time the bureaucracy was not yet geared to the new manner of doing things.
This was characterised by perceptions within the administration as well as of political office-bearers in to one another.

The year 1995 passed with very little progress in terms of the repositioning and reasserting of government structures. The slow pace and significance of the establishment of accountable structures or government institutions will be dealt with under political control.

It is, however, important to indicate the size of the Northern Province civil service as it began to take shape in 1996. The diagram below shows the size of the bureaucracy as composed of the ten departments mentioned earlier. Both the abolished posts and surplus staff are included in an effort to clarify the vastness of the bureaucracy as it existed in the Northern Province before the democratic dispensation which began after the 1994 elections. The information in the table below was obtained from the Provincial Service Commission Report of 1996 which sought to highlight the progress as far as integration was concerned.
### DIAGRAM 5: Size of the Northern Province Provincial Bureaucracy

<table>
<thead>
<tr>
<th>Department/Institution</th>
<th>Postsabolished</th>
<th>Postscreated</th>
<th>Postsfilled</th>
<th>Vacant</th>
<th>SurplusStaff</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office of the Premier</td>
<td>949</td>
<td>660</td>
<td>625</td>
<td>35</td>
<td>415</td>
</tr>
<tr>
<td>Provincial Service Commission</td>
<td>1230</td>
<td>298</td>
<td>153</td>
<td>145</td>
<td>2</td>
</tr>
<tr>
<td>Education, Culture, Arts &amp; Sports</td>
<td>5118</td>
<td>10806</td>
<td>9602</td>
<td>1204</td>
<td>4</td>
</tr>
<tr>
<td>Health &amp; Welfare</td>
<td>10637</td>
<td>35019</td>
<td>24963</td>
<td>10056</td>
<td>0</td>
</tr>
<tr>
<td>Public Works</td>
<td>13517</td>
<td>12502</td>
<td>10938</td>
<td>1564</td>
<td>4</td>
</tr>
<tr>
<td>Public Transport</td>
<td>1413</td>
<td>3605</td>
<td>2403</td>
<td>1202</td>
<td>0</td>
</tr>
<tr>
<td>Agriculture &amp; Environment</td>
<td>11349</td>
<td>11239</td>
<td>9716</td>
<td>1523</td>
<td>1798</td>
</tr>
<tr>
<td>Economic Affairs &amp; Tourism</td>
<td>255</td>
<td>337</td>
<td>243</td>
<td>94</td>
<td>0</td>
</tr>
<tr>
<td>Local Govt &amp; Traditional Affairs</td>
<td>828</td>
<td>1679</td>
<td>1190</td>
<td>489</td>
<td>3314</td>
</tr>
<tr>
<td>Housing &amp; Water Affairs</td>
<td>0</td>
<td>28</td>
<td>9</td>
<td>19</td>
<td>0</td>
</tr>
<tr>
<td>Safety &amp; Security</td>
<td>0</td>
<td>28</td>
<td>9</td>
<td>19</td>
<td>0</td>
</tr>
<tr>
<td>Finance &amp; Expenditure</td>
<td>749</td>
<td>516</td>
<td>362</td>
<td>154</td>
<td>3</td>
</tr>
<tr>
<td>TOTAL</td>
<td>45775</td>
<td>76893</td>
<td>60276</td>
<td>16617</td>
<td>5340</td>
</tr>
</tbody>
</table>

3.8.4 **Factors that Lead to an Increase in Political Influence Exerted by Top Level Civil Servants (Northern Province)**

The political structure of the Province is determined by the Constitution of the Republic of South Africa, Act 108 of 1996. There is a provincial legislature at the helm, followed by the executive, which in this instance is the Executive Council.

Bureaucratic structures interact as a matter of daily activity with political structures, particularly the executive. The interaction which will be scrutinised here has to do mostly with the functioning of the bureaucracy as observed and anticipated within the provincial departments, and the control thereof as exercised by political institutions.
As mentioned in chapter one, the target group of this study is senior management and its political office-bearers. Diagram 5 depicts the Distribution of Management Posts and diagram 6 depicts the organisational structure to compliment diagram 5. This diagram is meant to indicate the scope of responsibility of each political office-bearer concerned, particularly on the human resource point of view.

The office of the Premier according to the provincial set-up is considered as a department and the Director-General of the province is located in this office which implies that the premier is a super political head of all departments, while the MEC's are responsible for each department.

**DIAGRAM 6: Distribution of Management Posts**

<table>
<thead>
<tr>
<th>Department/Institution</th>
<th>DG</th>
<th>SG</th>
<th>DDG</th>
<th>CD</th>
<th>D</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Premier</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>3</td>
<td>11</td>
<td>16</td>
</tr>
<tr>
<td>Education, Culture, Arts &amp; Sports</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>5</td>
<td>22</td>
<td>30</td>
</tr>
<tr>
<td>Health &amp; Welfare</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>4</td>
<td>14</td>
<td>21</td>
</tr>
<tr>
<td>Finance &amp; Expenditure</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>7</td>
<td>10</td>
</tr>
<tr>
<td>Local Government &amp; Traditional Affairs</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>7</td>
<td>10</td>
</tr>
<tr>
<td>Agriculture &amp; Environment</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>Economic Affairs &amp; Tourism</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>6</td>
<td>9</td>
</tr>
<tr>
<td>Public Works</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>10</td>
<td>13</td>
</tr>
<tr>
<td>Provincial Service Commission</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Safety &amp; Security</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Housing &amp; Water Affairs</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Public Transport</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>4</td>
<td>7</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>1</td>
<td>2</td>
<td>13</td>
<td>27</td>
<td>97</td>
<td>140</td>
</tr>
</tbody>
</table>

DG = Director General  SG = Superintendent General  DDG = Deputy Director General  CD = Chief Director  D = Director
DIAGRAM 7: Organisational Structure of the Northern Province

PREMIER
HEAD OF PROVINCIAL GOVERNMENT

MEMBERS OF EXECUTIVE COUNCIL
POLITICAL HEADS OF DEPARTMENTS

DIRECTOR-GENERAL
HEADS OF DEPARTMENT

Department Education
Department Health & Welfare
Department Finance & Expenditure
Department Public Transport
Department Agriculture
Department Trade & Industry
Department Housing & Local Government
Department Public Works
Department Sports & Welfare
Department Safety & Security

Superintendent General
Deputy Director General
Deputy Director General
Deputy Director General
Deputy Director General
Deputy Director General
Deputy Director General
Deputy Director General
Deputy Director General
Commissioner of Police
3.9 Functions of the Bureaucracy in the Northern Province

As already indicated bureaucracy refers to the structure of government which is subordinate to the executive authority which according to Page (1985:6) is dominated by public officials. According to Heywood (1997:344) bureaucracy performs a vital function within government, that is, to execute and enforce the laws enacted by the legislature and the policies decided by the political office-bearers. This vital function could be dissected into four broad functions, discharge administrative function, to offer policy advice, express and aggregate interests and to maintain political stability.

In this research the above broad functions will be condensed into two major functions and be made the area of focus within the Northern Province provincial government, so as to enable the researcher to focus precisely on the controlling aspect. Thus, the function of the bureaucracy in the Northern Province is viewed, in this instance, as public management and the promotion of political interaction. Political interaction in this instance manifests itself from the aggregation of interests and the maintenance of stability which is the responsibility of any bureaucratic service.

3.9.1 Public Management

Public management can be defined as distinctive activity which takes place in public sector. Public management as an activity takes place within a political environment, and societal values are more essential. Public management functions are used to delineate the tasks of the bureaucrats (Fox, Schwella & Wissink 1991:3).

The major function of any bureaucracy is public management. So is the bureaucracy of the Northern Province. Public management, according to Schwella, Burger, Fox and Muller (1996:5) is an intrinsic element of public administration systems. Public management deals with those core aspects of public administration which are performed by top public officials, such as policy making, planning, organising, control and evaluation. Public
management, therefore, should be understood as the system of structures and processes found within the environment of bureaucratic systems, which focus on specific areas of service delivery and the determination of public goods.

Public management entails the professional and practical aspects of bureaucracy and, therefore, emphasises efficiency and effectiveness within public administration as a function. For example, a public manager would be a person who is competent and possesses certain skills in decision-making aimed at improving public welfare of the politically aware community, controlling applying the stipulations of the law, organising, et cetera. Public administrators are entrusted with public management. The functions outlined above reflect the responsibilities of the Northern Province bureaucracy.

Constitutionally, the scope of the provincial government in terms of administration is set out under section 114 (2) of Act 108 of 1996, which directs that the provincial legislature must provide for mechanisms to ensure that the executive organ is accountable, and must maintain and exercise control over any organ of State. This responsibility rests on two organs of state, that is, the executive authority and civil service while the legislature acts as an overseer.

In order to ensure that people at all levels of society receive at all times the public goods and services due to them, the Northern Province Provincial Government has established bureaucratic and public management structures as the mechanisms to fulfil the responsibilities enunciated in the Constitution of South Africa, Act 108 of 1996.

The organisational structure of the province is outlined diagrammatically on page 122. (Diagram 7). This structure depicts both the political and the administrative set up from the office of the Premier to the level of the deputy directors-general or any position of that level with different nomenclature. On page .. (Diagram 5) refers specifically to the scope covered by the departments as structured and organised in the Province.
The size and scope as depicted in diagram 8 reveals the administration which is divided into three clusters or significant groups of area of concentration in terms of service delivery. These clusters are:

- Social Services
- Infrastructure Development and
- Economic Development

The clusters fall within different provincial departments in order to promote proper allocation of functions and to exercise effective control and administration. The Northern Province Provincial Government Administration consists of ten Departments. At the head of each department is a Member of the Executive Council commonly known as MEC, who may be viewed as a provincial minister.

The member of the Executive Council is a political office-bearer of that particular department, that is, the political control in relation to administrative accountability rests with that person. Members of the Executive Council as
well as senior public officials have the responsibility of promoting healthy political interaction and good governance.

3.9.2 Promotion of Interaction and Good Governance in a Political Milieu

Political interaction occurs in most cases at higher level, that is, between top public officials and ministers. At the provincial level this occurs between top public servants and members of the Executive Council. The roles and responsibilities of these state officials are distinct but their convergence in purpose is important for the government to discharge its responsibilities.

It is of cardinal importance to make distinction between executive and administrative authorities. The distinction can be made from the tenure, selection and functional point of view. For emphasis, the distinction in this instance will be made in terms of functions, because functions distinctly bring out the controlling aspect of bureaucracy.

3.9.2.1 Executive Authority

As already mentioned, the executive authority at the provincial level refers to the Executive Council as contemplated in the Constitution of South Africa, Act 108 of 1996. The executive member, as a political office-bearer, refers to the Member of the Executive Council (commonly known as the MEC), who is responsible for the administration and functions of the department.

The Member of the Executive Council, by the virtue of being an administrative head of department, holds both executive and administrative authority. The Member of the Executive Council controls and commands the major functions of the department as his or her major functional responsibility. Because of this situation, he or she belongs to both the executive and administrative institutions.
Accordingly, Ranney (1987:263) defines executives as political heads of department who are elected or appointed for a limited term, and whose official responsibilities are to initiate policies and control the work of the administrators. Administrators, on the other hand, are persons appointed to departments whose tenure and promotion depend on professional merit rather than political affiliation, and their major responsibilities are to enforce laws and carry out public policies. Therefore, political interaction both within and outside the department is promoted by both the executive body and senior public service officials.

Promotion of political interaction as a function takes place at various levels within government and society at large. The interaction with society affords the government an opportunity to make policy choices from an informed position. Thus, one major function of the political office-bearer is to act as policy initiator within government. Therefore, political office-bearers must, as a matter of principle, have constant engagement with both the bureaucracy and the electorate, so as to maintain their control over the bureaucracy.

3.9.2.2 Administrative Authority

Administrative authority refers to government departments. The executive body interacts regularly with administrative bodies. This is because politics and administration cannot easily be separated into watertight compartments. The two functions are interrelated hence the need for continuous interaction between political office-bearers and appointed public officials, if government is to function properly and effectively.

Hanekom et al (1994:124) indicate that the complexity of public affairs demands that decisions affecting the life of a community cannot be taken by politicians alone - their reliance on the expertise of appointed officials can therefore not be underestimated. This is also significant as far as the political office-bearers of the Northern Province are concerned. The response from some of the members of the executive council (in relation to the complexity observed by Hanekom) is that said complex nature was further complicated
by the fact that as office-bearers they were new in a completely new situation. The situation was so demanding that one member remarked that the consultation between top-level members of the public service themselves was fraught with suspicion.

Although due regard of bureaucratic independence should be taken into account, political office-bearers have tremendous influence on public officials or the bureaucracy at large. This can be considered as one of the responsibilities and functions of politicians, because if they do not do that, their mandates as given by the electorate might not be realised in terms of implementation.

Through this political interaction, the people of the province, together with the bureaucracy, are given an opportunity to make choices and input from an informed point of view in relation to the prerequisite of public goods and services. Furthermore, it is through this interaction that political control can be exercised in a manner that could influence people positively, particularly in relation to the exercising of control, because the flow and sharing of information can be effectively promoted.

According to Chazan, et al (1999:23) available options are determined and defined by the changing conditions, in which politicians mostly play a significant role. The functions of the political office-bearers in the Northern Province are in line with this notion. The ushering in of the new dispensation was a total shift from apartheid and Bantustan administration, which means that the conditions and orientation had changed drastically, and the bureaucracy of the province had to adapt to new conditions.

To a greater extent, it is through interaction with the bureaucracy and the public at large that political control over social and economic activities, formal institutions, and prevalent values of both government and society can best be appreciated. As indicated, these were as a result of changed conditions and the new orientation of the public service.
The promotion of political interaction through public administrators could give political office-bearers an opportunity to easily discover multiple factors at play, so that in their exercise of political control as a function, all diverse factors are taken into account, and more importantly that public administrators would always be in constant contact with the people they serve, whether directly or indirectly.

The consequences of vigorous political interaction which are prevalent in the provincial leadership of the Northern Province, particularly after the 1999 general elections, add impetus to service delivery, since proper, effective and efficient bureaucratic structures have been created in line with the identified needs of the province as indicated in diagram 8.

The organisation and the nature of functions of the executive branch of the government in the province demand that there must be effective and efficient bureaucracy to carry out the responsibilities of government. The propelling force in this instance was the cry from the opposition and the dire need from the public for effective service delivery. Lane (1990:209) indicates that the growth and the nature of the functions of political office-bearers can be either reduced or expanded through proper understanding or a recognition of people's needs (or a lack thereof).

The research revealed that there is significant evidence that after the elections of 1994 and the subsequent installation of the new Northern Province Provincial Government, there was political as well as administrative interaction in various forms. Nonetheless, the positive impact of such interaction was minimal, precisely because the bureaucracy from the former dispensation was vulnerable and very uncertain as far as its future role was concerned. This, therefore, could be understood to mean that the new political dispensation and the prevailing conditions had impacted negatively on the bureaucracy.

Nonetheless, the available information, in this instance, is that during the change over there was enough interaction and consultation between the administration and the political office-bearers. Meetings in various forms took
place. All the new departments had established what was called Strategic Management Teams. All civil servants at various levels participated in these through representation of one form or another.

However, what came out clearly was the fact that with the change of physical environment came a considerable number of uncertainties and problems, such as the adjustment to and understanding of new managerial roles and processes within the new system. Another aspect was the conversion of the character and purposes of the Government; that is, the focus of the Government in terms of the administrative functions had moved from the maintenance of the apartheid system and structures to the non-partisan civil service and the subsequent Batho Pele (people first) orientation.

Peele (1995:65) states that there is always tension between political office-bearers and administrators because administrative officials want to maintain their independence. As Hanekom et al (1994:122) observed, public administration is a struggle for power. It is, therefore, understandable that bureaucracy as a means of carrying out community actions and the fulfilment of expectations, could be used as a powerful instrument for control. It is this notion that made the bureaucracy of the Northern Province Government move at a snail’s pace as far as change is concerned, because the previous bureaucracy, composed of four former civil service administrations, was imbued in the past political ideology.

3.10 Conclusion

This chapter dealt with the environment of a bureaucracy. The chapter addressed the political and administrative significance of a bureaucracy for society. Different conceptions of the meaning of the term “bureaucracy”, and the typifying characteristics of a public bureaucracy were identified. The need for specific characteristics or conditions to which an organisation must conform in order to be recognised as a bureaucracy is emphasised by outlining the implications of Weber’s and Albrow’s views as well as the characteristics and prerequisites of Weber’s ideal bureaucracy. The views of
these two authors were also applied to the South African civil service. The chapter accordingly dealt with the provincial sphere of government with reference to organisational applications in the Northern Province.

The increasing political influence exercised by civil servants in the upper echelons, particularly in Western democracies, is explained by outlining the decline of parliamentary power, the phenomenon of the administrative State, as well as other factors that lead to an increase in the political influence of top government officials. It is clear from the preceding chapter that top-level bureaucrats are important role players in the process of determining policy. This power derives from their ties with other State departments and interest groups, from their permanence, from their involvement with the implementation of policy and above all from their close association with ministers.

It is also clear from the preceding chapter that Weber's model, which perceives bureaucracies as rational and objective "machinery", clearly separates the administrative from the political world. In this context bureaucrats are regarded as mere "cogs in a big wheel", as reliable and effective administrators who function within a fixed hierarchy and according to clearly defined rules. The real state of affairs looks completely different, however. In spite of their formally subordinate and impartial status, bureaucrats exercise considerable influence over the process of policy determination, thus fulfilling a number of key functions in any political system. In the view of the researcher the role played by bureaucracies pertains to the execution of the administrative function, offers policy advice, helps to express interests, in some instances brings interests together, and promotes stability and progress in a country. An attempt was made to examine the structure in terms of the executive and administrative authority of the Northern Province. The functions and principles of organisation of the Northern Province were also stated.
CHAPTER FOUR

CONTROL AND ACCOUNTABILITY AS EXTERNAL VARIABLES
INFLUENCING CONTROL OVER THE BUREAUCRACY

4.1 Introduction

Political office-bearers and civil servants now operate in an environment that is markedly different from that of the past. Two of the most important factors contributing to this change are the financial constraints under which modern government operates and the changing expectations that the public and politicians have of the civil service. Value for money has become a primary concern. In addition, the machinery of public administration has become much more complex, leading to an increased recognition of the importance of (and necessity of putting in place) adequate accountability mechanisms. Accountability and responsibility are closely related and may be regarded as two dimensions of the same relationship.

Although accountability and financial accounting are frequently equated, financial accounting is just one dimension of the control framework within which a civil servant operates. Senior civil servants can be held accountable in a variety of ways. There are at least two constituencies to which they may be accountable:

- to the internal administrative system

- to the Parliamentary system, affected directly through ministers and the Public Expenditure Committees and indirectly through the Office of the Auditor-General.
In this chapter the meaning and classification of control are analysed in order to establish a framework upon which political control can be based. Consequently, the objectives of public institutions in exercising control will be briefly considered.

Attention is paid to the normative requirements for control over the bureaucracy. This is followed by an explanation of accountability. Thereafter, particular attention is paid to types of control. This indicates that control and accountability are comprehensive and demanding processes, yet nevertheless prerequisites for the joint action of political office-bearers and public officials to achieve common goals.

4.2 Meaning of Control

Control can be defined as the power or authority to direct, order or restrain and as a standard of comparison for the results of an experiment (Hornby 1987:187). Expressed in the context of public administration, control is a process of monitoring activities to determine whether individual units and the institution itself are obtaining and utilising resources effectively and efficiently so as to accomplish objectives and, where this is not being achieved, implementing corrective action (Robbins, in Hanekom & Thornhill 1988:178). In other words, control exists to ensure, or try to ensure, that a goal is realised as envisaged (Hatttingh 1989:227).

To many people however, control has unfortunate connotations and, when misused, can cause a serious loss of morale and can lessen accomplishments. The causes of misconception on control have been outlined by Dimock and Dimock (1969: 511). Firstly, people tend to think of control as an external force imposed on them against their will. Secondly, the temper of the modern age is such that the mere mention of control sets up resistance. Finally, the use of the term tends to imply censoriousness, such as when an accountant becomes chiefly interested in mistakes.
To ensure that the exercise of control achieves the desired objectives, the concept should not be exercised in isolation as an end in itself, but rather as one generic to the process of public administration which are a prerequisite for the joint action required to achieve common goals (Ströh 1989: 38).

Control methods should be established to ensure that the various control mechanisms are not misused. Controls in this case may relate to how judicious controls are applied to the following (Ströh 1989:52):

(i) Control over sources of revenue;
(ii) control over expenditure; and
(iii) control over the purposes for which funds were employed.

It may be added that, for control to assume a further positive connotation, the control function should not be viewed mainly as consisting of the process of checking individual actions of every public employee. Rather, control must be aimed at ensuring compliance of steps through which account is rendered for actions or in-actions to determine whether the Legislature's directives are adhered to. In this sense, control is considered a function, "... the very essence of which is to be independent of executive authority, of decision..., a function of discovering, of criticism, and the very existence is associated with the imperfections of other perfect" (Hanekom & Thornhill 1988:179).

Control may be classified into various kinds. For purposes of this study, the following classifications would be examined.
4.3 **Classification of Control**

Control in the public sector may be classified into two aspects, namely (Cloete 1991:188):

(a) Internal control which is exercised by the executive functionaries themselves; and

(b) External control by which account must be rendered to the legislature which in turn reports to the voters (Ströh 1989:39) on measurements of results and the progress of government programs, although the interest here is often largely centred around overall results and adherence to statutory authority (Dimock & Dimock 1969:513).

### 4.3.1 Internal Control

Internal control involves, in the most parts, the work of all political office-bearers in charge of executive institutions and the officials attached to public institutions (Cloete 1991:188). In this context, control means:

(a) The demarcation of work environments, physical environments or other environments within which the functionaries have to operate (Cloete 991:189). With reference to political control over the Northern Province bureaucracy the demarcations referred to would relate to two broad aspects namely, the form of the organisation of the provincial administration, the specialised sections on staff matters, accounting transactions and stores administration;

(b) pointing the way by the exercise of authority, by example and by leadership so that the functionaries will individually and collectively pursue their respective goals.
The exercise of authority for purposes of internal control requires that there should be a supervising accounting officer. The supervisor, for that matter should not only establish control mechanisms for the bureaucracy but should also determine what approach must be followed in ensuring that personnel responsible for implementing policies comply with control prescriptions.

The kind of internal controls explained in paragraphs (a) and (b) above constitute respectively (Cloete 1991:189):

(i) Formal control; and
(ii) informal control

4.3.1.1 Formal Control

Control is exercised in the institutional situation by the use of formal control mechanisms which ensure that everything which the functionaries do is, in fact, aimed at achieving the set objective (Cloete 1991:189). The following paragraphs outline formal control mechanisms:

(a) Inspection and Reporting

Inspection and Reporting both serve as aids to internal control as a means of ascertaining what progress is being made with the implementation of work programmes (Ströh 1989:61). Regular inspection and reporting would, especially be conducted by functionaries in charge for that purpose. These functionaries would be formally required to ensure how:

(i) accounting officials comply with procedures on collection, custody and spending of moneys;
(ii) stores controls are implemented in relation to purchases, records and issues and when stocks should be supplemented;

(iii) vehicles are used in terms of authorised trips, servicing, logbooks operations and purchases and auctions; and

(iv) progress is being made on ongoing capital projects and evaluation of these, if need be.

Inspections and reporting are useful formal control mechanisms which may lead to investigations and inquiries to ensure that objectives were being realised as envisaged.

(b) Internal auditing

Internal auditing is an effective mechanism in that it helps to ensure at all times that money is being effectively accounted for and that financial transactions are conducted in a regular manner (Ströh 1989:60). The following advantages of internal auditing can be identified (Kotzé, in Ströh 1989:60):

(i) It can be of value to the accounting officer when, as part of his accounting function, he accounts for the income and expenditure transactions of his department.

(ii) If any irregularities are suspected, the internal auditing section can conduct an investigation without delay.

(iii) In financial matters, the internal auditor serves as a link between the accounting officer and other heads of directorates.
(iv) Internal audits promote financial responsibility in that measures can be taken to prevent or trace irregularities without activities being affected too much.

(v) Daily internal audit investigations have a wholesome effect on the work of officials in that they are cautious about avoiding irregular action of any kind.

In its use as a formal control mechanism, internal auditing notwithstanding its advantages, have loop holes. Cloete (1991:191) identifies the following weaknesses in auditing generally: Firstly, auditing is usually done after transactions have taken place, that is, *a posteriori*. Secondly, auditing is usually concerned only with the legal correctness of transactions. Cloete (1991:191) however stresses that people are nevertheless, beginning to realise that an audit should indicate whether the authorities are getting good value for the money they spend, in other words, performance auditing must be undertaken.

(c) Cost accounting, cost comparisons and cost analysis

Cost accounting, comparison and analysis as formal control analysis have a positive correlation with efficiency in that they lead to the measurements of accomplishments for the benefit of all who seek to produce goods and services (Dimock & Dimock 1969:510). Further, these mechanisms are valuable aids for the rationalisation and compilation of the budget and therefore, control is exercised before the programme of work is approved and implemented (Cloete 1991:191).

With reference to the Northern Province Government where various goods and services are often procured and in varying quantities, cost accounting, cost comparison and cost analysis are particularly relevant in achieving efficiency
sense of using available resources sparingly or ensuring that stores and equipment are purchased economically.

(d) Statistical returns

When coupled with cost accounting, Statistical returns can serve as a useful internal control mechanism in the sense that they can measure productivity (Cloete 1991:192). This is because figures that reflect costs can, together with other statistical returns, provide objective criteria for purposes of assessing results and for compiling work programmes which involve the allocation of personnel and resources.

4.3.1.2 Informal Control

Informal control is a direct product of human differences that are based essentially on value preferences and differences between individuals and groups, which are manifested in informal, voluntary association patterns within an authority or institution. Informal control therefore should aim at achieving the best results by inspiring or motivating each public functionary to heed some normative guidelines of administration, especially, of responsibility in every action of his. This way, each can be his own supervisor (Cloete 1991:193).

With reference to control over the bureaucracy, informal control would be exercised through the influence which financial supervisors at all hierarchies would exercise over their subordinates, their continued, supervision, the example they set, and the leadership they give them (Cloete 1991:189).

4.3.1.3 External Control

External control is concerned with the implementation of prescriptions by a control authority and its purpose is to call departments to account concerning the
application of these prescriptions (Ströh 1989:40). As indicated external control has the purpose of getting functionaries to account for their stewardship in public office to the legislature and for that matter, the voters. Accountability therefore forms the bedrock of external control.

Public accountability is an important norm in public administration because the public, as well as the elected representatives need the assurance that public services are under control and are being carried out within the framework of the services laid down by the legislature (Hanekom and Thornhill 1988:184). By accountability is meant a personal obligation, liability or answerability of an official or employee to give his superior a desired report of the quantity and quality of actions and decisions in the performance of responsibilities specifically delegated (Banki, in Botha 1987:176).

In the process of exercising control and accountability in the Northern Province through its Committee on Public Accounts, it is ensured among other things, to determine whether the heads of the departments as accounting officers and their accredited representatives did spend public funds as authorised and for the purposes for which the money were allocated. Determining these is important as the accounting officer is charged with the responsibility of accounting for all state moneys received and payments made by his department.

In order to ensure efficient control of money for the Northern Province Government and to give a judicious account to the legislature and for that matter the voters, the accounting officers of the departments, like all accounting officers, has to ensure that the following control mechanisms do exist and are judiciously implemented by his subordinates (Hanekom and Thornhill 1988:190).

(a) Ensuring that sufficient legislative authority exists for the expenditure of money entrusted to his care;
(b) report fully to the Treasury and the Auditor-General of the Republic of South Africa, and for that matter of the Northern Province on any loss or misappropriation of public moneys and property;

(c) replying honestly and diligently to all questions raised on the financial affairs of the department by the Auditor-General; and

(d) furnishing estimates when required to do so, framing them as accurately as possible.

The main institutions which serve as external control mechanisms would now be discussed.

4.3.1.3.1 Legislative Control over the Bureaucracy

Political control over bureaucracy at this level could be viewed as indirect control. Parliament makes laws and expects the executive authority to implement and monitor. Legislative control over the bureaucracy includes both the cabinet and the public service. Legislative assemblies have broad responsibilities and tasks besides formulating and enacting legislation. Jennings (1961:472) states that the function of Parliament is not to govern but to criticise and sensitise government, and keep it in check. Criticism by the Parliament is aimed at building a strong and formidable government. It promotes a co-operative relationship and a sharing of responsibility between various structures of government, such as the executive, administrative and judiciary.

Parliament can use various mechanisms and systems to control both political office-bearers and the administrative arm of government. According to Meehan, Roche and Stedman (1966:193) the major task of any Parliament is to control and supervise the administrative apparatus. This, in broader perspective, implies that the legislature has to assist the structures of government to maintain a
certain degree of accountability and responsibility. However, this does not mean that Parliament should involve itself in the day to day management of the government administration. The legislature should deal with the overall policy as well as the long-term accomplishments.

Meehan et al (1966:193) further indicates that the legislature shares informal control over the administration with the cabinet. However, the executive has to deal with the formal control functions of the state apparatus. Parliamentary control is in most instances sporadic and uneven; various mechanisms are improvised in order to keep the government and its civil service within the prescribed limits. Mechanisms such as select committees, public hearings, committees of investigation, and independent government institutions such as auditors-general, and the public protector lend credence to the formal control over the bureaucracy.

4.3.1.3.2 Control by Cabinet

The accountability of ministers to the legislature and to the nation, is the theoretical basis of modern constitutions (Durell 1917:352). Accordingly, the cabinet is collectively responsible for the acts of its members, but the minister is individually responsible for the business of his office (Durell 1917:352). As a result of this individual and yet collective responsibility to the legislature, the Premier, through policies initiated by the Cabinet, controls financing by performing general cabinet control functions (Bradley 1985:262) namely:

(a) Determination of policy;

(b) Co-ordination of actions of the departments either at Cabinet meetings or through Cabinet Committees; and
(c) Ensuring financial control through the application of normative requirements of public administration.

4.3.1.3.3 Control by the Minister of Finance

The Minister of Finance exercises external control measures on financing in various ways for a detail analysis of his control functions. In brief, the Minister of Finance controls the budget proposals by ensuring that they conform to the requirements of the Northern Province's overall financial policy.

Further external control functions of the Minister of Finance are exercised by the Department of Finance and its divisions and sections namely, the Inland Revenue, Inspectorate, Financial Control and more intensively, the Treasury. The control functions of the Treasury may be briefly outlined as following (Marais 1989:50—51):

(a) preparation and form of the budget must be submitted;

(b) guidance to accounting officers on systems of bookkeeping and accounting to be followed;

(c) restriction of expenditure on a given service or suspension of a service; and

(d) authority functions relating to virtually all expenditures of the Northern Province Provincial Government.

In a democratic political system, the legislature establishes committees consisting of members of Parliament from various political parties. According to Ranney (1996:240) such committees could be standing committees or select committees of Parliament. Standing committees are permanent committees
established according to the subject matter, for example, education, finance, or transport committees.

Select committees are those committees which the legislature may establish to deal with specific or special aspects and make recommendations on particular aspects. Legislative committees, according to Truman (1964:369), are useful and efficient instruments of sifting projects of law before they are acted upon by the whole legislature. Ranney (1996:405) views legislative committees as control bodies which counter-balance the bureaucracy and in some instances give the legislative assembly the opportunity to match the expertise of the bureaucracy.

Committees can assist Parliament in overcoming many problems. Peele (1995:170) states that the application of a committee system helps avoid circumstances where the executive may want to dominate the substance and the proceedings of Parliament, and gives political office-bearers the opportunity to deal directly with public officials. Therefore, the committee system may strengthen the Parliament and assist in enforcing control measures that may have been impossible if the committee had not been there. In fact, the committee is itself an effective control instrument. Committees have an ability to scrutinise government administration and oversee the application of executive power and authority. Political office-bearers are compelled to control their respective departments effectively.

Ranney (1996:241) points out that committees have powers and the authority to investigate possible wrongdoings in the executive, administrative, or judicial structure or any other organ of state, and to report their findings to Parliament for its decision. The powers of such Parliamentary committees may vary; some are empowered by Parliament to make major decisions.


4.3.1.4 Audit Controls and the Establishment of the Office of the Auditor-General

Auditing, in general terms, may be defined as a process concerned with the collection and, thorough analysis of the underlying information or evidence designed to render an independent, informed and professional opinion about the representation and assertions made in management reports and supporting documents (McKinney 1986:277). Auditing is accordingly a control mechanism, as both internal and external, and as a means for independent verification and assurance of the completeness and creditability of financial and related records attesting to "... the correctness of a calculation, the existence of an object, the accuracy of a statement, the reliability of a report, or the occurrence of an event" (Moak and Hillhouse, in McKinney 1986:277).

In relation to overall financing in the Northern Province, auditing as an external control mechanism should be examined in terms of the degree of independence of the State Auditor and the impact auditor's control functions has on financial controls. The appointment and dismissal, service conditions, powers and functions and kinds of auditing that are made into bureaucracy, should be the major areas for probing into how these improve the financial systems of the provincial government. It is the report of the Auditor-General which forms the fundamental basis of inquiries by the Legislative Assembly's Committee on Public Accounts and which should be examined to assess audit-impact as an external control mechanism.

Evaluation of performance in resource utilisation in the public service is based on fault finding, which may emanate from a failure either to acquire Parliamentary authorisation or to adhere to budgetary control systems (Keeling 1972:115). The establishment of the office of Auditor-General by the legislature aims at dealing with such matters, whether deliberate, through negligence or by mistake.
Parliamentary control over government and the bureaucracy is furthered through the application of auditing mechanisms and an examination of the manner in which public funds have been disbursed (Meehan et al. 1966:194). Control over appropriation is a significant weapon, and the need to justify expenditure and policies before the legislative assembly is an important limitation to and control over the administrative action. Fiscal control can be abused if there are not enough mechanisms to deal with a particular matter, for example, where government can succumb to the pressure of unions and other pressure groups. If provision were not made for such instances and approved by Parliament, the executive authority could not embark on any course of action without the approval of the legislature. It is the duty of the Auditor-General to provide Parliament with the audit account of the financial expenditure of the previous year so as to enable the legislative assembly to take decisions based on concrete information.

The activities of select or standing committees are only one aspect of Parliament's traditional role of control over the cabinet. Controlling the cabinet means indirect control over the civil service. Government and the bureaucracy can be controlled by the influence of public hearings conducted by various select committees or commissions. Currently, both on central government level and provincial level, public hearings are conducted in such a way that the majority of the civil society structures are given access to the legislative process. Business, labour, religious organisations and other institutions of civil society are given an opportunity to make their voices heard. Truman (1964:372) views public hearings as a means of control and also as a means of transmitting and sharing information, both technical and political.

According to Smith (1983:159) the work of the legislative assembly is organised around the contact between the Parliament and the civil society; public hearings committees afford, directly or indirectly, a form of legislative control over the administration. Besides public hearings conducted by various committees of
Parliament, the legislative assembly also has its question time, which is another legislative method of calling ministers to account on the activities of the bureaucracy (Meehan et al. 1966:197).

Truman (1964:375) equates public hearings with a safety valve that reduces conflict between the legislative assembly and the electorate and also assists in the facilitation of many legislative products, since everyone would have been afforded an opportunity to state his or her case.

Most committee work includes a certain degree of investigation or inquiry. LaPalombara (1974:302) states that specialised legislative committee systems are one way in which Parliament could keep control over the bureaucracy.

Committees of investigation may serve various purposes, such as to make available the information needed by Parliament to perform its task, and perhaps to create public awareness for a particular interpretation of the matter to be investigated (Meehan et al. 1966:195). Truman (1964:381) further indicates that committees of investigation may be used to inquire into the administrative institutions of government. This will have an impact on the control of the bureaucracy.

It may happen that unethical conduct is covered up by public officials employing various methods and tactics of cover up. By establishing an office of an ombudsman or Public Protector members of public are able to seek proper redress where they feel aggrieved by the bureaucrats. The Public Protector acts as the private citizen’s watchdog over and against executive institutions (Ranney 1975:439). According to Botes, Brynard, Fourie and Roux (1992:365) public officials tend to use administrative red tape to hide inefficiency or to practice maladministration. The establishment of the Public Protector can be the proper body dealing with such tendencies.
Sometimes appointed officials may abuse their expertise to defeat the aims of elected representatives. According to Heywood (1997:343), bureaucracy contains a powerful inner dynamic which leads to the growth of government. This process is in the hands of public officials, who acquire enormous power, which necessarily needs to be kept in check.

According to the Constitution of South Africa, Act 108 of 1996, the Public Protector has the power to investigate any conduct in state affairs or in the public administration in any sphere of government. The Public Protector, like the Auditor-General, is required to report to the legislative assembly at least once a year. The Public Protector is an efficient control mechanism in as far as eradication of competition is concerned or abuse of power by public officials.

4.3.1.5 Control by Voters

One of the most formidable and influential external control mechanisms on the functioning of a public service is the control exerted by voters. Generally speaking, people show great interest in what affects them directly (Hanekom 1987: 34).

The voters will exercise control over the activities of a provincial government among other things, to determine how its policies promote the interests of the inhabitants (Ströh 1989:42). Voter control mechanisms may take the form of representation to political office-bearers and public officials on any matter which affects them directly, submission of petitions to the legislature, through voting in elections and in referenda and to band together and arrange public meetings and marches (Cloete 1991:98-99). In democratic countries, the private individual has more opportunity to shape public policy, since as a voter, he can, in the aggregate, critically influence the activities and careers of politicians (Dror 1968:91).
4.4 Normative Requirements for Control over the Bureaucracy

In order to advance financing to the public goods, financial administrators of the budget should at all times function to advance what should be in the public interest. This means that the actions of the administrators should always be “good”, “right” and “positive” (Hanekom 1987:151). In other words, those who practise public administration have to respect specific guidelines that govern their conduct when carrying out their work (Cloete 1991:56). One of these guidelines is public accountability which has been dealt within a following section (4.5). The remaining guidelines will be discussed in the following paragraphs.

4.4.1 Deference to the Supremacy of the Constitution

It has been noted that every political office-bearer and every public official should, when carrying out his duties, bear in mind that legislature has been granted authority (by constitutions) over his sphere of work. The Constitution accordingly exercises its supremacy and authority over administrative activities by utilising various means such as determining the activities to be undertaken, determining the bodies responsible for the executive functions, determining the personnel to be appointed, determining the rules and procedures and determining the amounts of money to be spent.

4.4.2 Promotion of Efficiency

As already defined before, efficiency in public service means the achievement of objectives by the use of minimum resources (Ströh 1989:46). Efficiency in government service accordingly denotes the ways in which functions and activities are carried out; the manner of putting it into effect in relation to factors such as cost effectiveness and the optimal use of manpower and skills (Rowland 1987:212). Kotzé (in Ströh 1989:47) identifies achievement of cost effectiveness
and optimal use of resources in terms of specific quantity of goods and services of a specific quality at the lowest possible cost. In other words efficiency refers to the economical use of money and other means of production to achieve the desired results (Ströh 1989:47).

A popular misconception about public institutions is that their financial resources are unlimited and so also is their capacity to undertake new projects (Cloete 1991:72). If this were the case, a public institution could presumably employ an unlimited number of officials to do the work while there would also be an unending supply of materials to be wasted at will (Cloete 1991:72). Efficiency in provincial governments should therefore have to be judged on the basis of necessity of expenditure; that priorities are set which determine what work has to be done and in what order, and by using the available resources in a way that optimal results can be obtained and each need satisfied according to its urgency.

4.4.3 Requirements of Administrative Law

Most governmental bodies maintain direct relations with virtually all members of a community and the manner in which governmental bodies and persons in authority should act towards the community, in order to pass the test of accountability for their activities, are regulated by specific fixed rules which are ethical requirements based on principles of administrative law specifically, these requirements include the following (Hattingh 1988:62):

(a) Action must be authorised. This means that all actions are subject to the necessary official approval.

(b) All actions must be within the law and performed strictly in accordance with the relevant legal requirements.
(c) All procedures required by law must be complied with in respect of any specific action.

(d) The miscarriage of justice or judicial errors of interpretation should be avoided at all costs.

(e) Should any official have the authority to use his discretion, such discretion may not be exercised for improper purposes or due to irrelevant considerations in any manner which is unfair or unjust.

(f) Actions may be performed or decisions taken only after due consideration of sufficient relevant facts or satisfactory evidence.

(g) Generally speaking, the actions of officials shall at all times comply with the requirements of reasonableness, integrity and unimpeachability.

4.4.4 Respect for Community Values

The word "values" refers to man's ideas on what is desirable or undesirable (Hanekom, 1988:10), and they provide standards and, norms for daily living which enable people who uphold these values to know that whatever they do and say will be acceptable in the eyes of their fellow man (Hattingh, 1988: 44). Values are therefore a manifestation of the importance the individual ascribes to specific activities, experiences, phenomena or events and which provide him with guidelines for his behaviour, and which can therefore be changed (Hanekom 1988:10). These values/guidelines, for example, may determine how the voter exercises his option on election day, by voting for the candidate of his choice (Hattingh 1988:44), or, as pointed out by Hanekom, (1988:44), values may form part of the accumulated and conventional wisdom of a people or group, which may be expressed in an established habitual attitude towards the allocation of resources.
Governing may become a complex issue when policy makers have to confront an ethical norm such as respect for community values. This is because community values are of particular importance in politics which represents the interaction whereby values are authoritatively assigned to the community (Easton, in Hattingh 1988:44). A choice of values naturally comes into play when an official has to distinguish between desirable and undesirable in terms of community values. In exercising this choice, public officials who identify a problem in an existing situation must seriously consider whether an envisaged change, while satisfying one value, may prove detrimental to other values upheld by the community (Hattingh 1938:65). Respect for, community values as a norm has a strong influence in factors that are used to prioritise capital projects in particular, in the process of budget preparation for education financing in the Northern Province.

4.5 **Accountability**

As a preliminary, the concept of 'accountability' itself requires a brief analysis. 'Accountability' is most simply elucidated by reference to the broader concept of 'responsibility'. In literature, these two terms are commonly linked together, sometimes as virtually interchangeable synonyms (see Emy and Hughes 1991: 350; Corbett 1992:19) and sometimes, more accurately (see Thynne and Goldring 1987: Ch 11; Uhr 1993a: 3-5), as closely related but distinct terms. Responsibility has a number of connotations, including freedom to act, liability for praise or blame, and proper behaviour on the part of the person responsible. It may also, but need not, imply a relationship between two persons (or groups) where one has entrusted the other with the performance of certain duties or 'responsibilities'. In such cases, the person (or group) responsible for performance may be said to be responsible to the person (or group) for whom the duty is performed. Such relationships, where one person is responsible to another, are found in all organisational hierarchies, not only in government departments, but also in private businesses and corporations, schools, hospitals,
armies, churches and so on. This aspect of relational responsibility, the responsibility of one person to another, is also referred to as accountability. In the words of Thynne and Goldring (1987:8):

"officials are responsible within the system to some institution or to some person or persons for the discharge of the responsibilities which they have been allocated. This means that they act in the context of a relationship with an institution or person which or who is in a position to enforce their responsibility by calling them to account for what they (and/or their subordinates) have or have not done. Thus, this ... sense of responsibility requires that officials be accountable for the performance of their official tasks and therefore be subject to an institution's or person's oversight, direction or request that they provide information on their action or justify it before a review authority."

Thus, accountability and relational responsibility are rebated as part to whole. Accountability refers to one aspect, the calling to account and acceptance of oversight, of one type of responsibility, where there is relational responsibility to someone else.

Some analyses prefer to see accountability as distinct from, and contrasted with, responsibility. For instance, Uhr (1993a: 3-5), while identifying accountability with its root meaning of being called to account, confines responsibility to the free exercise of discretion. In this sense, the responsibility of public officials, their freedom to act, tends to be curbed by the requirements of accountability, their obligation to report and be audited. However, this narrowing of the concept of responsibility, especially in hierarchical contexts, to exclude the requirements of accountability seems somewhat paradoxical. Ordinary usage appears to accord more with the broader meaning given in the above quotation by Thynne and Goldring. At any rate, the difference, it should be noted, is over the scope of responsibility rather than the meaning of accountability itself.
Like relational responsibility, accountability involves a relationship of authority and therefore, normally, a relationship of inequality between two parties. Those who are accountable are in some sense subordinate to those who oversee their activities and to whom they must give account. Accountability is thus a common feature of asymmetric authority relationships, such as that of supervised and supervisor, agent and principal, representative and those represented. People of equal status, such as professional colleagues or partners, may be accountable to one another but only as part of a mutual authority relationship in which each accepts the authority of the other over certain matters.

4.5.1 Public Accountability

Since the inception of constitutional democracies in the free world, the debate has continued on the degree of freedom the public service should enjoy from public control, public participation and public scrutiny (Vocino & Rabini 1981:398).

After World War II, the question of accountability became even more pronounced because governments became engaged in so many activities. (Vocino et al. 1981:398).

Hanekom and Thornhill (1983:184) identify public accountability as one of the prominent characteristics of 20th century public administration and points out that the public and elected representatives need assurance “...that public services are under control and carried out within the framework of the policies laid down by Parliament.” In the past, accountability mainly had a monetary connotation and “...was in fact mainly concerned with finance” (Hanekom, et al. 1983:185).

The involvement of government in a great number of activities that increased public services resulted in the term accountability referring to more than only monetary dealings and thus used: “...in a much wider sense and consists mainly in a statutory obligation to provide Parliament with any available
information to enable it to determine how executive actions have progressed.” (Hanekom, et al 1983 :185).

Cloete (1981: 21-22) lists and explains measures which can be applied to uphold public accountability. These measures are the legislature, judicial institutions, organisational arrangements and work procedures. Because the Constitution enjoys supreme power, it will set the objectives to be pursued by the executive institution. Legislators in a democracy are elected representatives and if the objectives set by them are contrary to the values of the electorate, the representatives, can be replaced at the ballot box. Judicial institutions can be used to enforce public accountability because courts hear cases in public and judgements usually receive wide publicity. Organisational arrangements and proper work division promotes accountability because officials will always have a superior to give account to. Sound procedures are needed because the public service is usually large and necessitates orderly and correct action. Most executive institutions therefore compile own manuals and procedural instructions based on legislation which sets particular objectives. Although these measures put forward by Cloete are useful in ensuring public accountability, should there not be a means to test public accountability?

In conclusion, positive answers to the following questions could be a means of testing public accountability in western democracies:

- "How, regularly and efficiently are the views of the public sought by decision makers?

- How easy is it for the ordinary citizen to participate in the decision-making process at national or local level if he or she wishes to do so?
• How regularly are elections held so that those in power make themselves accountable to the electorate and the electorate can replace them if dissatisfied with their performance? (Sallis 1982: 18)

The need to improve the public accountability of governments is a major theme of recent public sector analysis. Advocates of the newly dominant paradigm, 'corporate management' or 'managing for results', have consistently claimed enhanced accountability as one of their major objectives, along with greater efficiency and effectiveness (see Keating & Holmes 1990: 169). At the same time, the issue of effective political accountability has been at the centre of the constitutional debate arising out of revelations of political corruption. The focus on accountability has given rise to renewed academic interest in the possible means by which politicians and public officials may be held publicly accountable.

In such discussions, the starting point has usually been the monolithic, hierarchical 'Westminster' model of accountability, in which formal public accountability is concentrated in ministers responsible to Parliament and in which public servants are accountable only to their immediate superiors in the chain of accountability without any 'short-cuts' to Parliament or to the public at large (Parker 1980). In contrast, most writers now emphasise the variety of channels of public accountability, particularly for public servants (see Uhr 1989a, 1989b, 1993a; Waterford 1991; Corbett 1992: Ch 9; Wanna et al 1992: Ch 17; Finn 1993; Jackson 1995). Departmental officials are said to be accountable not only to their immediate superiors and ultimately to the minister but also to a range of external institutions, such as Parliament and its committees, reviewing officers such as the Auditor-General and the Ombudsman and the courts (see also Reid 1984: 9-11). Public servants are also accountable directly to members of the public themselves and, indeed, on occasion to their own professional consciences.
The new pluralism has not been universally accepted, particularly by those with an interest in maintaining their former authority and discretion. The leadership of the Commonwealth public service, for instance, faced with the implication that public servants might be free to bypass their bureaucratic and political superiors in the name of being accountable to the public has vigorously reasserted the traditional hierarchical model in which clear priority is given to the duty of public servants to their immediate superiors (see Reid 1984).

Nonetheless, the new, diversified approach provides a more fruitful basis for understanding public accountability. In a modern pluralist society, both the ‘government’ and the ‘people’ are themselves complex concepts. The government includes a wide variety of different institutions, cabinet, individual ministers, government departments and statutory bodies, all of which interact with the public and with each other in many different ways. Similarly, the ‘public’ itself includes a range of different groups and individuals with differing values and interests and different organisational means, of interrelating with government. In such a political system, the accountability of government to the people sensibly requires a range of alternative channels rather than the unrealistic single channel implied by the theory of a single chain of ministerial responsibility.

A general acceptance of pluralism, however, leaves further questions still to be answered. In the first place, there is no consensus over whether all processes which make public servants responsive to public needs, are properly to be seen as avenues of public accountability. For instance, is the relationship between government business enterprises and their consumers in a competitive market a relationship of accountability? Or is the treatment of members of the public as consumers rather than citizens an alternative to accountability?

Second, what are the various processes involved in accountability? While due recognition is now given to the variety of agencies of accountability, such as ministers, Parliament, parliamentary officers, the courts, freedom of information
legislation and so on there is still a tendency to look on accountability itself as a single process which each agency should be expected to perform in its entirety (though see Uhr 1993a: 10-11). The contribution which each agency makes to the overall accountability of the public service can be more realistically assessed if accountability is seen to involve a number of different functions or processes. In particular, the respective roles of ministers and Parliament in ensuring accountability can be better understood. While each may be defective if looked on as an agent of the total accountability process, each has complementary strengths in different aspects of accountability which, to a certain extent at least, offset the other's weaknesses.

4.5.2 Administrative Accountability

Administrative accountability "... refers to devising control mechanisms to keep the bureaucracy under surveillance and in check" (Khan 1983: 683), and is clearly linked with control mechanisms. Other than in the case of a private undertaking where control is solely an internal matter, control in the public sector is an external one (Cloete 1977:308). This implies that although internal control mechanisms must be provided for, accountability in the form of external control measures are essential to the public sector. Cloete (1977: 309) points out that the control measures have to be directed at the future and not applied ex post facto.

The activities of the public sector should always be undertaken in public. This implies that every activity and every transaction of the public service must be accountable (Cloete 1977:69). Appleby explains the nature of administrative work in the public sector as "... the way it is subject to public scrutiny and outcry" (in Cloete 1977: 69). He continues by saying that:

"An administrator coming into government is struck at once, and continually thereafter, by the press and public interest in every detail of his life, personality
and conduct" (in Cloete 1977:69-70). Appleby rightly states that every activity and action by a public employee "... has to be thought about in terms of possible public agitation, investigation, or judgement" (in Cloete 1977:70). It should also be pointed out that the task of the public official is difficult in the sense that he has to account to a complex society and that total satisfaction from society can hardly be achieved.

Another aspect complicating accountability is that "...the hierarchy allows the 'buck' to be passed" (Robbins 1980:232) and where groups or committee decisions are taken "... it is difficult to identify who is accountable. The result, therefore, is that responsibility is clouded by the effort of individuals to protect themselves against the risk of being held accountable for faulty decisions" (Robbins 1980:232).

4.6 Control as a Function of Management

All activities of the public sector must be directed at realising policy objectives, and this necessitates proper and stringent controls over such activities. The aim of control in the public sector is to make it possible for members of the community to determine what action has been taken to promote and protect their interests. Control in the public sector is therefore aimed at ensuring public accountability for utilising financial resources. The voting public should be able to establish whether the purposes for which the available resources have been used have contributed to government objectives. Public managers play an important role in control.

Control may also be explained as the management task which is aimed at ensuring that stated objectives are pursued and realised. In essence it means that public managers will compare results with predetermined standards and will issue directives for remedial measures to ensure that the anticipated results are achieved. Control may be used to determine whether objectives have been
realised by checking whether the available resources have been used a prudently as possible, whether officials have identified alternative solutions and whether such solutions were considered in order to perform operations effectively.

Public managers should be aware that control may have a positive or a negative effect on government activities. Control is positive when it is seen as a means for assessing whether anticipated results have been achieved. In a negative sense, control may be regarded as an external means of forcing officials into certain actions. Control should be used, not "as a set of dictatorial devices to manage employees, but as an approach that helps those responsible for implementation of a plan to stay on the right track" (Dimock et al 1983: 229). Moreover, control should be regarded "as consisting not of checking the individual actions of every public employee, but of steps through which account is rendered for actions or in-actions to determine whether Parliament's directives are adhered to" (Hanekom & Thornhill 1993:144).

4.6.1 Types of Control

Public managers may perform the function of control at various stages in the development of public institution activities. Control may be exercised before the activities take place, while they are taking place or after they have been completed.

- Control prior to execution is future-orientated because it allows for the elimination of activities that may create discrepancies. Successful control prior to execution is the particular responsibility of top management and may be carried out by means of changes in policy, procedures and methods. An example of a control measure prior to execution of activities is where top management insists on more stringent criteria for personnel selection.
• Control during execution takes place while the work is being done and is the particular responsibility of middle management and junior management. Such control monitors the performance of subordinate workers and always requires immediate remedies. Public managers may use personal observation, for example, to determine whether subordinate workers are following the stated policies, procedures and methods and to identify any departures.

• Control after execution takes place once public activities have been completed, and in some types of work this may be the only control possible. For instance, departures from the budget are often rectified only once such activities are subjected to the control of institutions such as Parliament, Treasury, and the Office of the Auditor-General.

Public managers should guard against arbitrary control. They are expected to be skilled so that the control they exercise will ensure that clearly identified objectives are realised. Some of these objectives are considered such as:

4.6.1.1 Control to Promote Responsibility

Control aimed at promoting responsibility takes place mostly at operational level where officials are held responsible for specific activities. It is essential that public managers ensure that subordinate officials fulfil their responsibilities and make those decisions for which they have the authority. Officials at operational level sometimes tend to avoid responsibility, leaving management to carry the burden. Public managers can exercise control to eliminate this practice by guiding their subordinates to make decisions independently and to assume responsibility. To achieve this, public managers may emphasise participative management, delegate tasks with more responsibility to officials, and encourage officials to develop the self-confidence to assume more responsibility (see Ströh 1989:44).
4.6.1.2 Control to Promote Regularity

To pass the test of accountability, regularity in government activities is essential. Regularity in this sense means combating and eliminating irregular expenditure, dishonest actions, poor bookkeeping practices, unauthorised spending and any transactions that are contrary to the will and wishes of the executive political functionaries. Control may be used to promote regularity by ensuring that financial transactions are accurately recorded and that financial statements are a true reflection of all accounting activities. An effective internal system of control will contribute significantly to preventing theft of money and supplies. Consistent compliance with directives for collecting, safeguarding and spending public moneys will allow public managers to account to a higher authority for their management of public funds.

Control aimed solely at promoting regularity may have a negative effect because it will focus the attention on irregularities. Excessive emphasis on abiding by the rules to promote regularity and regulations may stifle any attempts at reform, rationalisation and improvement of work methods and procedures. Merely abiding by the rules and regulations is not enough to ensure effective public administration. Although it is necessary to check that expenditure has been recorded accurately, that the necessary authorisation for such expenditure was obtained, and that there is adequate documentary proof that goods have been delivered and received, investigations into irregularities cannot ensure that the actions that were taken will offer maximum benefit to the community. Therefore control to promote regularity is not enough to ensure public accountability. To succeed in realising government objectives, control also needs to promote effectiveness, efficiency and economy (see Ströh 1989:45).
4.6.1.3 Control to Promote Effectiveness

Effectiveness refers to the extent to which government objectives have been realised, the degree to which needs are being met and to the quality of service. We can therefore say that

- effectiveness is directed at the standard of service

- the extent to which the needs of the community are being met is a crucial requirement for effectiveness

- there need to be clearly defined objectives that can serve as a measure of the effectiveness of service and the degree to which needs are met

Effectiveness is therefore essential to determine whether service of an acceptable standard (quality) is being provided, to determine the extent to which community needs are being met, and to determine the extent to which stated objectives are being realised (see Ströh 1989:46).

4.6.1.4 Control to Promote Efficiency

Efficiency relates to realising an objective with the minimum resources. Efficiency means that a certain quantity of goods and services of a particular quality have been supplied at the least possible cost. Efficiency therefore always refers to judicious expenditure and prudent use of the means of production in order to achieve the desired outcome.

Public managers should note that activities, in terms of input and output, may be carried out efficiently and yet not be effective because they have not satisfied the particular community's needs. Similarly, services that have been provided and
that meet the needs may be effective, but resources may have been spent so recklessly that there is little evidence of efficiency.

Control to ensure efficiency is of utmost importance because community needs are unlimited and such needs have to be met by means of limited resources. To be able to account to the community, it is essential to exercise control to ensure that resources are being used prudently.

To evaluate efficiency, it is essential to set certain standards against which performance may be measured. In this regard, public managers may use work study divisions to good advantage for advice on how to increase efficiency in the provision of services. Advice on improving work methods and procedures, and on optimising utilisation of personnel, will enable public managers to increase efficiency through improved service or reduced costs, or both (see Ströh 1989:47).

4.6.1.5 Control to Promote Economy

Economy is aimed at ensuring that money is spent in accordance with approved prescriptions, and that such expenditure will be appropriate and useful. Control is therefore necessary to ensure that available resources are used in the interest of the public institution and the community and are not wasted on uneconomical goods and services.

In view of rapid technological advances, control to ensure economy has become even more important. Public institutions will need to ensure, for example, when purchasing technological aids such as microcomputers, that the purpose for which they are being purchased, their use and the functions that they will perform will in fact be of benefit to the institution and the community, and that they will in fact contribute to improved services.
Control and Supervision in the Hierarchy of a Bureaucracy

Control and supervision in an organisational unit usually take place mainly along the lines of authority. These are basically the same as the lines of communication.

Instructions run along the lines of authority from the leadership to the subordinates who carry out the instructions. Reporting takes place in the same way, in other words subordinates report to their immediate supervisors, who report to their immediate supervisors, up to the chief executive officer. The more closely woven and formalistic the organisational structure, the stricter the control. Where the organisational structure is looser or less tight, control will also be less stringent. Central government generally has a fairly rigid organisational structure, with the result that control is comparatively strict.

Because there can be only one central source of supreme authority in a particular community, and since such central authority remains accountable for all the actions of its executive, provision has to be made for control and supervision in organising the State’s activities. Supervision and control simply mean that steps are taken to ensure that subordinates who receive instructions or to whom authority has been delegated will follow such instructions or keep within their jurisdiction and will comply with the usual norms or principles.

Conclusion

This chapter has shown that there are various facets of control and accountability. For instance, the classification, normative requirements and types of control indicates that control and accountability are both comprehensive and demanding processes.
The primary task of public officials is the promotion of the welfare of the community, a task that should be performed in such a way that the public official is able to account in public for his actions. The public official needs to remember at all times that public money is being used and that both the public official and political office-bearers are in service of the public and not in the service of the government.

Through experience, fixed techniques for control and supervision have been developed, and these play an important role in institutions today. The following are a few examples of such techniques described in this dissertation:

- Personal inspections are undertaken by the responsible central authority. Think of the inspectors in our own public service and departments. In a large complex of institutions, however, "policing" is not the only task of these units. They do have to ensure that actions remain within the limits imposed by the higher authority, but it is also their task to look out for possible organisational or other improvements in the institution. For this reason, our own public service and departmental inspectors have been trained for some years in the latest techniques, so that they will see when improvements can be made by changing obsolete methods.

- Auditing by officials who have had special training in this function is a familiar technique of control, especially in respect of monetary and supply issues.

- Subordinates may be required to submit accounts. For example, officials are often required to submit reports on progress made in a specific matter.

- Institutions or officials may be arranged according to a hierarchical pattern, so that the one is positioned above the other in a supervisory role. One
example is the divisional head who occupies a supervisory position over all the workers in some division or another.

- Responsible officials may be requested to give evidence before or to answer the questions of the controlling or supervisory officials.

Control and supervision should not be viewed from the perspective of forced labour. They are indeed a tool to compel subordinates to keep within the limits of their authority and to work according to the prescriptions, but if control and supervision are applied realistically, the best results will be obtained through constructive leadership and guidance. Control is a prescriptive intervention aimed, among others, at correcting wrongs and addressing unacceptable behaviour. Political control of the bureaucracy is an attempt to create a stable environment, a prerequisite for policy implementation and monitoring.
CHAPTER FIVE

POLITICAL CONTROL OVER BUREAUCRACIES

5.1 Introduction

As indicated in Chapter Two, an authority is an institution of the citizens of a State and as such constitutes an implement for the achievement of community objectives. The right of an authority to exist resides in its obligation to act in accordance with the directives of those whom it is supposed to serve. For practical reasons, however, the citizenry cannot inform all public institutions about matters that require handling and they cannot prescribe how such matters should be handled. This is why the policymaking (legislative) institution of a government is responsible for all the activities of the government's component parts. The government must in fact justify its actions.

In view of the problems encountered with the interaction of the political and administrative systems, it appears that the prospects of political control over the bureaucracy could be found through: the difference between elected and appointed officials, the relationship between the government and the bureaucracy, the various ministerial styles, the influence of bureaucrats on political decision-making, the neutrality of bureaucrats, the political role of the bureaucracy, the balance in relations between ministers and high ranking officials, and the transferral of ministerial power to bureaucrats.

The chapter also explores the different ways in which ministers exercise control over the bureaucracy. In this chapter a general overview is given of the objectives, the necessity for political control and the appropriateness of the control measures, with reference to the Northern Provincial Government.
It is said that government institutions exist to satisfy the intellectual and material needs of the community, but community needs usually exceed the resources available for their satisfaction. Effective, efficient and economical action is therefore expected of legislative and executive institutions. A major proportion of the responsibility for ensuring that optimum results are obtained with the expenditure of resources therefore rests with the bureaucracy.

There is concern, however, about bureaucratic power in terms of the threat it poses to democratic accountability. As indicated in Chapter Three, the main sources of bureaucratic power include the ability of bureaucrats to control the flow of information and thereby determine what their political masters know, the benefits they enjoy as permanent and full-time officials, and their status as specialists and guardians of public interest. It is even more important that, according to Andrew Heywood "... unchecked bureaucratic power spells the demise of representative and responsible government. For political democracy to be meaningful, appointed officials must in some way be accountable to politicians who, in turn, are accountable to the general public. Indeed, one of the longstanding criticisms of liberal democracies is that behind the façade of party competition and public accountability lies the entrenched power of bureaucrats who are responsible to no one. Guarantees against corruption, maladministration and the arbitrary exercise of government power must therefore be established" (1997:182).

The above quotation makes clear beyond doubt that control must be exercised over the bureaucracy.

5.2 The Difference between Elected and Appointed Officials

As indicated, people in the public sector work for, but are not part of, government. The difference between elected office-bearers (political) and appointed officials (apolitical) is important in this regard. Political office-bearers and subordinate civil
servants must keep the basic reason for the existence of the public sector in mind at all times in the performance of their routine duties. The individual official must remember that by performing his/her daily duties he/she not only satisfies his or her social needs, but is in the employ of a political legislative institution that has to pursue certain objectives in accordance with an electoral mandate and is under an obligation to furnish parliament with information so that the progress of executive actions can be determined (Theunissen, in Venter 1998:133).

5.2.1 Elected Political Office-Bearers

Elected office-bearers are chosen to occupy their positions by means of a democratic election process. Such office-bearers, regardless of whether they have been elected directly or indirectly, are naturally political creatures with political agendas. Their positions in a democratic society depend on the support of voters and they can therefore also be discharged from office by virtue of elections. Cabinet members are usually elected political office-bearers to whom the responsibility of a ministerial portfolio has been allocated for certain government functions, such as education, safety and security, and defence. These portfolios usually correspond with the names of state departments and therefore have such designations as Minister of Education, Minister of Defence and so on. The political mandate given to a political party or parties by the electorate in an election that has been won by the party or parties concerned (the election may also have been won in concert by several parties who formed a coalition), must be carried out. The implementation of the political mandate is the responsibility of the President and the cabinet ministers at national level, and by the premiers and executive council members at the provincial level. The instrument used by the President and cabinet members to implement the political mandate they receive from the electorate is the public administration (Theunissen, in Venter 1998:134).
5.2.2 Appointed Officials

Appointed officials are not elected but are functionaries (bureaucrats) who are responsible in a professional capacity for the daily functioning of government. Their task is to uphold the Constitution. They also act as agents for the implementation of government policy regardless of their own personal political convictions. These persons keep their positions even if the governing party changes after an election. It follows, therefore, that during the course of his/her term of service the appointed official must serve under the leadership of a succession of different ministers who do not necessarily champion the same policy. Public officials must therefore carry out their responsibilities, regardless of their personal political views or values. The public official is a public servant who has to respect the wishes of the voters as expressed and formulated by the government of the day. A public official has the right and responsibility, however, to refuse to carry out an instruction that is illegal or unconstitutional (Theunissen 1998:134).

Government departments experience staff turnovers when a new government is inaugurated. What can change is the nature and procedure of departments' performance of their line or primary functions (i.e. the main task which is the essential reason for their existence). Changes or adjustments in such functions will be made in accordance with the new political approach propagated by the new government.

As an afterthought we can mention that the normative guidelines applied to appointed officials are an important constant. These guidelines are applicable to the ethical behaviour and values to which public officials have to conform. These include honesty and probity, thoroughness, impartiality, integrity, legitimacy and obedience to administrative law in all actions. The normative guidelines serve as a model to which the public official can aspire in order to live up to the high ideals and traditions of public service and sacrifice in adequate measure.
5.3 The Relationship between Government and the Bureaucracy

As indicated above, people in the public sector work for the government although they are not part of it. The difference between elected office-bearers (political) and appointed officials (apolitical) is significant here.

Under the Constitution ministers are appointed to administer government departments, so they have a constitutional task. The political office-bearer also has other functions, however. In order to place the function of head of a government department in perspective it is also important to take stock of his or her other functions.

The political office-bearer as party politician or party leader

All action aimed at winning and retaining a seat in Parliament falls under this heading. Although this function is outside the ambit of the administration, functionaries should act in sympathy with this cause. For the privilege of participating in an election under the banner of a particular political party the politician voluntarily submits to party policy and accepts the discipline maintained by the caucus (Viljoen 1987:91). A Canadian minister, McKeough, expressed the following view in this regard:

"The cynic would say that it is obviously the ability to survive politically that determines the extent of services rendered by a government. I do not say that I would stoop, as the cynics claim, to any end to guarantee re-election but I do point out to you that, in many decisions, the desire for re-election is of course an important factor" (McKeough in Viljoen 1987:91).

Furthermore, politics command greater prestige and interest than the administration. The decorum that creates atmosphere for the political scene is colourful and stimulating, while the mere vestige of decorum that is visible of the administration usually creates an impression of uniformly grey drabness.
Besides, political office-bearers certainly do not share the appointed official's perception of the administration and its administrative role. In the final analysis the minister remains a politician. His or her decisions are invariably taken with a view to the possible political consequences.

**The political office-bearer as representative**

With very few exceptions politicians reach executive political positions by way of representation. As a representative the politician must take due account of the interests of a constituency — which comprises several thousand members. In his/her capacity as minister the representational function is probably less demanding than that of a junior backbencher. At the same time membership of the cabinet on the one hand, and expressing voters' needs on the other, are precisely grounds for possible conflict that may be difficult to resolve. Strictly speaking this function falls outside the narrower meaning of administration (Viljoen 1987:92).

British minister Edward Boyle analyses the decision-making issue in minute detail in the following passage:

"Ministers can do things which are unpopular in the country: they can do things which are unpopular with their own supporters: but they cannot introduce some measure or take some decision which requires a vote of the House of Commons if their supporters will not vote for it" (Boyle in Viljoen 1976:171).

Consequently, even when they engage in decision making about "administrative" matters, political office-bearers may not lose sight of political considerations.

It is clear from Boyle's words as quoted above that a distinction should be made between the politician as representative on the one hand, and as representative/office-bearer on the other hand. In common parlance the minister is referred to
both in his capacity as a Member of Parliament and as a politician. Boyle strongly opposes this. He maintains that it does not take ministers long to discover that:

"the most important distinction in our whole national political system is the distinction between the Government and the non-Government ... As soon as one becomes a member of the Government one has to measure one’s words and actions and think in terms of reality, in a way that one does not have to do when the executive machine is not at one’s disposal" (Boyle in Viljoen 1976:171).

It can be taken on trust that the South African situation will not differ significantly from that in Britain. The minister’s use of the “administrative machinery” accounts for the bulk of his administrative task. For the first time in his political career the minister can now experience a conflict between his role as representative, where he has to take account of his supporters, and his administrative role, where he has to take account of rules and procedures. Visible proof of such tasks in conflict is often apparent at congresses (Viljoen 1976:171).

The political office-bearer as participant in government

As cabinet member a minister is co-responsible for the government of the country. Here the function includes government, final decision-making (policy determination), conflict resolution, enforcement of authority and asserting power. The government function is in fact pivotal to furthering the general welfare of the nation (Viljoen 1987:92).

Interwoven with the above-mentioned three functions a minister has, in virtue of his office, a multitude of ceremonial, ad hoc, diplomatic and benefit public appearances to take care of (Viljoen 1987:92).
The political office-bearer as administrator

If administrative functions are taken as a yardstick it seems indisputable that the political office-bearer is involved with these functions to varying degrees, ranging from specific legal commissions such as appointing or promoting personnel in the civil service, to the way in which, for example, control is exercised by means of submissions and memoranda. The extent and depth to which ministers become involved with administration vary from one person to another and even from time to time. In contrast to a decade or so ago, the public not only seem to judge a minister according to his or her leadership, but also expect the person to be demonstrably conversant with administrative matters (Viljoen 1987:92—93).

An analysis of the various functions of a political office-bearer reveals that it is an enormous task that makes stringent demands on physical and psychic resources. Viljoen (1987:93) notes that this has the following implications for the appointed official:

(1) As a result of the sheer diversity of the minister's functions he can only spend a limited amount of time on any one of them.

(2) The minister should spend the bulk of his time on the function of government.

(3) Where party-political leadership and representation are concerned the official should not directly assist the executive office-bearer.

The highest ranking official has a duty and a responsibility to assist the political office-bearer as a partner — albeit a "junior" partner — in the performance of the government and administrative functions. In the government functions he acts in an advisory capacity while in the administrative function he acts as the political office-bearer's trustee.
The Minister's Role in a Democratic System

The bureaucracy is a force to be reckoned with in government. Political office-bearers are in control of the bureaucracy, however, and it is therefore at their disposal. As indicated, they form the upper tier of command of the bureaucratic institution and can therefore use it to realise government objectives.

In South Africa the political office-bearer at central government level is held legally responsible to administer the government department assigned to him or her. In view of the many other functions performed by the person, namely representation, legislation and government, he or she delegates the bulk of the administrative functions to the administrative head of the department. A minister usually confines him/herself to those administrative matters that may have a direct impact on the implementation of government policy (Viljoen 1976:176).

Although the minister's actions can be superficially classified as administrative, these actions usually have a strong political flavour and are rooted in politics. Consequently it is hardly possible to speak of the polarisation of political and administrative actions with any justification; according to Viljoen (1976:176) it is rather a matter of political-administrative osmosis.

In most Western democracies ministers usually bear the responsibility for their government departments. They are expected to formulate government policy for the portfolio entrusted to them, and for overseeing the implementation of such policy. With this in view they have to answer to the executive authority for their decisions and actions. Public officials in the upper tiers of state departments usually have to assist ministers in this process. They are mainly responsible, under the minister's supervision, for the implementation of such government policy with the aid of various teams of subordinate officials.
For the purposes of the present analysis the main responsibilities of the minister towards the relevant government department are to:

(1) provide political direction, leadership and motivation to departmental officials as well as the electorate on policy matters;

(2) assume overall political control over the government department and the execution of various statutory functions and duties required for the ministerial office; to manage; and

(3) to bear political responsibility and liability towards the legislative and executive authority as well as the public for his/her personal conduct as well as that of the government department concerned (Cloete in Thornhill & Hanekom 1995:28).

If the actions of the minister accord with legislation he/she is legally obliged to record this fact in a document signed by him/her in order to validate the actions concerned. Most of these documents are drawn up by officials in the relevant government departments and are submitted only for the minister's approval. Depending on the person concerned, the minister's signature may be a mere formality, or he/she may choose to consider the matter more seriously before a decision is taken (Cloete in Thornhill & Hanekom 1995:28).

In view of the heavy workloads that government departments often have to cope with, ministers are authorised to delegate certain decision-making functions or actions to a high-ranking official in the government department concerned. Such delegated powers can be revoked at any time at the minister's discretion. The delegated powers can considerably enhance the influence of functionaries on policy determination and implementation, and they also have a determining influence on the relationship between politicians and officials in the relevant government departments (Cloete in Thornhill & Hanekom 1995:28).
5.5 The Various Ministerial Styles

Headey (in Auriacombe 1996:88) describes five different kinds of ministerial styles:

1. executive or interventionist ministers who become involved with every aspect of the daily management and administration of their government departments;

2. political initiators, who prefer to merely take the initiative with respect to macro-aspects of the political process while their functionaries have to handle the micro-aspects of the political process in an entirely reactive manner;

3. political selectors, to whom the functionary makes active proposals while the minister then acts reactively by merely approving macro-policy decisions, where after the implementation of the relevant decisions is again left to functionaries, which amounts to an inverted relationship of roles;

4. ambassadorial or public relations ministers, who prefer to play a public relations role in the main in order to defend and "sell" the policy of their particular state departments; and

5. minimalist ministers, who maintain the lowest possible political profile in an effort to avoid situations in which they might have to take controversial decisions. They leave almost all decisions and actions to the functionaries, but they also do not accept responsibility for any action taken by state departments.
A minister's individual work style (diligent, energetic or lazy), personal characteristics (any minor psychological aberration, (e.g. an authoritarian, paranoid or well-balanced personality) and personal preferences also determine his/her role in a government department (Self 1977:142).

All the above work styles influence and are influenced by the abilities or preferences of the person concerned to delegate authority to others or to keep it to him/herself. Often, too, the ministerial styles correlate with the degree of the person's expertise in the activity or field for which he/she is responsible. Ministers who are well-versed in their particular domains or are specialists in the relevant fields are usually intensely involved as executive ministers ("hands on"), while politicians who are not particularly familiar with the activities of their respective state departments often decide to leave a good deal of discretion to departmental officials and mainly focus their attention on other political activities (Greenwood & Wilson quoted by Cloete in Thornhill & Hanekom 1995:29).

An executive minister who is addicted to work and does not delegate authority is the nightmare of any civil servant. Such persons interfere with the daily management of the government department to an inordinate extent, whereas the responsibility for such management is usually borne by the high-ranking administrative officials of the government department concerned, regardless of where the statutory responsibility is placed. On the other hand an "ambassadorial minister" who leaves much of the discretion as regards policy determination and implementation to his/her functionaries is any civil servant's fondest dream, because such a person is usually not interested in the finer detail or minutiae of policy determination and implementation, and tends to — often unconditionally — accept the proposals of his/her high-ranking officials (Cloete in Thornhill & Hanekom 1995:29).

Minimalist individuals find it difficult to take decisions of any kind. If the minister has a minimalistic mindset, it may have positive or negative consequences for
departmental activities: it may either enhance the status of high-ranking officials in the government department, which means that they may become influential policymakers or counsellors, or it may result in delays in policymaking and action, and even in stagnation because no decisions are taken when they are required and because the government department does not have the support required for action initiated by functionaries (Cloete in Thornhill & Hanekom 1995:29).

The relationship between ministers and high-ranking officials in the government department largely depends on who has the strongest or the weakest personality (Headey 1974:63). A “strong” high-ranking official coupled with a “weak” minister can exert a considerable influence on policy determination and implementation in his/her government department because the minister may feel uncertain and therefore allow the functionaries to take the initiative, particularly if the minister is not sufficiently familiar with the portfolio assigned to him/her. On the other hand a “weak” high-ranking functionary operating in tandem with a “strong”, well-informed minister will have no influence on the policy of the government department in question because “strong” ministerial personalities also tend to be “hands-on” ministers (Self 1977:142).

Other important political factors that influence the minister’s role directly or indirectly in this regard are the following:

(1) the ideologies of the government of the day or of the minister concerned, which can seriously inhibit the degree of discretion of a policymaker as regards micro-policy determination and implementation;

(2) the prevailing political climate; and

(3) the personal or political relationship between the minister concerned, his/her cabinet (government) and the head of government who appointed him/her (Cloete in Thornhill & Hanekom 1995:29).
5.6 The Influence of Bureaucrats on Political Decision-Making

Decision-making is the primary political activity, so the question is whether the bureaucracy can influence political decision making. According to Strauss (1961:82—83) this is certainly the case.

Strauss (1961:82—83) observes that this situation inevitably generates tension between politicians and functionaries. The specialists may already have a low opinion of politicians in positions of power, and it will not be improved by the self-righteous criticism they have to endure from that quarter. They would have to be exceptionally kind-hearted not to see this dependency as an unwelcome hindrance to the efficient performance of their duties since they feel that they are best qualified to assess the situation. In most settled institutions the influence of political leadership wanes over time while that of functionaries grows. This change in the balance of power is most pronounced in the strictly administrative sphere where the professional bureaucracy usually have their way and reject interference from outside, on condition that certain minimum standards of efficiency can be maintained.

The process will not necessarily stop there, however, because the precise distinction between “administration” as the sphere of the bureaucracy and “policy” as the sphere of politicians is becoming increasingly difficult to maintain in practice. The reason for this is that policy cannot be formulated without elaborate preparatory work done by top functionaries and their personnel.

The political leadership can retain the right to final decision making, but it has to choose between alternatives that are usually provided by experts. This choice is therefore often more of a formality than a reality, because the facts are selected in such a way that they can only provide one answer to the questions put to the advisers. In practice functionaries do not restrict themselves to preparation of the material, but also give advice on conclusions that can be drawn from the material
— an extremely important development in modern politics, although in some instances, for example the British Foreign Service, it is remarkably recent. By preparing policy decisions and giving expert advice on it, top functionaries exercise a strong and often irresistible influence over the political leadership.

Once policy decisions have been taken the heads of the administration have considerable flexibility in implementing the decisions because it is impossible to determine implementation strategies in advance, except in the broadest sense. The main implementers must be allowed to choose the right moment to introduce the policy decided on, to concentrate on ways and means that take account of the prevailing circumstances, and to grant extensions to others for whom the circumstances are less favourable (which in practice sometimes means that the policy concerned will never be carried out).

Such functions have a strong political flavour, although they form a justifiable part of the administrative sphere, and the line of distinction between policymakers and implementers is usually vague for the latter: it is the cumulative force of administrative actions that lies at the heart of the modern state. The motivation for such actions naturally remains of the greatest importance (Strauss 1961:82—83).

Jacob shares this view. The reason why the bureaucracy is so important, is that it occupies a significant leadership position in the process of policy determination. This new role is assumed so conspicuously that it has given rise to the descriptive term “administrative state” which was discussed in the preceding theme (see Jacob 1966:49).

As public policy finds its way through the ramifications of the bureaucracy it gains structure and is refined before being implemented. Every agency, bureau and section stakes its claim in the process. The role of the executive authority that is being deployed in contemporary technological societies endows the leadership
with extraordinary powers, just as sub-bureaucracies leave their mark on policy that is being carried out (Simmons 1972:11).

Strauss (in Jacob 1966:281) sees great danger in this tendency and expresses himself strongly against it. "Bureaucratic rule is an evil which, once established is almost in-eradicable: It distorts the play of social forces by suppressing its enemies and stimulating its sycophants. Either way it makes gradual reform difficult or even impossible and invites violent revolution as a rule at a high cost of human lives and material resources."

5.7 Should Bureaucrats be Politically Neutral?

Much has been said about the necessity of the political neutrality of functionaries. Such a perception surely has merit, but it is not always consistent with reality.

The official who has to carry out policy in practice is forced to use his discretion in the interpretation of policy. Moreover it is usually the official who is approached because of his/her expertise in advising political leaders on complex technical matters. The highest ranking officer will naturally influence political decision making from such a position. It should therefore be taken for granted that any public functionaries who is given the task of collecting, analysing, presenting and evaluating factual information will use his/her own judgement with the necessary respect for the views of those in control of politics. If his/her decisions and advice then objectively correspond with those of the political leaders it means that the task has been well done and not that the functionary has become the instrument of the political party.

5.8 The Political Role of the Bureaucracy

It has been shown that the bureaucracy and, in fact, every functionary, is a sounding board for public opinion and has to apply the insight he/she obtains in
this way to the performance of his daily duties as either an executive or an advisory official (Appleby 1949:51, Jacob 1966:201).

The bureaucracy is also used to achieve political aims, however. The government endeavours to achieve certain aims as effectively as possible, and like a private organisation, is compelled to rely on specialists and a group of functionaries with the requisite authority (Jacob 1966:104).

Or as Mulder (1977:98) puts it: "In the first place the minister must trust the bureaucracy implicitly, particularly his/her chief executive functionaries. It is physically impossible for a minister to be aware of everything that goes on in his/her department every day, or to take all decisions on his/her own. Consequently considerable decision making authority is delegated to functionaries. The functionary therefore effectively acts on behalf of the minister. In taking action the functionary must be careful not to cause embarrassment for his/her minister, who bears final responsibility for his/her department. Embarrassment can be prevented only by means of constant dialogue and consultation between minister and secretary. Secondly the official is expected to be resourceful. Politics has been described on more than one occasion as the art of the possible. It is largely incumbent on the chief executive functionaries, however, to translate policy decisions taken at Cabinet level into practicable working programmes. They must therefore make possible what seems impossible." (own translation)

5.9 The Balance in Relations Between Ministers and High Ranking Officials

The observation that effective management of the civil service depends on the extent to which politicians and officials can work together as a team implies that both categories have a place in the process: politicians are mainly responsible for providing legitimacy and political direction and supervision, while the wholehearted support of bureaucrats is required in this process of policy determination
and implementation because they can contribute continuity and experience in certain areas.

If officials are reluctant to carry out changes in policy, or if they derail or delay the implementation of new policy, or if they find it difficult to work together in new teams with politicians whose principles differ from theirs, then there is naturally a real need for more interventionistic political strategies. Explicit new political appointments may be useful in the process, depending on circumstances. However, care must be taken not to politicise the new civil service excessively, because that would impact negatively on its activities in the long run. Effectively there will have to be a compromise between political demands for dramatic policy changes and management demands for maximal administrative stability in the delivery of services and facilities (Cloete in Thornhill & Hanekom 1998:36).

Both parties (minister and top official) must pursue the same goal of achieving general well are at the least cost. Both parties must ensure that public administration promotes civilised conditions or standards of living, in other words that the doctrines and values on which civilised society depends remain intact.

Advice to politicians

To ensure a balanced relationship between politics and public administration politicians at all levels of government need the insight required to handle public affairs. The politicians need to maintain the approach of a balanced layperson in their relations with public administration. Nowadays exceptional insight into communal life and even into the international environment is required to be a balanced or well-informed layperson. Politicians should therefore be well informed in order to apply the necessary insight in decision making.

Decisions taken with a view to realising government objectives are going to become increasingly complex owing to the institution of a new democratic
executive authority in South Africa, with its own plan of action that is focused on meeting the needs of South African society. On the one hand there are bound to be more administrative implications. With respect to the administrative activities in the civil service, the function of political control should expand.

A single step in the wrong direction, or a political mistake, can be costly in terms of politics. A minister is obliged to achieve his objectives with the aid of experienced and knowledgeable officials. Ministers can no longer act individually, too, because economic and social factors are becoming increasingly interwoven. It requires close and accurate co-ordination among state departments, as well as complex and restrictive activities. The implementation of the new government policy is only one of the objectives of the South African government that requires considerable sacrifice and co-operation from all sectors in the public administration.

The stimulation of economic growth in South Africa and the more equitable distribution of income to eliminate backlogs, which could take a long time yet, may cause complicated conflicts of interest between pressure groups who will not have their privileges questioned and strive to secure their standard of living. These groups will launch attacks on ministers at an increasing rate, and the ministers will have to act as arbiters in political conflict situations. The need for teamwork between ministers and top officials may be increased by these circumstances.

**Training the bureaucracy**

As indicated, it is the duty and responsibility of the highest-ranking official to assist the minister in the performance of the government and administrative functions. It is therefore clear that functionaries have to be much more than balanced laypersons. They must be able to handle matters, propose decisions, act with care, have a sense of certainty about the future, and be able to take
decisions and face the consequences of implementing such decisions. They must be trained to analyse political situations with insight and skill and to present issues to politicians so that they can understand the political implications and take decisions accordingly. Functionaries must be sensitive to the political implications of their work so that they can warn politicians if administrative procedures could worsen rather than alleviate conflict situations.

The highest-ranking official must also act as mediator. As the chief executive officer of a government department he/she must therefore be able to co-ordinate the various sections of the department; act as arbiter where necessary; reconcile the views of officialdom with those of political institutions; and reduce the gap between the specific interests of pressure groups and public interest (not always expressed by the functionaries).

5.10 Why can Ministers’ Power Leak to Bureaucrats?

To understand how political control over the bureaucracy can be guaranteed the sources of bureaucratic influence need to be considered. Why is there a danger of power leaking from ministers to civil servants? The answer lies in five characteristics of the bureaucracy: its expertise, permanence, inveterate habits, control over implementation and special interests.

Expertise

A government department is a large, multifaceted organisation that embodies an enormous amount of knowledge and expertise in the area of its specialisation. Since ministers — at least to some extent — have to rely on the advice and information furnished by their government officials, the bureaucracy has potential agenda-determining power. It can decide what information should be offered and what should be withheld.
Permanence

The position of public servants is safer than that of politicians who are the heads of government departments. Top-level civil servants will therefore have more experience of their field than their ministers do. Especially in parliamentary governments, ministers are regularly moved upwards, sideways or out. This encourages bureaucrats to resist change; they simply dig in until the minister leaves. Further, when a vacuum occurs at the top end, power tends to go to the permanent bureaucracy. Then, if the politicians will not or cannot govern, whether as a result of a political crisis or simply weak leadership, the civil servants can, want to and must govern in their stead.

Inveterate (fixed) habits

Departments develop their own procedures, their own priorities and their own internal approach (organisational culture). They forge links with other departments and interest groups, with whom they share ties of tradition, informal agreements and personal relationships. These inveterate habits can be difficult for ministers to overcome – let alone penetrate.

Control over implementation

Because bureaucrats implement political decisions, they can “bend” policy, not only to suit the circumstances of operational implementation, but also to favour their personal concerns. This is unavoidable, because civil servants need discretionary powers in order to carry out their policies effectively.

Special interests

Bureaucracies are often seen as expansionist organisations with a desire to extend their size, staff complement and the scope of their activities. Top-level
civil servants in particular are often represented as persons who want to maximise their department's budget, which is regarded as the equivalent of the entrepreneur's goal, namely to optimise profits. Ministers do not necessarily share these special interests. They could be part of a conservative administration that wishes to curb government spending by putting a stop to departmental empire building.

5.11 How do Ministers Exercise Control over the Bureaucracy?

The different ways in which the bureaucracy can be controlled can be classified into formal and informal categories. Informal control measures can be either internal or external to the bureaucracy. The main formal control over the bureaucracy in liberal democracies is the political executive authority under the leadership of the president or a premier.

Liberal democracies have developed a range of counteract bureaucratic power. Hierarchic control by a minister is the Weberian solution, but the extent and effectiveness of the political control are influenced by three other factors: the scope of political appointments, norms of ministerial accountability and responsibility, and making use of ministerial advisers.
**DIAGRAM 9: Modes of Control over Bureaucracies**

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<tr>
<th>Formal</th>
<th>Informal</th>
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<td>Political guidance by ministers</td>
<td>EXTERNAL</td>
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<tr>
<td>Critical scrutiny by national assembly</td>
<td>Critical scrutiny by mass-media</td>
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<tr>
<td>Critical scrutiny by the judiciary</td>
<td>Public opinion</td>
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<tr>
<td>Ombudsmen</td>
<td>Critical scrutiny by interest groups</td>
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<tr>
<td>Performance standards</td>
<td>INTERNAL</td>
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<tr>
<td>Ministerial control</td>
<td>Professional standards</td>
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<td>Anticipated reactions</td>
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<td>Peer pressure</td>
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<td>Conscience</td>
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<td>Competition among departments</td>
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(Adapted from Nadel & Rourke 1975, Table 1)

**5.11.1 The Scope of Political Appointments**

The extent to which political appointments infiltrate the bureaucracy varies considerably. On the whole one can say that the greater the extent of infiltration and the more political appointments are made in a government department, the easier it becomes to guarantee political control. An American president appoints about 3,000 people, and a career civil servant finds that his access to the cabinet secretary is blocked by several people lower down the political hierarchy who have been appointed for political reasons. In Britain only ministers who are heads of State Departments are elected officials who are appointed politically; the rest are appointed as permanent professional civil servants. In Germany even fewer political appointments are made. This lack of infiltration in Germany is neutralised, however, by a system in which state officials who are sympathetic to
the governing party are appointed in sensitive administrative positions. The financial cost of this approach is fairly high: government officials who lose their positions for political reasons retire early — on full pay (Hague et al 1998:227).

This tendency to staff important departments with loyal and sympathetic government officials is even more prominent in Finland. Vartola (1989:126) notes that the Finnish civil service has become even more politicised since World War II. He even goes so far as to suggest that: "it has been very difficult for quite some time for non-aligned civil servants to gain appointments in important posts in the administration".

Yet it is by no means self-evident that this has the consequence of less ministerial control. As a matter of fact, top-level state officials welcome political guidance; they recognise the unique authority of the minister as a member of an elected government. More political appointments therefore do not necessarily mean more political control.

5.11.2 Norms of Ministerial Accountability

Political control over the bureaucracy also depends on the prevailing perceptions of ministerial accountability. (Hague et al 1998:228).

The more accountable government officials are for their actions, the more their influence can be identified, if not actually controlled. Bureaucrats can easily evade the spotlight of political as well as social scrutiny when, as in Britain, ministers only have to account formally for the actions of their officials. This system occurs in its most extreme form in Britain. "The buck stops" with the minister, but in practice ministers are rarely dismissed from office for incompetence or wrongful actions within their departments (Hague et al 1998:227). In this way civil servants can effectively exercise power without the risk of being held externally accountable. Fortunately (perhaps), in other liberal
democracies less emphasis is placed on the anonymity of civil servants in high office than in Britain. In the USA it is much more likely that bureaucrats will be brought before congressional committees than that the British civil servants will be questioned by a committee of the Lower House. American public officials would probably also answer more openly than their inhibited British counterparts who make a virtue of “being economical with the truth” (Hague et al. 1998:228). It is paradoxical that it may actually be easier to curb bureaucratic power where bureaucratic influence is readily acknowledged, for example in the USA.

5.11.3 Making use of Political Advisers

Political control over the bureaucracy can be reinforced by providing ministers with personal advisory staff. These advisers serve as alternative sources of information and guidance to the formal bureaucracy. Although — or rather, because — such gurus are not part of the department’s permanent staff, they can serve as the eyes and ears of the minister or president, and thus provide alternative and politically attained advice. The Executive Office of the President and the White House staff of the American Presidency are a good example of this approach. They almost represent a counter-bureaucracy within the political system — one that will probably be much more ideologically or politically orientated than the formal bureaucracy and is bound to the president by personal loyalty.

Such advisers may help to exercise control over the administrative personnel, but, as political scandals in the United States revealed in the seventies and eighties, exercising control over them is itself a problem. Advisers are not dependent on elections for the tenure of their positions, nor are they hampered by bureaucratic inhibitions where political actions are concerned. Their private extramural interests and personal contacts are not subject to such close scrutiny as those of politicians and government officials. The political views of advisers are often very close — perhaps too close — to those of the persons whom they
advise. Politicians do not appoint advisers to tell them that everything they do is wrong. The danger is that they are too dependent on their protectors, with the result that they tend to present matters through rose-coloured spectacles rather than as the unvarnished truth. The French cabinet is conceivably a good advisory system. (Cabinets are not to be confused with the cabinets forming the pivotal element of government in parliamentary systems.) A French cabinet is a group of about 15 to 20 people who form the minister’s personal advisory staff and are under his/her direct control. Cabinets furnish the minister with ideas and facilitate liaison between him/her and the department, the other ministries, the party and the electoral district. In contrast with the USA, however, most members of the cabinets come from the civil service and return to it after serving in the minister’s cabinet for a few years (Auriacombe 1996).

5.12 Other Ways of Exercising Control over Bureaucracies

Internal control is based on the assumption that civil servants can be held in check by virtue of professional norms and methods. The proponents of this view argue that government officials’ sense of duty sensitises them to public and political interests. State officials’ internalisation of these professional standards can be achieved by way of recruitment, training, promotional and similar processes. In the modern bureaucracy the appointment and promotional process is the principal means of exercising control over civil servants. In contrast with earlier times when favouritism and privilege were the predominant if not exclusive grounds on which government officials were appointed, in First World states today they are usually appointed on the strength of competitive examinations and an objective merit assessment. This competitive system is hierarchically structured to promote a career-orientated civil service (Jackson & Jackson 1997:280).

The professional ethics required in the bureaucracy include values such as honesty and diligence. It may also inspire a sense of duty to civil servants in that

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they have an obligation to defer to political authority rather than their personal wishes. In this sense professionalism in the civil service includes submission to political control. In a democracy civil servants must retain a measure of objectivity towards political parties and ideologies. When a new party comes to power civil servants must be able to serve their new masters effectively and faithfully (Jackson & Jackson 1997:280).

Another means of controlling bureaucracy can be achieved by instituting formal performance standards, for example by specifying a time limit within which letters from members of the public must be answered. This is the approach adopted in Britain with the *Citizen's Charter*. The Charter is quite harmless in itself, but the mere thought of earning a tarnished reputation by being labelled “substandard” is probably sufficient to inspire most departments to render a better service (Hague *et al* 1998:228).

Some critics of the bureaucracy contend that effective control over the bureaucracy can only be achieved by ensuring that it is representative of society as a whole. They hold that the composition of the civil service must not depend on merit alone, because that would mean that the bureaucracy is actually not representative of society as a whole, failing which, so they maintain, it would become insensitive to the needs and interests of those to whom representation is denied. In democracies this perception has led, amongst others, to a campaign to have more women appointed in top positions in the civil service, and to more concerted demands for equality in extending employment opportunities to persons representing certain minorities, and besides to the disabled and regional representatives.

The insistence that civil servants should be “representative” of the population at large and should display exceptional professionalism is based on the assumption that they must obey their political masters, and thereby the wishes of the public. Unfortunately these two principles can be contradictory and, even when they are
applied successfully, it would seem that neither of the two can eliminate bureaucratic autonomy. For this reason it is often asserted that external control is necessary to keep civil servants in check (Jackson & Jackson 1997:282).

In most political systems a hierarchic chain of accountability is set up in which responsibility flows from the highest elected officer, president or prime minister through secretaries or ministers and their highest state officials right down to the bottom of the bureaucracy. The extent to which the chain of command, that is the hierarchy of authority along which responsibility flows from top to bottom, will in fact ensure the accountability of civil servants (Roskin et al 1997:304).

Although ministers are an essential source of impetus and cohesion to departments, bureaucrats oversee things in other formal ways that are aimed at making civil servants more sympathetic towards both politicians and the public. These methods include the courts and legislative investigations, both of which are in prominent use in the USA. The courts are regularly used to appeal bureaucratic decisions, while congressional committees subject their agencies to searching scrutiny (albeit selectively).

A more recent addition to the arsenal is the ombudsman, a watchdog who was appointed for the first time in Sweden, then emulated in New Zealand, and later also in other European countries and in South Africa. Ombudsmen are appointed to investigate complaints and must therefore have good investigative capabilities if they are to succeed. So far governments outside Scandinavia have been reluctant to allow this facility into their ranks, with the result that the standard letter of an ombudsman reads as follows: "Regrettably I do not have the authority to investigate your complaint." (Hague et al 1998:228) The South African Constitution of 1996 provides for the appointment of a Public Protector who is invested with the authority to investigate any action (except court decisions) in government affairs that is suspected of being conducted improperly, and to report
on such actions and take suitable corrective measures. Anybody can lodge complaints with the Public Protector.

The bureaucracy can also be subjected to informal pressure. Public opinion, particularly when mobilised by organised interest groups, can effectively serve as an informal ombudsman within the system. Alert mass media can also be a control measure with respect to the bureaucracy; regular television programmes, for example, are currently specialising in the exposure of public scandals and bureaucratic incompetence. These exposés seldom lead to structural reforms, however. The specific case may be resolved, but often the complacency of the bureaucracy remains unruffled. In France "... the image of the governmental administration remains one of remoteness, convolution and opaque procedures in spite of a legislative framework that purports to impose open government to an impressive degree, and in spite of sustained efforts throughout the past decade to make the administration less repellent." (Stevens 1996:150).

One form of external control occurs in parliamentary systems of the British type, where ministers are regularly expected to report to the legislative authority on their own and their departments' activities. In Britain, South Africa, Canada and Australia, as well as many other states, question time is accommodated in the parliamentary schedule so that the opposition can scrutinise and question the activities of the government and its functionaries.

Other informal control measures are inherent in the bureaucracy. One of these is the competition among departments, where state departments with powers of expenditure have to compete with each other for money, while the Department of Finance keeps a tight hold on the purse strings. Liberal democracies also rely on the internalised professional norms – the conscience – of civil servants. If too much political pressure is brought to bear on them they may complain to their trade union (if they belong to a trade union), or they may leak stories to the news
media (if they dare), or they may submit a complaint to an official but anonymous informing system (if such a thing exists)

Control is a prescriptive intervention of correcting wrongs and certain unacceptable behaviour. Political control of the bureaucracy is an attempt to create a stable environment which is a prerequisite for policy implementation and monitoring. The objectives of political control of the bureaucracy is associated particularly with matters of compliance or responsiveness. Political control of the bureaucracy arises from the fact that governments are supposed to be responsive to the needs of society and to ensure that accountability is maintained in all administrative instructions. In short, political representatives should control government activities, within a governmental environment to ensure that the political objectives set by the government are pursued and attained.

This section will focus on the objectives of and the necessity for political control, as well as on how Parliament and the executive exercise control over bureaucracy. The methods of control used by public officials will also be considered.

5.13 Objectives of and Necessity for Political Control

Public officials cannot ensure that public goals are achieved efficiently without specific measures for this purpose. Thornhill et al. (1995: 245) indicate that it is necessary for political officials to ensure that effective control measures are put in place in order to guarantee that all objectives remain aimed at the stated goal.

The public sector usually employs a huge portion of the labour force. The Provincial Government of the Northern Province likewise employs a large portion of the economically active labour force. It is therefore necessary for the executive to take control of the bureaucracy to ensure that one of the most expensive resources that the government has at its disposal is utilised effectively.
Between May 1994 and May 1999 the Northern Province Provincial Legislature consisted of forty (40) members. The African National Congress had a majority of 38 members. The National Party and the Freedom Front had one (1) member each. The responsibility of exercising political control over the bureaucracy rested with this group. There were ten (10) Members of the Executive Council (known as MECs).

In the previous chapter it was shown that public officials have considerable influence on both political office-bearers and the community. They have the advantage of firsthand information on government policy matters, and also considerable access to information on the needs and aspirations of society as a result of their daily interaction with the community. Most importantly, they are members of the community themselves.

Public officials are best situated and empowered in many ways to deal with public affairs. Their strengths rest on the fact that, in most cases, they have been permanently appointed in government institutions. This permanence could be misconstrued as representing a legitimate mandate and responsibility for public affairs, whereas the mandate is actually entrusted to the legislature and political office-bearers by the electorate.

As mentioned earlier, public service officials derive their authority, and to a certain extent their power, from their expert knowledge and the ability to apply such knowledge. According to Hanekom et al (1994:78) bureaucratic authority means the application of control measures based on knowledge. Heywood (1997:351) ascribes bureaucratic power to three sources:

- the strategic position occupy in relation the policy process;

- the logistic relationship between public officials and their ministers; and
Bureaucratic power poses a serious threat both to the legislature and to executive institutions, especially with regard to issues of accountability. Bureaucratic control aims at ensuring accountability towards parliament and executive institutions. Public officials control the flow of information in a multidirectional fashion as they supply information to political office-bearers as well as to their subordinates. Control mechanisms aimed at maintaining a proper balance are therefore a necessity.

Because public officials provide information to politicians, they have the ability to determine what information should or should not be available to such politicians. They are therefore also unlawfully the guardians of public interests. It should be borne in mind that an uncontrolled bureaucracy could lead to the disintegration of government and its elected officials.

The bureaucracy can be controlled in various ways. According to Heywood (1997:353), the major forms of control can be classified as follows:

- the creation of mechanisms of political control and accountability;
- the politicisation of the civil service; and
- the construction of counter-bureaucracies.

It is of paramount importance to understand fully the differences between the roles of elected office-bearers and those of appointed officials within the realms of political control and accountability. Over and above these roles, specific administrative mechanisms should be applied to control the bureaucracy, such as professional norms and standards, including minimal standards of ethics.

According to Albrow (1970:18), the concept of control unifies the issues of authority, accountability, information, compliance, co-ordination and all other
related aspects. Control processes are necessary to complement implementation processes.

Fox, Schwella and Wissink (1991:123) state that the enactment of legislation does not necessarily imply that its execution will be in accordance with the intention of the legislators. Control mechanisms are therefore indeed indispensable. It is imperative that, when legislation is passed, minimum control mechanisms are also put in place. This will guarantee that public officials attain the objectives as set by the legislators.

Control and accountability demand from politicians that a maximum supervision of the public service be in place. In this instance, members of the executive council or ministers can use both formal and informal control measures to guard against irregularities in the various departments. Such control mechanisms as mentioned in the previous chapter could be looked at from the levels of legislative executive control.

5.14 Appropriateness of the Control Measures

Control has been defined in Chapter Four as a prescriptive intervention aimed at correcting wrongs. Control and evaluation are the final links in the functional chain of bureaucracy. They complete the process of monitoring the activities of the bureaucracy and government institutions in order to determine whether those institutions are utilising resources effectively and efficiently to accomplish their objectives, and where this is not the case, there has to be intervention. This chapter, however, will not focus on evaluation.

The period covered by this dissertation began, as already indicated, with the ushering in of the new democratic order in South Africa. The nature of the political control exercised over the bureaucracy in the Northern Province
Provincial Government has, as a matter of principle, to fall within the accepted democratic principles of democratic government.

5.14.1 Implementation of Political Control Measures

Implementation can be defined as putting into effect what has been decided upon. Hanekom (1987:55) defines implementation as a practical activity involving the conscious following of laid down rules. By following laid down rules it is, therefore, feasible to monitor the actions of public servants by political office-bearers in order to intervene if necessary. According to Albrow (1970:18), control processes are the necessary complement of implementation processes; accordingly, political control measures must be appropriate.

5.14.1.1 Adequacy of Mechanisms Employed to Exercise Control

There are legislative as well as bureaucratic control measures in place in the province. In Chapter Three legislative as well as administrative control mechanisms have been discussed at length. All the legislative standing committees are in place and functional. The effectiveness of these committees varies from one committee to the next, depending on their responsibilities. Other necessary bureaucratic institutions beyond the departments, such as the Auditor-General and the Provincial Service Commission, are also in place.

Taking into account the powers and functions of the Provincial Public Service Commission, the existence of personnel regulations as enunciated in the Public Service Act of 1994, the Provincial Exchequer Act of 1994, and the Rules and Regulations of the Provincial Tender Board, it is fairly reasonable to conclude that there were appropriate control mechanisms in place during the period under review. These control mechanisms gave both political bodies, that is, the office-bearers and the legislature, enough leverage to exercise control over the
bureaucracy. Other counter-bureaucratic institutions such as the Tender Board and its committees are in existence.

5.14.1.2 Efficiency of Political Control in the Northern Province

The efficiency of political control could be gauged by analysing the findings of various reports of commissions and media reports. These reports also help to project the perception of the public and opposition parties about the efficiency and appropriateness of control exercised by political office-bearers over the bureaucracy in the province.

It has been mentioned under paragraph 4.2.1 that all the necessary legislative as well as administrative control mechanisms have been established in the form of committees, bureaucratic institutions and rules and regulations. However, those institutions and committees at some stage seemed to have been incapacitated by the actions of the political office-bearers, especially between 1996 and 1997.

Political office-bearers, according to the reports and newspapers studied, interfered with the functions of the said bodies. For example, in a procurement of government assets the political office-bearer of the Department of Public Works violated the Tender Board procedures (Commission of Inquiry Report, 1997:24). This non-adherence to rules and regulations had an adverse effect on the implementation of political control measures over the bureaucracy and the efficiency thereof.

The appropriateness of the control measures in the province need to be viewed and assessed, taking into account how those measures were implemented within the prevailing conditions and the environment of that time, since the manner in which they were implemented was a cause for serious concern and led to complaints from various political organisations and civil society in general. The newspapers, including the Review of May 30, 1997, highlighted this.
What has emerged from this study, through the evaluation of information obtained also from senior staff members, provincial reports, and reports from certain commissions of enquiry especially the Semenya Commission of 1997 mentioned in Chapter One, is that from 1994 to 1997, there was instability within the bureaucracy, which was caused by factors pertaining to the transition from the old order to the new democratic situation, and which had to a certain extent impacted negatively on the bureaucratic systems of the province as well as undermined the political control in certain instances.

Besides the transitional implications and complications, political bodies themselves had internal problems of dysfunction. The Review (May 30, 1997) as well as the report of the Commission of Inquiry highlighted the problems of the implementation of policies. The Review also reported an intense "tug of war in the provincial cabinet and the legislature" and mentioned that at some point the provincial Speaker of the legislature had expressed concerns about the fact that the provincial cabinet had been involved in a "bending of rules".

Assessing the above against the backdrop of such remarks, also those quoted in the report of the Commission of Enquiry, that the political difficulties and the apparent tensions needed to be resolved, shows that the measures of political control that political institutions and other bureaucratic bodies imposed on bureaucracy, made the policy implementation in the province less effective.

During the transitional period, that is 1994 to 1997, both the political office bearers and civil servants, especially at a higher level, seem to have paid little attention to the rules and regulations that govern the control of public service. It is therefore important to assess the impediments of political control over the bureaucracy in general terms. This will also help to answer the question whether political control produce the desired outcomes in terms of the political promises made to the citizenry in the province.
5.14.1.3 Impediments to Political Control over the Bureaucracy in the Northern Province

Various impediments have hampered the control over the bureaucracy in the province. Of most significant impact were the interference of political office bearers and non-compliance with rules and regulations, which according to some senior officials was caused by the fact that some of the new members of staff, who had joined the public service after April 1994, lacked the necessary education. This led to erosion of the authority of the traditional administrative structures, methods and other instruments of government.

In addition, the Provincial Service Commission's report (1997:24) revealed that certain senior officers had not obtained Treasury approval for some procurements, which shows that there was indeed a lack of knowledge and or failure to adhere to the necessary processes and procedures. Because the provincial administration was still new, the interdependence and the necessary relationships had not yet been properly established. It was therefore impossible to sustain the smooth running of the administration in an efficient and professional manner.

The above observation suggests that political control could not produce maximum desired outcomes in terms of the political promises that have been made to the citizenry in the province.

5.14.1.4 Political Interference

Before April 1994, the political system of the homelands was geared for the maintenance of the apartheid ideology and policies. The public sectors of the previous homelands formed part of the executive authority, that is, the public service had to fulfil the ambitions of its political masters rather than uphold public
interest. The control systems applicable at the time were not in line with a representative democracy or with a responsive government.

No government structure can function effectively in isolation. Political office bearers are dependent on civil servants for the realisation of their policy goals. Civil servants are likewise dependent on office-bearers to deliver the goods and services expected by the general public. The roles and interdependence of these two groups should be acknowledged and upheld if effective and efficient service delivery is to become a reality.

The Public Service Act of 1994 clearly indicates the responsibilities of public servants and serves as a basis for the implementation of political decisions. It also serves as a mechanism for differentiating (in terms of power relations) between office-bearers and civil servants.

Political interference has had an adverse effect on civil servants. As mentioned in Chapter Two, there was a sense of fear during the transition; the members of the Executive Council were also sceptical of the inherited public service, and feared that the balance of power between them and the civil servants might be tipped in favour of the latter. Naturally, this caused serious administrative problems.

The role of political office-bearers became more and more administrative and in the process alienated the public servants, who were supposed to give informed advice. The difference between the administrative and the political roles became an obstacle to proper and efficient political control: competition (who does what and when) became apparent, and office-bearers feared that the bureaucrats might bend government policies to suit their own circumstances. In such a situation political control can neither measure nor improve the performance of the bureaucracy in the province.
5.14.1.5 **Inadequate Knowledge of Public Service**

Inadequate knowledge is one of the factors which has been highlighted as an impediment to the implementation of controls in the province. For example, it emerged that there was a perception that "trusted personnel" had been drawn from inexperienced and in some instances, underqualified staff who were seen as politically suitable.

It could be argued, however, that since political office-bearers of the homeland administrations were drawn largely from the traditional leadership, there was no need for political understanding. The so-called prime ministers and presidents of former homelands were initially hand-picked and simply had to allocate portfolios to traditional leaders, because those were the most significant political figures of the time. The civil service was, therefore, contaminated.

This situation led to actions and practices of public servants depicting what was happening at a political level, especially to show how much importance was attached to loyalty to chiefs and other traditional leaders and how much more involved political leaders were in the bureaucracy than in providing political leadership.

The inadequate knowledge of some senior personnel resulted in a non-adherence to civil service rules and regulations. Political office-bearers and members of the civil service alike had no understanding of their roles in the new democratic dispensation. The situation led to some senior civil servants withdrawing, causing political office-bearers to take even less informed decisions.

Non-compliance with the rules and regulations is linked to the phenomenon of under qualified public service staff. It is important that the functionaries of various government departments should be well-qualified professionals, capable of
implementing government policies. Neglecting rules and regulations could not necessarily be viewed as acts of malice, but was born of ignorance.

5.14.1.6 Divergent Perceptions

Political office-bearers, civil servants, and to a certain extent, the legislature, did not view government processes from a common perspective. As mentioned in the section on the implementation of political control in paragraph 4.2, the legislature, through the Speaker, indicated that political office-bearers were "bending the rules" and regulations (Review, 30 May, 1997:1).

Some senior public servants also pointed fingers towards the provincial cabinet, indicating that there were divergent perceptions within the provincial government which had a negative impact on the exercising of control at the political as well as the administrative level. This situation was aggravated by the fact that no one wanted to be seen as a civil servant from the old order. In actual fact, most senior officials dissociated themselves from the old order as much as possible.

The dissociation is helpful, since it depicts how bad the administration in the previous homelands was. Certain conclusions could be drawn from the available information starting from the negative effects of political control over the bureaucracy, taking into account the functions of Parliament and the institutions referred to in previous paragraphs.

The following quotation from Bayat and Meyer (1994:126) summarises the feelings of both the bureaucracy and the political office-bearers of the former homelands, the bulk of which is the focus of this study:

"The actual content of the subject matter being put on the table in front of the five major CODESA sub-committees, served to raise the administrative spectre increasingly haunting the new South Africa. One
example is the question of the reintegration of the independent homelands into the governing structure of a united South Africa .... Striped of their ethnic mystique and bogus independence, the homeland governments suddenly began to look remarkably like regional bureaucracies in search of social sinecures."

The problems indicated in this dissertation still manifest themselves in various ways within the provincial bureaucracies in South Africa.

The major role of the legislative assembly, as far as control over bureaucracy is concerned, is to oversee and scrutinise the actions of political office-bearers and the civil service. This role would be more effective if Parliament were not dominated by one political party. Where one party dominates, questioning and answering becomes a mere routine task with little or no value. The perception of the opposition in such an instance is sceptical and leads to a belief that political office-bearers are failing to exercise the necessary political control over the bureaucracy.

After the elections of 1994, the Northern Province Provincial Legislature was dominated by one political party, the African National Congress, which won 98% of the votes. The scrutiny exercise, which is one of the major roles of the legislature, was affected by the perceptions of both legislators and public servants.

The bureaucracy, which has its own fears and is very vulnerable at times, was attuned to the practices of the previous government, and as such its co-operation was rendered ineffective by prevailing conditions. This situation compounded itself in such a way that members of the Executive Council of the province raised bureaucratic problems as an obstacle to government efficiency and effectiveness.
5.15 Executive Control over the Bureaucracies

Ministers and members of executive councils formally control most civil servants. They appoint senior civil servants who are accountable to them. Public service officials are made accountable to the political office-bearers in various ways. According to Hague, Harrop and Breslin (1998:227) political office-bearers can easily exercise control over the bureaucracy, because they have closer working relationships with them.

As already mentioned, political interaction involves, to a great extent, the civil service and political office-bearers. The executive authority plays a leading role in the administration of a country. It serves as an intermediary between the bureaucracy and the legislative authority. It is for this reason that political office-bearers place certain responsibilities on public service officials. Such responsibilities, according to Ranney (1987:281), are two-fold: conforming to professional code, and accountability to elected officials.

The former suggests that public officials are expected to adhere to certain administrative standards and norms, while the latter is an indication that at certain levels public administrators should be accountable to elected political office-bearers. Both responsibilities seek to promote democratic ethos. Political office-bearers have been elected by the electorate, hence public administrators should be controlled by, and be accountable to, such elected office-bearers. This demonstrates how elected political officials impact on public administrators.

As indicated, the civil service was established by the Public Service Act, which set clear principles and requirements for public administration. The monitoring of the Acts of Parliament is in the hands of elected state officials - in this instance, the member of the executive council. The member of the executive council is responsible for overseeing the realisation of the objectives of executive institutions. It is significant that despite the presence of rules (in the form of the
Public Service Act), the bureaucracy is characterised by a deviation from the main objectives of the public service in favour of the ruler, and the enhancement of the status of civil service officials.

A brief discussion of bureaucratic authority and the extension of bureaucratic power is of importance in gauging the influence of politics as set out above, and in appraising political control in perspective. Both bureaucratic authority and power are indications that politics and bureaucracy cannot easily be divided into watertight compartments.

Elements that enable ministers or members of the executive council to exercise effective control are:

- accessibility of bureaucrats;
- political advisory system;
- accountability and responsibility;
- politicisation of civil service; and
- construction of counter-bureaucracy.

5.15.1 Accessibility of Bureaucrats

Ostensibly ministers are political masters while public servants are the loyal servants of the State. According to Heywood (1997:352) most of the administrative exercises in relation to policy implementation and departmental operational matters are handled by the bureaucrats. Because of the vastness of administrative responsibilities, logically the number of public officials in any particular department will be greater. However, Hanekom et al (1994:159) point out that a minister should not be viewed as a sort of antithesis to the bureaucracy, but rather as an integral part of the bureaucracy and the policy-making process.
In order for political office-bearers to influence the bureaucrats, senior public officials should be those persons who would be most readily accessible to the political office-bearers. Directors-General and other heads of the department should work in close co-operation with the minister so as to enable him or her proper control and monitoring. Although according to Hague et al (1998:227) political appointments in the department do not necessarily mean that the officials appointed will show total loyalty to the minister, political appointees do welcome political direction; therefore, control could be enhanced.

Hanekom et al (1994:173) recognise the fact that in terms of administrative matters the minister could not have direct access to some of the departmental information, and would therefore have to rely on the faithfulness of public service officials. A cordial relationship between public officials and the minister or member of executive council is therefore imperative. Where there is trust, senior civil servants welcome and accept political direction.

5.15.2 Political Advisory System

Political advisory mechanisms can also enhance the control of the bureaucracy. Ministers or members of the executive council could be given a team of personal advisors, who in most cases are not permanent staff members, but experts in various fields, whose responsibility is to provide concrete information and possible alternatives. According to Hague et al (1998:227), political advisors could be the most helpful officials because they form a counter-bureaucracy within the department which could pose a challenge to permanent public officials and help curtail bureaucratic power.

5.15.3 Accountability and Responsibility as a Control Measure

In public administration, accountability is a characteristic control mechanism which is a statutory obligation residing within the scope of political office-bearer
(Fox *et al* 1991:124). It is, therefore, necessary to set norms and standards for the accountability and responsibility of public officials. According to Hague *et al* (1998:227), if norms and standards are absent, bureaucrats could escape both public and political accountability.

According to Hanekom *et al* (1994:178), public service officials should be subjected to regular administrative accountability as a form of control. It is imperative that civil service officials be subjected to public scrutiny in order to exercise a degree of control over them. The legislative assembly, through such mechanisms, is given an opportunity to measure whether its directives have been executed accordingly.

A public administrator should understand that the responsibility that the minister or member of the executive council has towards the department is a shared one, in spite of the fact that the minister's responsibility would be greater. Individual public service officials should understand that, as far as administrative responsibility is concerned, the liability for any wrong-doing rests squarely on the shoulders of the individual.

According to Hague *et al* (1998:228), political office-bearers are rarely dismissed or held accountable for administrative wrong-doing. Bureaucrats should be aware that they are accountable for operational responsibility, despite the fact that the political office-bearer occupies centre stage in terms of representing the parliamentary supervision of administration. It is the minister who answers for and defends the actions of departmental officials; therefore, state officials should understand that they have equal responsibility. This should afford Parliament the opportunity to obtain firsthand knowledge of executive actions.
5.15.4 Politicisation of the Civil Service

As already mentioned, bureaucratic organs are headed by public officials who possess a certain level of knowledge and expertise. It is imperative that the roles of politicians and of administrators should be reconcilable. The interaction between politicians and senior public officials makes it possible for public officers to assume indirectly certain political powers and responsibilities. Hanekom et al (1994:124), argue that because of the complexity of public affairs, detailed decisions cannot be taken by politicians alone; they rely heavily on the expert advice of appointed public officials. Public administrators give advice to politicians and could be consulted by Members of Parliament.

Political office-bearers attempt to politicise the bureaucracy under the guise of greater responsiveness and accountability. The bureaucracy may become politicised in order to become the true tool of policy implementation. Bureaucrats should, in this instance, share the ideological enthusiasm of the government in power. The politicisation of the bureaucracy usually occurs at party-political level. Senior public officials are identified and placed accordingly.

Political penetration should at times go beyond the highest bureaucratic levels. Government seeks to achieve the maximum degree of loyalty and coherence in the bureaucracy in order to realise its objectives. According to Heywood (1997:355), politicisation is one of the methods of exercising political control over the bureaucracy. Senior civil service appointments are likewise influenced by political affiliation and ideology.

Although interaction between public officials and political office-bearers cannot be avoided, a clear division and demarcation of public authority is necessary. Because public officials are not elected, they might distort political policies knowing full well that politicians will be responsible for whatever problems may arise.
Control over the bureaucracy, as already stated, is accomplished directly through political appointments. This ensures that most of the senior level bureaucrats are those loyal and committed to the government of the day. According to Ranney (1975:435), the civil service should be convinced by the government of the day that what they want is actually mutually inclusive with what the government wants or aims to achieve. Furthermore, there should be an understanding that it is what their appraisal of their responsibilities requires them to perform, in their own interest.

In this form of control mechanism, there are as many advantages as there are disadvantages. For instance, it would be easier to implement government policies, because the public service officials would be loyal to the government. However, it is also possible that the implementation would not be perfect due to the lack of high-calibre personnel, since the loyalists would receive first preference.

5.15.5 Construction of the Counter-Bureaucracy

A counter-bureaucracy is formed to create alternative advisory services and to enhance the ability of both parliament and ministers to exercise control over public officials. Political advisors, as already discussed, are one of the control mechanisms that could be employed to counteract bureaucratic power. Advisors and other external human resources could serve as a counterweight to permanently employed public service officials. According to Heywood (1997:256), other organisations outside the State departments could be engaged to perform certain tasks which would normally be performed by those departments; for example, a team of consultants could be engaged to deliver certain services.

Counter-bureaucratic structures consist, in most instances, of highly qualified personnel with vast knowledge, experience, and expertise in various fields. In
terms of policy formulation, such organisations could be much more helpful than ordinary government departments. According to Heywood (1997:256), counter-bureaucracies compensate for the imbalance in the relationship between poorly qualified public service officials and outnumber highly qualified civil service officials who cannot perform certain tasks promptly.

The construction of the counter-bureaucracy could also serve as a mechanism to maintain public accountability. The authority vested in them by political office-bearers is given to them in trust. However, according to Hanekom et al (1994:171), the maintenance of control and accountability depends largely on the control exercised by Parliament over the actions of the department concerned.

5.16 How Public Officials Evoke Compliance

The more straightforward objective of administration is to effect the delivery of service. In order to meet this objective, political office-bearers devolve some of their authority and powers to administrative structures, mainly because such structures embody a vast store of knowledge and expertise.

It is significant that politicians and civil service officials depend on one another in the process of administration and of service delivery. According to Hanekom et al (1994:76), bureaucracy should be seen as a strategic political instrument in the functioning of government. However, bureaucratic authority is dependent on political concurrence. (Political concurrence means, in this context, that there should be a certain level of agreement and understanding of how the work should be carried out. This brings in other administrative dimensions such as accountability, responsibility and ethical conduct).

To sum up the basis for bureaucratic authority, one could mention that the weaknesses sometimes found within political institutions and political office-bearers are often exploited by the bureaucracy due to the following factors:
• **Resource allocation.** The allocation of resources rests in the hands of the administration. It is the administration that compiles the budget and also provides alternatives. As such, the bureaucracy has authority over resource allocation. Accordingly, the bureaucracy has the ability to influence the daily lives of ordinary people.

• **Expertise.** Public bureaucracy has unique expert knowledge, and occupations and professions which are indispensable, especially for quality delivery of service. According to Henry (1995:42), the pride of a public officer as a practitioner lies in the fact that the profession itself is worthwhile to society.

According to Hanekom et al (1994:77), political leaders depend on their day to day activities, and on the loyalty and reliability of public servants. This includes various forms of quality performance as well as administrative accountability.

• **Discretionary powers.** Because of the heavy schedules that political office-bearers are usually engaged in, a certain amount of power is devolved to bureaucratic structures and individuals. This is especially so where technical functions, routine work, and a smaller scope of political intervention are necessary. At times, political office-bearers could be reluctant to decide on a matter, in which case a public servant holding a senior position could carry out the responsibility.

Discussion and research has revealed that the roles of political office-bearers and those of public officials are intertwined and cannot easily be divorced from each other. The political control of public officials is anchored in such roles, because they are pivotal in service delivery.
Control in one form or another is one of the fundamental requirements of public management. Political control over public management takes place strictly at managerial level where a certain minimum level of expertise is a prerequisite. It has been indicated that political office-bearers provide bureaucratic leadership; that is, the task of the minister or a member of the executive council is to oversee the implementation of policies.

According to Heywood (1997:319), ministers form part and parcel of the “top management” of each department and have, as their major responsibility, the co-ordination of policies, in order to ensure that political responsiveness is maintained and that the preferences of elected officials and government, as reflected in policy documents, weigh heavily in public personnel management. According to Heywood (1997:11), the relationship in this situation will promote and maintain the interdependence between the organisational participants, as the activities of each actor will necessarily affect the operations or fortunes of another.

Heywood (1997:5) states that political leadership stresses the importance of personnel administration as a vehicle used by elected office-bearers for maintaining responsiveness and accountability of the bureaucracy. Public management, therefore, serves as leverage over personnel administration that allows elected officials to govern effectively. In this instance, the elected officials strive to appoint, at senior level and in other strategically sensitive positions, capable officials who are loyal to themselves.

In order to enhance their control over public personnel, political office-bearers place policy administration and monitoring in the hands of trusted management teams. Heywood (1997:8) stress the fact that the need for political office-bearers to control the bureaucracy is one of the requirements of democracy. This notion seeks to address the fact that government cannot assume that any individual, as long as he or she has been appointed by government, would necessarily respond
in accordance with the expectations of those who made the appointments. Intervention in the form of control should therefore be exercised within public management.

In public management, control focuses mainly on formal internal controls as exercised by the ministers at national level or members of the executive council at provincial level. Cloete (1991:188) stresses the fact that internal control is the responsibility of all executive office-bearers because of their attachment to various departments.

Formal internal control seeks to attempt to reduce informal initiatives by the public officials which could lead to an "amendment" of rules that could have adverse effects on the operations of government. Formal internal control, according to Heywood (1997:8), reduces the risk of sabotage by those public officials who may be supporters of political parties other than the governing one. Senior public servants evoke compliance at middle and low levels of administration.

The importance of the formal control of public management stems mainly from the essential element of managerial activity, which is the delegation of authority. Since political office-bearers and senior public officials are ultimately responsible for and accountable to Parliament, it is imperative that they should know whether or not the officials at lower levels are performing according to the rules and plans put forward by the politicians. According to Fox et al (1991:118), formal control in public management gives an opportunity to an elected office-bearer to measure performance and determine adjustments.

Formal internal control of public management is mostly monitored by senior public officials who, in turn, are under the watchful eye of political executive officials. Formal internal control could be regarded mainly as systems explored
from three broad perspectives, namely, control criteria, qualitative control, and contingency systems.

5.16.1 Control Criteria

Criteria could be understood to mean critical control points and standards. Control criteria are set to deal with measurable outputs. Standards are set to gauge whether the expected results have been attained or not. Criteria are usually defined both in qualitative or quantitative terms. Although criteria are used to measure performance, they also serve as motivating factors because they demand high levels of performance. According to Heywood (1997:123), it is imperative that control criteria should encompass all the necessary elements of performance.

In criteria-based control, various elements are noticeable, such as written reports, auditing, cost accounting, cost comparisons and cost analysis. According to Cloete (1991:190), a criterion should satisfy certain requirements before it can be justified as an effective control mechanism. Criteria as critical control points and standards in public management include the following types:

- physical standards
- cost standards
- capital standards
- revenue standards
- program standards
- intangible standards and
- strategic plans as control points for strategic control.
5.16.2 Qualitative Control

Effective control systems have certain qualities. Fox et al (1991:121) highlight six control prescriptions for effective control in public management, namely, timeliness, flexibility, economy, understandability, strategic placement and the ability to stress the exception. These elements will be discussed below.

Timeliness emphasises the fact that infringements on organisational or departmental performance should be attended to in good time. Proper and effective controls call for attention to deviations in time to prevent serious infringements on institutional performance. Time is also considered a resource in any organisation. It therefore follows that time is also a criterion by which efficiency can be measured.

Flexibility promotes effective control in terms of allowing necessary adjustments to be made at any given time. Public management should be able to adjust to new conditions so as to effect proper control which is in line with the needs of the institution.

5.16.3 Contingency Systems

Effective control over public management requires attention to some critical factors. The ability to choose those critical factors of public management control depends on the ability to understand contingency factors which should be applied at a particular instance. It is the responsibility of a senior public official to choose the appropriate contingency measure at appropriate time.

5.17 Conclusion

It was an objective of this study to find out what political control entails. In view of the problems encountered with the interaction of the political and administrative
systems, it appears that the prospects of political control over the bureaucracy could be found through: the difference between elected and appointed officials, the relationship between the government and the bureaucracy, the various ministerial styles, the influence of bureaucrats on political decision-making, the neutrality of bureaucrats, the political role of the bureaucracy, the balance in relations between ministers and high ranking officials, and the transferral of ministerial power to bureaucrats.

The chapter explored the different ways in which ministers exercise control over the bureaucracy. An overview is also given of the objectives, the necessity for political control and the appropriateness of the control measures, with reference to the Northern Province Provincial Government.
CHAPTER SIX

CONCLUSION AND RECOMMENDATIONS

6.1 Introduction

The objective of this dissertation was mainly to describe and analyse the phenomenon of political control over the bureaucracy in the political and administrative system. The question of what the nature of political control over the bureaucracy entails and what practical actions could be taken at an institutional level to enable the South African government to promote political control over the management of public assets, policies, public sector performance and services, formed the core of the problem statement of the dissertation.

To ensure that this study is also seen as an appraisal of a process and not only as a description of political control, it was necessary to consider the above problem statement and weigh it against the accumulated evidence and the results of conclusions drawn from the examination of the other aims of the study. This is also dealt with in the following sections, where the main issues of concern of this study are addressed. Though the requirements of the degree required a dissertation of limited scope the process of documentation of a field of study with so many variables influencing the actual process of control over the bureaucracy resulted in a full dissertation.

6.2 Synthesis

A focus of the research aims and objectives of the study was to determine the nature of the interaction between the variables of the political and the administrative system, state-related structures and institutions, and the ideological grounding of state-related concepts that influence the milieu of
political control over the bureaucracy. In Chapter Two consideration was given to various central concepts and core practice fields and institutions in which political control over the bureaucracy is situated. Attention was given to the conceptual clarification of concepts related to the State, including concepts related to government and governance.

There are numerous factors that affect the political and administrative systems. Public administration, and more specifically the bureaucracy, must come to terms with, accept or resist these influences. Together the political and administrative systems form a highly complex system that does not exist for the sole purpose of delivering services.

For many people public administration simply means the "administration" of extensive government programmes, a way of regulating the people's behaviour in society and the provision of certain public services, for example education, health and transport. This perception may be correct to some extent but it is limited. Given the rapid development of public administration, it would seem to have become an all-encompassing activity that is not limited to the traditional boundaries of state departments, the management and administration of government programmes or the daily activities in public sector institutions. Public administration relates to the cardinal objectives of society. Public administration is also concerned with the development, allocation and utilisation of resources with a view to achieving government objectives within the context of a rapidly changing political environment.

As could be seen from this dissertation, there is a close association between public administration and the politics of a country. Although it is already a foregone conclusion that politics and public administration will always be bound together, developments are continually taking place to the effect that the political aspects of the bureaucracy are increasing and changing. This tendency can be called the politicisation of public administration. A spate of writings have been
published of late about the relationship between the elected political office-bearer or functionary and the appointed public official. The dissertation was concerned with this relationship.

As regards the word use in this dissertation, there are two points to consider. Bureaucracy in Max Weber's sense of the ideal model for the organisation of the bureaucracy, or in the current sense in which the Americans use it, namely as a completely neutral reference to the civil service pure and simple. Given that the two domains are inseparable, how can they be distinguished from each other? The difference that is generally accepted as decisive in South Africa is the transience of elected versus the permanence of appointed functionaries. The problem with this distinction is that top officials exert a greater influence on government policy that party members do in parliament.

It stands to reason that none of the concepts that relate to the State and influence public administration can be applied in an absolute sense in a single chapter because the field of study of politics and administration is extensive and also because theories, processes and institutions in politics and public administration are constantly interacting. This chapter attempted to form a gradual and comprehensive background of the milieu in which the role of political control over the bureaucracy is situated.

A further objective of the study was to determine the nature of the bureaucracy as well as to determine a clear and meaningful basis for interpretation and utilisation by both political as well as administrative aims and functions be established with regard to the role of political control.

As discussed in Chapter One, a focus of the research aims and objectives of the study was to determine the nature of the bureaucracy and to establish a clear and meaningful basis for interpretation and utilisation by both political as well as administrative aims and functions with regard to the role of political control.
Chapter Three dealt with the environment of a bureaucracy. The chapter addressed the political and administrative significance of a bureaucracy for society. It was indicated that the key function of the bureaucracy is to implement laws and policies to administer a government's decisions. Civil servants also play an important role as policy advisors to ministers when they express interests and bring interests together (particularly through ties with client groups), and in the maintenance of political stability and continuity when a change of government occurs.

Public bureaucracies are traditionally partitioned according to objectives or functions. Hence their division into departments, divisions or agencies. The internal level of centralisation or decentralisation differs considerably from one country to another, and even from one department to another. The modern tendency, however, is to separate policy determination from policy application, and to include private-sector management techniques, or to privatise interests.

One can see from Chapter Two that numerous factors affect the political and administrative systems. Public administration, and more specifically the bureaucracy, must come to terms with, accept or resist these influences. How this is done will influence society. It is clear that together the political and administrative systems form a highly complex system that does not exist for the sole purpose of delivering services. Although the public sector is influenced by a variety of factors, these influences are not passively absorbed. The public bureaucracy makes adjustments under the pressure of certain influences, but it may also offer resistance against influence. Service delivery by the bureaucracy affects the personal life of every citizen in one way or another. Nevertheless the necessity of political control will always remain. Thus Strauss (1961:85): "In broader terms, every important organisation is a nucleus of social power confronted by other powers; its aims and policy must be decided by its political leadership and cannot be left with impunity to its administrative servants."
A further objective of the study was to analyse and define control and accountability. Chapter Four dealt with the meaning and classification of control as well as the objectives of public institutions in exercising control. Attention is paid to the normative requirements for control over the bureaucracy. Particular attention is paid to types of control and accountability. If measures to promote political control are to have any success, it is essential that accountability start at the top, viz. with political office-bearers who should accept accountability for their own actions in order to send the right message to public officials. Unless it is made abundantly clear that accountability starts at the top, any campaign against corruption will be unsuccessful.

Political office-bearers ad civil servants now operate in an environment that is markedly different from that of the past. Two of the most important factors contributing to this change are the financial constraints under which modern government operates and the changing expectations that the public and politicians have of the civil service. Value for money has become much more complex leading to an increased recognition of the importance of (and the necessity of putting in place) adequate accountability mechanisms. Accountability and responsibility are closely related and may be regarded as two dimensions of the same relationship.

The primary task of public officials is the promotion of the welfare of the community, a task that should be performed in such a way that the public official is able to account in public for his actions. The public official needs to remember at all times that public money is being used and that both the public official and political-office bearers are in service of the public and not in the service of the government.

Finally, it was also an objective of this study to find out what political control entails. Chapter Five explores the different ways in which political office-bearers exercise control over the bureaucracy. The traditional approach is that the
bureaucracy is merely the workhorse for the implementation of government policy. In other words, the only real purpose of the bureaucracy is to take executive action. Instructions come from the legislators and the functionaries must carry these instructions out without question. This perception can possibly be traced back to the days when a ruler with total executive powers still held sway in Britain:

It was shown in Chapter Two that the government has to determine the policy objectives while the bureaucracy has to undertake the activities aimed at achieving those objectives. These statements may create the impression that the bureaucracy plays no role in policy determination. As indicated, though, this is no longer the case. The ideas:

- that functionaries are mere instruments for the implementation of policy and have no will of their own, and
- that there is an impenetrable partition between policy determination and policy implementation, were discarded long ago.

It was explained in Chapter Three that functionaries are important providers of factual data and advice for the purposes of policy determination. The question of a separation between policymaking (which is supposedly the function of the politicians) and policy implementation is less relevant today than ever before because functionaries nowadays often have to take the initiative in policymaking. It is the functionaries who have to do the initial spadework even in cases where they have had no instruction to that effect from the politicians. Who knows better that the functionaries who are preparing the ground for new policy what shortcomings have to be overcome in the process of preparation?

There is an unresolved question in this matter, however, which can be stated as follows: What are the limits within which functionaries must operate when they
participate in policymaking? To answer this question the role of the top-official, his/her political influence, and whether there is a connection between political control over the role of the top official and the influence of that role, must be determined.

The organisation and administration of modern states is a complicated process that requires skill, experience and expertise. Bureaucracies has been playing an important role in the political and administrative system for centuries and rulers are constantly struggling with the problem of exercising effective control over their civil servants. The impact of the bureaucracy on policy making has increased over time, however, as the role of government has expanded.

A modern state department is a large, multifaceted organisation that embodies a vast store of knowledge and experience of its area of specialisation. Departments, like all other organisations, develop their own procedures, their own set of priorities, and their own unique approach. They maintain a network of ties with other departments and interest groups with whom they are connected by way of tradition, agreements and personal relationships. All these things complicate the control task, which means that to steer a department in a new direction is a slow, complicated process requiring sustained effort from the minister concerned.

Since politicians as well as government officials are involved in governing and managing the country, one of the main issues in studying the bureaucracy is whether these two roles are related and reconcilable. In many respects politicians and civil servants perform the same kind of functions, but there are three important differences between the executive authority's political role and civil servants' administrative functions.
First there is a difference in the sense of the partisanship between the members of the executive authority and the supposed neutrality of the civil service.

Secondly their terms of service are different. On the whole political leaders' term of service is generally determined by elections, which makes their term of service relatively short, while civil servants traditionally have permanent appointments.

Thirdly civil servants are only expected to administer the execution of government policy, and not to determine such policy. The political masters are supposed to determine public policy and advise officialdom on its implementation. The civil servant's task is to find ways of making politicians plans feasible and to implement them.

The tripartite division of state authority subscribed to in Western countries contrasts starkly with the realities of modern public administration. Multiple and complex functions that have to be performed by ministers on national and international levels have made it imperative to confer their administrative task almost, if not actually, as a whole on the bureaucracy. This evolution of public administration whereby an "administrative authority" has arisen, is also helped along by the actions of Parliament and the development of the administrative state.

It is actually the government of the day (and not the legislators) who takes the most important decisions after factual data and advice have been gained from many quarters, but especially from the bureaucracy.

The function of top-level functionaries in the bureaucracy is also more political that that of persons in lower ranks, since they are more involved with government
as a whole, and therefore have more relevance for more members of the public, more government institutions and more political processes.

If public opinion is seen as part of the democratic political process, then the bureaucracy and the individual official are also involved because they are part of public opinion. Every expression of an opinion about public affairs—at the hairdresser or beauty salon, in a taxi, at a club meeting, a party, a trade union meeting, an agricultural union meeting or wherever—is a contribution to the climate in which the government acts all the time to achieve or maintain solidarity. Every opinion that is not expressed is a potential vote lost. Moreover the public official is in close contact with the desires of all kinds of interests—and pressure groups—all of which exercise a cumulative influence on his/her opinion. The official has a vocation to pass this knowledge on to the legislative authority. And besides, the bureaucracy as an informed organisation is also often the initiator of legislation and as such will of necessity exercise its influence in this regard.

It transpires, therefore, that there is dynamic interaction between the political process (politics or legislative authority) and the administrative process (bureaucracy or executive authority). Although the distinction between these two processes is blurred and not clearly definable, it nevertheless exists. However, they cannot be categorically separated.

6.3 Observations

A central question runs through the conclusion of this study. Is political control adequate for the civil service and is the civil service becoming more accountable? There is no easy answer to this. It is certainly true that more formal procedures now exist for effecting accountability and that the controls exercised on the top civil servant from outside a department or provincial administration have increased. Thus, there is greater parliamentary scrutiny, through
committees, especially on public expenditure; there is greater internal review of efficiency and effectiveness and more attempts to specify individual objectives and monitor performance, largely as a result of the implementation of the White Paper on the Transformation of the Public Service as a system of accountable management; and there is an additional client appeal system in areas of direct service delivery, as a result of the Office of the Public Protector. It is difficult, to determine whether these significantly increased the accountability of the top-level civil service. Taking them individually the White Paper is likely to have the greatest influence on improving accountability because it has helped to set in place a system to account for performance and has provided a framework for formalising internal accountability. But since it was still in its early stages when this study was carried out, the full extent of its implementation and the degree of long-term commitment to it remain unknown.

While this study was carried out in the late nineties and early 2000 and, therefore does not take account of consequent developments, it raises many issues that are of continuing importance in political control and public management. Six potential problem are highlighted:

• The political/administrative interface

Two main types of accountability, administrative and parliamentary, operate within the top-level civil service, each of which has given rise to quite distinct reporting procedures. This in turn has meant the existence of parallel priorities within departments and within the civil service as a whole: parliamentary and administrative. Apart from the inefficiency caused by duplicated reporting procedures, there is the more fundamental question of which assumes priority for top civil servants. In operational terms, the question becomes: who is the individual civil servant ultimately responsible to: the political office-bearer or the top official? This is not a clear-cut either/or question. Throughout the study, departmental heads and heads of sections or commissions spoke of the difficulty
of balancing parliamentary and administrative responsibilities. It seems to be
difficult, if not nigh impossible, to legislate for this complex relationship, so
dependent is it on the individual style of the political incumbent. The role of the
departmental heads is to manage the political/administrative interface, which
requires a delicate balancing of the two systems. The task of the departmental
head is, therefore, considerably complex.

- **The necessary variation in the work performed by top-level civil servants.**

The difficulties of specifying objectives and developing monitoring systems are
acute in certain parts of the civil service. Tasks involving policy formulation are a
case in point. It is also difficult, however, to set targets and monitor progress in
those areas of work that involve the servicing of the parliamentary system. This
raises the question of whether it is either possible or desirable to treat the civil
service as a unit. Certain tasks may require specific approaches, which differ
from those required by others.

- **The existing legal basis for accountability.**

This was a recurring concern, especially among heads of departments. At
present the only legal accountability they have is as the departmental accounting
officer. The central question here is whether top-level civil servants are granted
the authority or autonomy necessary to give full effect to their accountability.
While they assume full responsibility for the operation and management of their
departments, they are not legally accountable for these activities. There is a
strong feeling among top-level civil servants that, if their accountability is to be
formally extended, it must be based on appropriate legislative changes.
• The comprehensiveness of internal accountability systems within departments

Some senior civil servants felt that they were not being held to account for their decisions and actions within the civil service at the time of study

• Accountability without responsibility

Some civil servants felt that they were being held accountable for decisions for which they were not responsible, i.e., those taken by a predecessor or the political office-bearer

• The costs of accountability

Increased accountability is not a costless exercise. Among the negative consequences of the measures studied is slower, more cautious decision-making, more detailed record keeping, and lower staff morale

6.4 The State of Political Control in the Northern Province

It was interesting to note the Semenya Commission of Enquiry Report (1997:11) (see Chapter Five) which highlighted the fact that since the documents submitted to the Commission comprised many thousands of pages, it would not be possible to attend to each and every submission in the short time in which the Commission was supposed to complete its findings. The overwhelming response reflected the enthusiasm with which the public welcomed the establishment of the said Commission, and suggested that the public was not satisfied with the manner in which the affairs of government were being managed. The volume of submissions represented public opinion on the ineffectiveness of political control over the bureaucracy.
On the political front—that is, the perceptions of the opposition parties with regard to the control exercised by political office-bearers over the bureaucracy—the Commission indicated that submissions from other political structures had no bearing on the terms of reference, except to display 'political in-fighting and point scoring (Semenya Commission of Enquiry Report 1997:12). This reveals the dangers of political posturing. Despite the fact that other political parties constituted the minority in the Provincial Legislature, their moving out of line with the terms of reference of the Commission, depicted the ineffectiveness of the opposition within the Provincial Legislature and the influence it was supposed to have on the Executive. Legislative control over the bureaucracy was compromised, and the political supremacy in the Province was eroded.

The Provincial Legislature has failed to exercise its constitutional powers as stipulated in Sections 133 (2) and (3) (b), where it is stated that members of the executive council are accountable, both collectively and individually, to the Legislature. However something went wrong, and there is no information that suggests that the Legislature was correctly informed and that corrective action was taken. This failure was exacerbated by the inefficiency of the opposition as mentioned above.

The measures of political control over the provincial government bureaucracy as indicated in Chapter Five are adequate. However, there are serious pitfalls among the implementation agencies. For example, the failure of personnel to interpret statutes and other rules and regulations is great cause for concern, since it is an indication that the human resources of the province is not properly equipped with the necessary knowledge and skills to manage the affairs of government. Effective and efficient political control within this environment is therefore not possible.

In the Northern Province the political office-bearers interfering in purely administrative activities eroded the maintenance of accountability. The loophole
for shifting blame from either side was created. The remarks by the Speaker of the Legislature reveals serious problems that are prevalent within the provincial administration. Whether or not executive institutions maintain public accountability depends to a large extent on the control exercised by the legislature over their actions, as well as on the reaction of the public to their actions, in this instance the Legislature did not effectively intervene until outcry breaks out.

The political bias depicted by members of the Executive Council preferring some members of the civil service over others has a tremendous negative impact on the control over the bureaucracy. As indicated in Chapter Five, some members of the public service deliberately left members of the Executive Council to take decisions without adequate information. In fact, the Commission of Enquiry was precipitated by such behaviour.

6.5 In Conclusion

In conclusion, all attempts at reform in the civil service must be set in context. To focus on one area is to ignore others. Accountability and political control is just two of many issues prevailing within the civil service. At the end of the day, accountability is not just a technical issue, such as better reporting systems. It is the content of the reports – the performance – that is critical. Better reporting procedures do not automatically lead to better performance. The focus of accountability should be the need for continual improvement in performance, not simply procedures themselves. “Accountability for what?” should be the crucial question.

In the end, improved performance and improved accountability and political control depend on the extent to which people accept them as legitimate goals, both within the administration and within the parliamentary system. The results of
this study indicate that specific and continued efforts may need to be made to generate and sustain such commitment. The recognition that both the administrative and parliamentary systems are linked by a common goal—improved public sector performance and management—is the key to realising such commitment.
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