

Effective Political-Administrative Relationship for Policy Making and Implementation

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ABSTRACT

The public sector is the area within which politics is practised to its fullest extent. The political party commanding the majority in the legislature determines priorities. Political office bearers act as policy makers and overseers of the executive actions. The appointed officials act as policy implementers and advisers to the political structures. The relationship between the political office bearer and the senior cadre of the executive institution is a critical factor in determining the success of a policy. Should this interface be soured for some reason, the departmental functions could be seriously impaired. The article examines the interface and identifies the need for a sound relationship to ensure the effective implementation of policy.

INTRODUCTION

The debate on the political/administrative interface has been on many agendas since officials were appointed to give effect to policies determined by political structures. In this article, the historical development of the interface is not alluded to in detail. The justification for the relationship will be referred to mainly to clarify the respective roles and functions of the two components involved in the interface. Attention is specifically devoted to what the interface implies and how it affects the relationship between politicians and senior managers in the public domain. Attention to the interface is of particular importance as the success of policy formulation and implementation are decisively influenced by the relationship between political structure or office bearer and the administrative/ managerial officials

POLITICAL STRUCTURES

In a system of representative democracy, members of society are elected by an electorate to make decisions on behalf of that particular society or a particular segment of society.



In the case of the Republic of South Africa the electorate votes on one ballot paper for a political party to represent them in the national sphere of government. On a second ballot paper the electorate in each of the nine provinces elects a political party to represent that segment of the electorate residing in a specific province. The representative body that is created as a result of such an election normally consists of a large number of members. In the National Assembly in South Africa created by the electoral process 400 members are assigned on a proportional basis by the political parties obtaining a prescribed number of votes at the election held every five years. This composition makes it cumbersome and even impractical to *formulate* decisions or to develop complex policies requiring technical knowledge and factual information to ensure that policies are viable. Therefore, a committee such as a cabinet (for the national government) or executive council (for the provincial government) is usually appointed to assist in formulating guidelines (policies) to achieve the stated goals envisaged by the relevant legislative assembly; to oversee the executive actions of the appointed officials; and to provide the representative body with information about the results achieved by being held accountable for the outcomes of the policies authorised by the executive structures.

On the national level/sphere of government, Cabinet acts as a committee to assist Parliament in deciding on particular issues demanding the intervention of the state and to give guidance to the executive institutions, that is, to perform the governing function. In fact the origin of the term *govern* is the Latin word *gubernare*, which means to steer as in steering a boat. Thus, a government's primary responsibility is to provide guidance to the executive institutions concerning policy directions. To this should also be added the fact that the person performing the steering function (governing) should have a clear goal in mind to ensure that the rowers (appointed officials) will be able to understand that they are using their energy to reach a predetermined destination (achieve a policy goal).

POLITICS/POLITICIANS

It is important to refer to politics as one of the most significant phenomena in the public sector. In this regard it does not imply only *party* politics, that is, the politics of a political party, but politics referring to the process of decision-making; who receives what, when, where and how; a conflict resolution process (Welsh 1973:5) which determines the apportionment of resources; the process by which power and influence are applied in order to determine whether and how government is to be exercised in any given area such as a state, a region or a municipality; or the apportionment of values (Fox & Meyer 1995:98). To a large extent political power is determined by the relationship among individuals belonging to a group commanding the majority support in a representative body. Power is not possessed by a single individual in a democratic system of government. Power is collectively exercised by a college such as a cabinet in the national sphere or an executive council in the provincial sphere.

With this simplified definition of a very complex process in mind, it is obvious that politics has many faces or facets. It could be argued that the weighting of the available facts and related information is done within a particular value framework. This framework could be that of a political party, an interest group (Treatment Action Campaign [TAC]),

ratepayers association, agricultural union or religious group as the case is in countries like Nigeria, Sudan and Somalia or even a corporate body (for example, a public entity or a public-private partnership). It could be argued that politics concerns the attachment of values to the available facts; determining the relative importance of requests by society or a particular segment of society for a particular service; the quantity and the level or extent of the services to be provided; and the quality (tar or gravel road) of the services to be delivered. Thus, the political body governing (*cf.* Section 151(3) of the *Constitution of the Republic of South Africa*, 1996) in a particular country, region or municipality is responsible for initiating and overseeing the executive actions of the appointed officials acting on its behalf. It must be emphasised that the political body does not exercise the control function, that is, the responsibility of the administrative/managerial officials. The political structure exercises an oversight function.

Diversity is a characteristic of most countries. African countries are no exception to this aspect. In the Commission for Africa’s Report (2005:119) titled: *Our Common Interest* it is stated that

Every country has a mix of social and economic realities that differ from other countries and differ, often massively even within one state according to divisions of ethnicity, religion, gender, generation, geography and so on. Such diversity can be seen in everything from attitudes to standards of living, provision of infrastructure, access to health and education, economic opportunity, models of governance and political history.

This remark is obvious from the following table serving as an indication of the complexity of the populations of selected African countries

Table 1 Diversity of population

Country	Population groups	Languages
Democratic Republic of the Congo	± 6	±5
Cameroon	± 8	± 200
Nigeria	± 250	±225
Uganda	± 13	± 3
Sudan	± 20	± 120

Source: Compiled from AI of SA 2007

The complexity of governing a diverse population becomes obvious when considering the linguistic and attendant cultural values existing among the different groups. Representatives in each of the legislative bodies on each level or in each sphere of government have to be able to judge the often divergent and conflicting values and requests of interest groups or political parties representing religious or political segments of society. The complexity of this duty becomes clear if one considers the phenomena in African countries (some countries like Botswana and Swaziland have more homogeneous populations), for example,

- different religious groups



- different language and cultural groups
- different economically active/inactive groups
- different residentially located groups (high rainfall against low rainfall areas), for instance, Democratic Republic of the Congo) with divergent developmental needs
- different business and industrial concerns
- different labour unions
- different political parties with own agendas
- different age groups with their own needs and expectations.

It should be mentioned that within any large institution, such as a government, a variety of invisible networks exist (Commission for Africa 2005:119). These social networks influence the perception of a community or society at large regarding the acceptability of a political body's composition and decisions (consider the protest actions in various African and Middle Eastern countries during 2010-2011). Obviously the quality of the administration and management taking place under its guidance will be negatively affected owing to lack of direction by the governing body or to the failure of the particular government to carry out its mandate in acknowledging the core values of society in general.

A democratically elected parliament consists of representatives of society. The so-called weighting of possible policy options within the political framework of the ruling party or alliance requires complex *political equations* with a large number of unknown quantities and even value considerations to be taken into account. In some countries the tension among religious groups demands special attention, for example, the Muslim and Christian groups in Nigeria and Sudan. In some cases, the prominent linguistic groups demand diverse political decisions, for example, the dominant French speaking population and the minority English speaking groups in Cameroon. Similarly the genocide following the clash between the Banyarwanda's Hutus (80%) and the Tutsis (20%) in Rwanda required intensive attention, even the intervention of other governments to resolve internal conflicting values.

Government has to identify the most important priorities to be dealt with at a particular stage, bearing in mind the powers and functions entrusted to the different spheres/levels of government. This identification of functions as part of the political process has to acknowledge the constitutional requirements contained, for example, in the *Bill of Rights* in the South African Constitution, such as the right of access to information and the right to administrative justice. As already alluded to, a large cumbersome representative assembly such as a parliament cannot effectively perform the complex functions required to formulate policies. Not even Cabinet or the executive council of a regional authority could formulate a policy to be contained in an act or a white paper, for instance. It requires the assistance of appointed full time employees possessing the knowledge and the experience to assist the political structure. This is *one* point where the political/administrative interface is clearly visible as it implies cooperation and continuous communication by the two components.

Politics is largely *practised* by politicians, such as ministers and members of the executive council of a provincial authority as is the case in South Africa. However, it should also be considered that even in establishing the relative importance of a proposed policy, the possible administrative implications have to be considered. This implies that it has to be established whether sufficient funds are available; whether the human resources available have the capacity to implement the policies required to promote development; whether

organisational structures are in place to ensure proper implementation and monitoring of executive actions; whether work procedures been developed to ascertain whether actions will obtain economic, efficient and effective results; and whether monitoring and evaluation systems as well as control measures have been devised to determine whether policy goals have been achieved as envisaged. These prerequisites demand that politicians liaise with the appointed officials and are certain that they can rely on their technical, administrative and managerial skills to reach their policy objectives. It is important to mention that the governing body can only keep its promises made during election campaigns and in policy statements if it can rely on the support of the appointed officials to judiciously execute its policies. The officials, and in particular the senior management cadre, have to translate political decisions into *administratively implementable* actions to ensure that a policy becomes a reality. Thus, it is imperative to note that a sound relationship should exist between the political office bearer and his/her head of department and other senior managers. If there is a breakdown in this relationship, incorrect information could be submitted by the department to the minister or worse; information could be withheld, depriving the minister of the ability to govern effectively. The lack of a flow of information from the minister (for example, new governmental policy directions) to the head of department will prevent the department from operating effectively as they are deprived of political directives. In a similar manner, withholding departmental information from the minister could embarrass a minister as he/she may act on the assumption that capacity exists to implement a policy while it may not be the case as crucial expertise could be unavailable.

Ministers of Cabinet and members of other executive structures performing the *governing* function are

- responsible for overall political supervision of the department or other structure under his/ her jurisdiction;
- accountable to the legislature for the way in which the department/ public-private-partnership gave effect to the policies as approved by the elected representative structure (either directly or indirectly)
- responsible for other duties related to the particular position, for example, the appointment of members of a committee (subject to particular prescribed guidelines); and approval of regulations related to laws within the delegated competence of the particular political office bearer.

Note should also be taken of the different governing styles of executive political office bearers.

- A minister could, for example, be an *interventionist*, implying that he/she may tend to be more involved in the detail of the executive actions of officials, concerning him-/ herself with the details of the administrative actions to carry out policy and neglecting the initiative role required in governing.
- A minister could have the tendency to act as a *policy initiator* and thus focus only on the development of new policy guidelines. In this scenario officials may be bombarded by a multitude of new policy directions, without being allowed to translate the initiatives into administrative realities. Again, this situation may result in various policies being adopted, but no or little realisation. (In the period 1994-2004 the South African Parliament passed ± 850 pieces of legislation.) It should be obvious

that a question could be posed regarding the public service's capacity to make the required administrative arrangements to carry out the myriad of policies.

- Some executive political office bearers may act as *ambassadors* and limit their roles to promoting a particular policy direction of government (for example, a developmental state or a major investment opportunity). Such politicians may then enjoy exceptional exposure nationally and internationally, but neglect to direct the actions of his/her department to set achievable goals and to oversee the effectiveness of the results achieved.
- Lastly and in exceptional cases, one could even come across a *minimalist* politician implying that he/she keeps a low profile and avoids having to give controversial policy directives that may compromise him/her regarding unpopular decisions. Such ministers may gain popularity amongst officials, but may create a bureaucracy in which the values and weighting attached to facts will be left to officials who may not always act in accordance with political policy. This could be counterproductive to the general policy directions of the government.

As can be surmised, these governing styles will have a direct effect on the relationship between the political structures involved in the governing functions and the administrative structures. Thus the personal characteristics of the political office bearer will affect the nature of the political/administrative interface.

The management style of the head of department will have an effect on the extent to which the political office bearer can play a political role in the administration and management of a department. A well experienced and strong minded senior manager in a department headed by a minimalist minister could result in the administrative/managerial functions being overemphasised with political values being neglected. A strong interventionist minister and an inexperienced or politically committed head of department would result in the political issues being overemphasised without ensuring that the department has the administrative capacity to achieve the political goals. To these complicating factors should also be added that the current political ideologies of a government in a developmental state and assigned to departments to implement could also require strong political involvement. In states with well established economies and competent and experienced administrative officials, stability exists and the political/administrative interface no longer creates a dilemma. Similarly some states emerging from internecine faction fighting or a *coup d'état* enters new uncharted waters and regular and intensive political interventions (not interference) are required. In such cases clear and regular, but rational political input would be a prerequisite.

EXECUTIVE FUNCTION

Some of the salient characteristics concerning the duties of the governing structure can be summarised as follows:

- the adoption of executive policies, plans, strategies and programmes;
- promoting the development of society or a segment of society;
- establishing a broad organisational structure to facilitate policy development and execution (such as the departments created by the President of the Republic of South

Africa in 2009 viz. Department of Human Settlements; of Cooperative Governance and Traditional Affairs; of Basic Education; of Higher Education and Training; of International Relations and Cooperation; and of Mineral Resources);

- overseeing the implementation of applicable legislation and other policy directives;
- monitoring service delivery to ensure that the stated goals are achieved as far as quantity and quality are concerned;
- approving budgetary requests to enable officials to implement policy decisions;
- imposing taxes, levies, service fees and surcharges and monitoring the collection of all revenue due to the state/region/ municipality;
- approving and monitoring the performance of the head of department; and
- performing such other functions as may be required to maintain the effective and efficient operation of the executive institutions assigned to give effect to policies including disciplinary action if required.

It could be deduced from the abovementioned requirements that the success of any policy is determined by the ability of the executive to give effect to the decisions of the governing body. It could also be argued that in any state endeavouring to promote the living conditions of all its inhabitants would face serious challenges concerning the executive's capacity to translate policies into actions bearing in mind paucity of funds and lack of managerial skills.

RELATIONSHIP BETWEEN EXECUTIVE AND LEGISLATURE

Usually the executive body will be representative of the majority party in a democratically elected Parliament. This is the result of the electoral process allowing the party (or alliance) obtaining the majority in the general election to dominate the parliamentary processes. Therefore, the leader of the majority party will be able to exercise the right to appoint the executive structure. The *Constitution of the Republic of South Africa, 1996* determines (Section 83) that the President is the Head of State and also the head of the National Executive. Section 85 (1&2) of the Constitution (1996) vests the executive authority in the President and states that the executive authority is exercised by the President together with the other members of Cabinet. Section 91(2) of the Constitution assigns the authority to the President to appoint ministers and deputy ministers. He/she also has the authority to assign their powers and functions and to dismiss them.

South Africa is governed by an alliance consisting of the African National Congress, the South African Communist Party and the Congress of South African Trade Unions. As could be expected the current Cabinet consists of members of Parliament representing the three alliance partners. They serve under the banner of the ANC as members of Parliament, but they are simultaneously members of the alliance partners. Two ministers are not members of the National Assembly, Minister P. Gordhan, Minister of Finance and Minister E. Patel, Minister of Economic Development.

In the South African constitutional dispensation the President is not a member of the National Assembly. Currently the two ministers mentioned in the previous paragraph who are not members of the legislature are still accountable to Parliament. Similarly, the President



in particular is required to answer questions in Parliament regarding general governmental matters. In a democratic country the requirement of public accountability is one of the constitutional principles. Should a minister or the President refuse to answer legitimate (not vexatious or irrelevant) questions in Parliament, democracy is under threat as transparent government is not practised.

The political executive has to be confident that they can fully rely on the administrative component to provide them with correct and timely advice on challenges, potential problems, policy deficiencies and ineffective policies to allow government to consider new or alternative approaches. Should a department fail to inform the minister or neglect to monitor the degree to which policies are being executed the governing function could become ineffective.

The need for a sound relationship between the head of department and the political executive does not imply that the appointed official is required to be appointed solely on the basis of political affiliation to guarantee loyalty. Party loyalty does not necessarily prove administrative competence. Administrative competence serves as an indication of an official's ability to develop an administrative system to give effect to policy and to manage the implementation of a policy judiciously irrespective of his/her personal views or bias.

ADMINISTRATION / MANAGEMENT

Administration can be defined as the enabling functions required to assist in determining policy goals and in giving effect to political decisions/policies. Administration primarily concerns the establishment of an enabling system for the performance of executive actions. It can be divided into

- processes required for policy making such as establishing the factual situation and gauging the real or perceived needs that have to be satisfied;
- development of organisational structures within the broad political division of priorities to do research and to implement policies;
- a framework for the appointment and utilisation of human resources available or required to give effect to governmental policy guidelines;
- a framework for the collection and utilisation of financial resources required to give effect to policies falling within the fiscal and financial guidelines provided by government;
- work methods to promote efficient and effective services and procedures that will facilitate the implementation of the policy applicable to the specific delivery structure; and
- a control subsystem consisting of monitoring and continuous evaluation of achievements to ensure that public accountability is maintained for all executive actions performed by an individual employee and the executive institution as a whole.

Management, put in simplified form, may be viewed as the way in which the system operates. It concerns, *inter alia*, the decisions taken regarding the different components of the system as well as the way in which the managerial echelon operates to ensure that the resources are utilised effectively and efficiently by the line functionaries. Management also

involves guidance to subordinates concerning the actions required to implement policy. The managerial function furthermore requires leadership qualities such as direction, motivation, coordination of actions, supervision and disciplining.

Without going into the history of the debate on the neutrality of public administration and public management, suffice it to state that the relationship between administration and politics is not one of a servant–master (Cameron 2003:55). The relationship is much more multi-faceted and complex. It must be borne in mind that a relationship occurs when human beings interact with one another. Irrespective of the formal arrangements which may demand cooperation amongst institutions operating in related areas, the success or failure of the interaction will be determined by the personalities involved and whether they are amenable to the cooperative action.

It should also be obvious that transformation of an existing autocratic or racially based society into a democratic country requires a close liaison among the political system, the administrative system and senior officials to achieve the goal of an effective and efficient public sector. The public sector is not only required to transform a racially/ethnic or religious divided society to a justifiable service rendering sector, but to an equitable public service in which everyone is treated equitably.

PUBLIC SERVICE

Human resources are the most crucial part of the public sector as human beings are required to give effect to policies determined by the political executive. However, it should be emphasised that the political office bearers rely heavily on the advice of the appointed officials. The senior officials who advise the political executive have to be fully aware of the political choices that have been made by the political structures as translated into executive policy by the governing structure. The public service as defined in the *Public Service Act, 1994* (Proclamation 103 of 1994, Section 8) consists of *persons* emphasising that human beings are the constituting units of the service rendering component of the public sector.

As indicated earlier, politicians make political choices. However, these choices have to be considered within the framework of its administrative, managerial and technical feasibility. This is the domain particularly of the senior (managerial) officials of a department. Officials are supposed to be appointed for their expertise in the various functions that executive institutions, such as departments, have to perform. This is particularly the case with specialists in areas such as engineering, economic matters, financial affairs, labour relations, legal matters and a plethora of other functions departments have to perform.

In South Africa appointments in the public service are made by the executing authority (for example, a minister) usually only a person qualified for the post is appointed. However, to obtain employment equity the *Employment Equity Act, 55 of 1998* identifies four factors that must be taken into account, that is, a person's

- formal qualifications;
- prior learning;
- relevant experience; and
- capacity to acquire within a reasonable time the ability to do the job.



A minister is authorised in terms of section 12A of the *Public Service Act* of 1994 to appoint one or more persons under a special contract to advise him/her on the development of policy that will promote the relevant department's objectives and to perform other tasks in respect of the executing authority's powers and duties. This condition allows a minister to ensure that his/her party political views are accommodated in the policy advice received from departmental officials. This particular authority could create an untenable situation in a department if such advisors are allowed to influence administrative arrangements. If policy advisors are restricted in their advisory roles to assist the minister in ensuring that he/she honours the party political mandate, this arrangement is acceptable. However, if the advisors become involved in the administration of the department it could have serious side effects, even compromising the head of department's accountability for actions performed or not performed.

Every public institution is usually supported by a communications/liaison office. This section or directorate performs a staff function. This implies that the relevant unit has to *sell* the department's policies and programmes to the relevant clients. Furthermore, the unit must keep the minister and senior officials informed of the views of the clients regarding their perceptions or concerns regarding programmes or policies. Should the liaison section fail in promoting the vision, mission or goals of the department, the minister and administrative officials will find it difficult to convince their clients of the success of policies. Such office must also inform the minister timeously of any negative reports in newspapers or other news media to counter possible negative views on government policy or the minister's actions or inactions. Sound public relations are crucial to the success of policy implementation. Thus, the political/administrative interface is not only important between the minister and the line function officials, but also between the liaison/communications section and the minister.

THE INTERFACE

The political/administrative interface is where the tyre hits the road. This is the grey area within which politics has to be distinguished from administration and management. In the case of a motor vehicle the bonding between the tyre and the road determines to what extent the driver is in control of the vehicle. If the bonding is insufficient due to tyre failure or road inconsistency the vehicle tends to move in any direction but forward. This situation applies to the political/executive authority and the management echelon as well. If there is a lack of trust or a lack of clarity regarding the respective responsibilities, the department cannot provide the services required. It should also be stated that to be able to separate the political and administrative functions to some extent one has to assume that sufficient educated and talented people are available to fill both offices (Cameron 2003:58). If this condition cannot be met, a department cannot promote and achieve the policy objectives of the governing structure and will not be able to integrate political values into the administrative and managerial systems and *vice versa*.

Lack of performance and inefficient service delivery is not always immediately or directly observable. The lack of performance may only be recognisable after a number of years, for instance, the failure of an educational system may only be recognised when learners enter the tertiary educational sector and they are unable to formulate arguments

or do basic computations. The failure of an HIV/AIDS programme to prevent the transfer of the virus from the mother to the child may take some years to detect. Therefore, if the officials in charge of policy implementation neglect the duty of monitoring and evaluation, the minister may be under the impression that the policy is achieving its goals, but may be confronted with reality by being questioned by interest groups or opposition parties, proving the contrary.

Some ministers tend to involve themselves with the daily running of the executive institution and demand to be informed about every activity undertaken creating the danger of political interference in the administrative and managerial actions of senior officials. This also contributes to creating a fuzzy dividing line between the political and the administrative/managerial duties. It may even result in the ethical guidelines for sound public administration being compromised. In its report entitled: *State of the Public Service Report* (Public Service Commission 2005:3) the Chairperson stated that

While the basic ethics infrastructure has been established, its implementation requires attention for it to become fully entrenched and integrated within the organisational culture and ingrained into the ethos of every public servant.

The need for clarity on the interface is, therefore, an urgent requirement to be attended to in an attempt to ensure that ethical guidelines are honoured. A need exists for the recognition of an intimate interface in developing a more representative and more efficient and effective public sector.

The political office bearer has to acknowledge the fact that he/she acts as the representative of a particular community (mostly politically oriented). As such he/she has to identify and interpret the value preferences of a particular segment of society or an interest group and evaluate its importance in relation to all the other demands for action by the relevant legislature. The head of department (DG, permanent secretary or director), with the assistance of all the other managerial staff, has to interpret these demands in terms of the administrative and managerial implications, for example, the human resource and financial implications and inform the minister accordingly. Simultaneously the effects on the infrastructure and the mandate of the department have to be brought to the attention of the minister.

Ultimately, the final decision-making power vests in the legislature representing society. However, cabinet or executive council represents the majority party (or alliance) and it can be assumed that proposals regarding legislation will be carried by the legislature as a result of the working of the caucus system. The head of administration and other managerial staff are charged with the responsibility to ensure that the legislature is fully briefed on all administrative, managerial and executive activities. The head of department in the British related parliamentary system will ultimately be held accountable by Parliament if the legislated policies or other policy decisions are not effected. Therefore, if a minister neglects his/her oversight function the electorate will take the responsible political office bearer to task. Indirectly the actions of officials are also scrutinised by members of society and may even be criticised in newspapers and the other news media. These actions or inactions will ultimately have to be dealt with by the legislature or one of its committees such as portfolio committees or the standing committee on public accounts.



Section 117(1) of the South African *Local Government: Municipal Systems Act, 2000*, is unambiguous regarding the interface by stating that

A councillor who attempts to influence the municipal manager or any other staff member or agent of a municipality not to enforce an obligation in terms of this Act, any other applicable legislation or any by-law or a decision of the council of the municipality, is guilty of an offence and on conviction liable to a fine or to imprisonment for a period not exceeding two years.

In a similar manner, the South African Code of Conduct for Councillors as contained in Schedule 1 of the *Municipal Systems Act, 2000*, prohibits a councillor from

interfering in the management or administration of any department of a municipal council unless mandated by council; give or purport to give any instruction to an employee except when authorised to do so; obstruct the implementation of any decision of council or a committee by an employee of council; or encourage or participate in any conduct which would cause or contribute to maladministration in the council.

The South African *Local Government: Municipal Finance Management Act, 2003*, is also clear on the relationship between the municipal manager as accounting officer and the political structures of a municipality. Section 76 of the Act states:

Any action by a political office-bearer of a municipality against the accounting officer of the municipality solely because of that accounting officer's compliance with the provisions of this Act, is unfair labour practice for the purposes of the Labour Relations Act, 1995 (Act 66 of 1995).

Concerning the interface, specific reference should be made to the South African *King Report (2002)*. This report's recommendations are wide ranging and apply to public sector enterprises and agencies. The Report acknowledges the similarity between the public and the private sector as far as the proposed *Code of Corporate Practices and Conduct* is concerned. It could, therefore, also be argued that the *Business Judgment Rule* (King 2002:73) is also applicable to the public sector.

The rule is defined as follows:

Essentially, the rule protects directors (ministers or cabinet) against being held accountable for business decisions, however unwise they subsequently turn out to have been, if they were made on an informed basis, in good faith, and without conflict of interest, and the decision was rational at the time in all its circumstances.

It should thus be clear, that if the opposite situation is encountered a minister could be held accountable. This illustrates that the administrative/political interface could be clarified as far as accountability is concerned. The political body cannot in all cases be absolved for wrongful decisions which may result in wasteful expenditure. The most recent announcement by the South African Standing Committee on Public Accounts (SCOPA) that ministers may in future also be called to appear before SCOPA bears testimony to the new realisation that

political office bearers could also be called to account for political actions which may be contrary to sound financial management.

CONCLUSION

The brief discussion was mainly aimed at reviewing a complex topic. Its focus is mainly on clarifying concepts and the legal requirements. More comprehensive research is required to establish the practical application of the new system of government and administration practised in developmental states. The political/administrative interface, which has created tension since the appointment of “permanent” officials, has not been thrashed out. It will probably remain a contentious issue for the foreseeable future.

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