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**PUBLIC SERVICE DELIVERY IN THE
DEMOCRATIC REPUBLIC OF THE CONGO:
A CASE STUDY APPROACH**

by

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DEDICATION

In the loving memory of my sister Esther Mbombo Tshienda, who passed away on 14 September 2005. Caring and loving, she managed to offer me the best education possible. Her dedication thus created an environment conducive for my success. I thank God for her life, which was short but full of achievement. Through her death, I was able to understand that life is not about longevity, but about significance. Her life was of great significance to me. Although she is absent physically, she will live forever in my thoughts through all the memories. May her soul rest in peace!

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TABLE OF CONTENTS	PAGE
DEDICATION	i
ACKNOWLEDGEMENTS	ii
TABLE OF CONTENTS	iii
ACRONYMS	ix
DEFINITION OF TERMS	xi
ABSTRACT	xv
CHAPTER ONE	
GENERAL OVERVIEW AND BACKGROUND TO THE STUDY	1
GENERAL OVERVIEW	1
BACKGROUND TO THE STUDY	6
Missions of OFIDA	7
• Fiscal Missions of OFIDA	7
• Economic Missions of OFIDA	8
STATEMENT OF THE PROBLEM	10
PURPOSE OF THE STUDY	12
THE RESEARCH QUESTION	13
FRAME OF REFERENCE	13
IMPORTANCE AND SIGNIFICANCE OF THE STUDY	13
LIMITATIONS OF THE STUDY	14
STRUCTURE OF THE DISSERTATION	16
CONCLUSION	17

CHAPTER TWO

RESEARCH METHODOLOGY	18
INTRODUCTION	18
METHOD OF RESEARCH	19
TYPES OF SCIENTIFIC RESEARCH	21
Quantitative Research	21
• Descriptive Research	22
• Correlational Research	23
• Experimental Research	23
• Causal-Comparative Research	24
• Evaluation and Action Research	25
Qualitative Research	26
• Phenomenology and Ethnomethodology	26
• Grounded Theory	27
• Case Study	29
RESEARCH DESIGN	31
DATA COLLECTION INSTRUMENTS	33
• Documentary Search	33
• Questionnaire	34
DATA ANALYSIS	37
PRINCIPLES OF ETHICS RELIABILITY AND VALIDITY	38
DATA COLLECTION PLAN	40
CONCLUSION	40

CHAPTER THREE

LITERATURE REVIEW	41
INTRODUCTION	41
CONCEPTUAL FRAMEWORK	41
• Public Administration	41
• Public Policy	49
• Governance	56
• Leadership	61
• Organizational Theory	66
• Strategic Planning	69
CONCLUSION	75

CHAPTER FOUR

PROFILE ORGANIZATIONAL STRUCTURE AND OPERATIONS OF OFIDA	78
INTRODUCTION	78
PROFILE OF OFIDA	79
• Creation of OFIDA	79
• Aims of OFIDA	80
ORGANIZATIONAL STRUCTURE OF OFIDA	80
OPERATIONS OF OFIDA	85
• Customs Procedures	85
• Standard Measures	89
• Customs Valuation Standards	91
EVASION OF CUSTOMS DUTIES	93

THE ROLE OF CUSTOMS SERVICE IN THE ECONOMY	94
CONCLUSION	99
CHAPTER FIVE	
THE PERFORMANCE OF OFIDA IN THE PROVISION OF CUSTOMS SERVICES	101
INTRODUCTION	101
ANALYSIS OF DATA	102
CONCLUSION	117
CHAPTER SIX	
CONCLUSIONS AND RECOMMENDATIONS	120
BIBLIOGRAPHY	128

ANNEXURE

Questionnaire on the effectiveness of “OFIDA” in the provision of customs services in the Democratic Republic of the Congo	137
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LIST OF TABLES

Table 4.1 DRC’s Main Trading Partners	96
Table 4.2 Volume of Exports and Imports in the DRC	97
Table 4.3 Evolution of Customs Revenue in Budgetary Income from 1995 to 1997	98
Table 5.1 I understand the vision and mission of OFIDA	102

]Table 5.2	I know the standards of service that customers Expect from OFIDA	103
Table 5.3	I know exactly what is expected of me according to service delivery standards of quality, quantity, time and cost.	104
Table 5.4	I was involved in the process of setting the standards of services.	105
Table 5.5	All our customers are aware of what services we deliver and how to proceed about accessing them.	106
Table 5.6	The executive team does meet formally to discuss strategic issues in order to come up with solutions that will have to be cascaded down to employees for Implementation.	108
Table 5.7	The process of restructuring OFIDA will assist this organization to make best use of its resources.	109
Table 5.8	The one stop counter is a step towards the improvement of customs services delivery.	110
Table 5.9	Customs legislation is oriented towards the improvement of our services.	111
Table 5.10	The practice of job related training of customs agents is regularly applied at OFIDA.	112
Table 5.11	My wage motivates me to perform my duties with Efficacy.	113
Table 5.12	The conduct of officials and agents of OFIDA articulates the necessity of providing efficacious customs service.	114
Table 5.13	Political instability is a key factor that hinders OFIDA to maximize its potential.	115

Table 5.14 OFIDA is effectively playing its role in the national economy.	116
Table 5.15 It is my opinion that OFIDA delivers excellent service to the community.	116

LIST OF FIGURE

Figure 4.1 Organogram of the Head Office of OFIDA	82
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ACRONYMS

AGOA	Africa Growth and Opportunity Act
AU	African Union
BSC	Balance Score Card
BTN	Brussels Tariff Nomenclature
CAF	Cost Assurance Fret
CCC	Customs Cooperation Council
CDG	Chief Director General (PDG: Président Délégué Général)
CEEAC	Economic Community of Central African Countries
CEPGL	Economic Community of the Countries of the Great Lakes
CF	Congolese Franc (Franc Congolais)
CIF	Cost Insurance Fret
COMESA	Common Market for Eastern and Southern Africa
CRT	Cognitive Resource Theory
DGG	Democratic Good Governance
DGI	Direction Générale des Contributions (Directorate General of Revenues)
DGRAD	Direction Générale des Recettes Administratives et Domaniales (Directorate General of Administrative and Domain Incomes)
DPSA	Department of Public Service and Administration
DRC	Democratic Republic of the Congo
EEC	European Economic Community
ENF	Ecole Nationale des Finances (National School of Finances)
EPC	Entrepôts Publics Concédés (Public Leased Warehouses)
EU	European Union
FC	Franc Congolais (Congolese Currency)
FDI	Foreign Direct Investment
GATT	General Agreement on Trade's Tariff
IGM	Intergovernmental Management
MFN	Most Favored Nation
NEPAD	New Partnership for Africa's Development
NPA	New Public Administration
NPM	New Public Management
OCC	Office Congolais de Contrôle (Congolese Control Office)
OFIDA	Office des Douanes et Accises (Customs and Excises Office)
OFIDA/ DG	Office des Douanes et Accises/ Direction Générale (Customs and Excises Office/Directorate General or Head Office)
OGEFREM	Office de Gestion de Frêt Maritime (Maritime Freight Management Office)
OMD	Organisation Mondiale des Douanes (World Customs Organization)
ONATRA	Office National des Transports (National Transport Office)
PPP	Public Private Partnership

ROSA	Regional Office for Southern Africa
RSPM	Regenesys School of Public Management
SADC	Southern Africa Development Community
SLT	Situational Leadership Theory
SPMA	School of Public Management and Administration
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNOCD	United Nations Office on Drugs and Crime
WB	World Bank
WCO	World Customs Organization (Organization Mondiale des Douanes)
WTO	World Trade Organization

DEFINITION OF TERMS

For the purpose of this study, clarification of the following terms can be made:

Customs: Ehrich (1980:156) defines customs as the duty charged on goods imported from other countries. According to Hornby (2000:288) customs can also be described as the government department that collects taxes on goods bought and sold and on goods brought into the country, and that checks what is brought in. This last definition suits OFIDA as it has, under its charge, the administration of customs services in the Democratic Republic of the Congo (hereafter referred to as DRC). For the purposes of this study, customs will be used in both senses to mean customs services and administration; customs will also refer to customs duties or revenues.

Customs Fraud: is noticed when:

- ❖ The value declared is minimized;
- ❖ The tariff base has been falsified so that the importer may pay less duties; and
- ❖ The weight and quantities are minimized (Decree of 1949, Article 92).

Customs Contraband: is described as a customs fraud aggravated in the absence of the passage through customs controls or in the absence of any declaration. This occurs, for instance, when customs services discover a warehouse full of goods of foreign origin, which did not overtake customs procedures (Thambwe-Mwamba, 1996:119-120).

Efficacious Service Delivery: Efficiency refers to the most effective way of achieving an objective with the most economical use of funds. Efficient service delivery would thus imply the satisfaction of service delivery goals with the frugal use of resources. Since effectiveness in service delivery can be seen as involving the satisfaction of goals, for example, the attainment of service delivery targets (Crous, 2002:21). In this context, efficaciousness service delivery refers to an effective and efficient provision of services. Efficacious therefore equals effectiveness plus efficiency in the provision of public services.

Procedure: a procedure is a guideline for employee's action. Employees must follow procedures to act in certain ways under certain circumstances (Du Toit & Van der Waldt, 1997:16).

Public Organizations can be assimilated to public institutions. Hence, Fox *et al.* in Crous (2002:17) describe public institutions by stating that these institutions function in an environment where there is a limited degree of market exposure and a great degree of reliance on appropriations from authoritative bodies. The authors add that the environment of public institutions is legal and formal, and it is influenced by a number of judicial constraints and distinctive political factors. Public institutions are also exposed to close public scrutiny and unique public expectations, not only by the public, but also by other public institutions, as well as private sector organizations providing products or services to the public. However, a public organization is an institution, which has the legislative mandate of providing goods and services to the population within prescribed rules. Public organizations can then refer to a complex network of public sector institutions characterized by bureaucracies, large-scale activities, and distinctively public administration responsibilities.

Public administration: Fox & Meyer (1995:24) describe public administration as a process by which public resources and personnel are organized and coordinated to formulate, implement, and manage public policy decisions. However, Gulick in Fry (1989:80-81) considers that public administration involves the determination of major policy; the development and adoption of specific programs; the creation of the organization; provision of personnel; authorization of finances; administrative supervision, coordination, and control of activities; and the audit and review of results. Hence, a science of administration would embody a system of knowledge whereby humans may understand relationships, predict results, and influence outcomes in any situation where humans are organized at work together for a common purpose. Public administration is that part of science of administration that has to do with government, and thus concerns itself primarily with the executive branch, where the work of government is done.

Service Delivery is concerned with the provision of goods and services. It is, however, the provision of public activities, benefits or satisfactions. Services relate both to the provision of tangible and to intangible services (Fox & Meyer, 1995:118). The act of delivery is described as an action of producing or performing, handing over, taking goods to the intended recipient, or producing results as promised or expected (The Universal Dictionary, 1961:413). In this study, service delivery refers to the provision of customs services by OFIDA.

Standard: this is a guideline for all people concerned. Its purpose is to specify exactly what good, acceptable work or behaviour means (Du Toit & Van der Waldt, 1997:16).

The society refers to the community, the population or to the citizens. We need to emphasize that the term ‘society’ refers to the largest range of people in a state while the term ‘community’ refers to a much smaller frame of reference. This study will use both terms to articulate one concept.

The State refers to the country, and in this case, the Democratic Republic of the Congo.

ABSTRACT

This study examines service delivery in the Democratic Republic of the Congo. It focuses specifically on the effectiveness of the Congolese Customs and Excises Office (OFIDA) in the provision of customs services. The main focus of this study is to examine the need of addressing the end product service delivery at OFIDA so that the organization can become more competitive, and then maximize revenues in order to support the governmental activities for the economic development of the country. In meeting the objectives, the research design was designed with the combination of qualitative and quantitative research methods. This design was motivated by the fact that the mixed-methodological design is not only the most suitable for this study, but it was also able to strengthen the findings of the study and provide adequate validation by means of both deductive and inductive research methods. However, documentary search and questionnaires were used as an additional set of tools of data collection. Consequently, it was essential for this study to gain insights into the changes that have occurred in public service delivery by examining the interrelations that exist between public administration, public policy, governance, leadership, organizational theory and strategic planning in the provision of public services. The management of a public organization ultimately involves achieving success in the following areas: determining how to fulfill the government's workforce needs, acquiring the necessary personnel, developing their skills, motivating them to work in support of public ends, rewarding them for this behaviour, and improving remedial strategies to improve the performance of those who fail. The purpose of this study was to examine the performance of OFIDA in the provision of customs services and then attempt to point out the means whereby the delivery of customs services can be addressed so that the organization can render services in a more effective way. Therefore, an empirical study was conducted in order to collect the opinions of customs officers concerning the performance of their institution. This was effected by means of a questionnaire, which was filled in by staff members of the Head Office of OFIDA. From the findings, the study was able to enumerate some issues that need to be addressed, and suggest recommendations for the development and improvement of the provision of customs services in the Democratic Republic of the Congo.

CHAPTER ONE

GENERAL OVERVIEW AND BACKGROUND TO THE STUDY

GENERAL OVERVIEW

In the earliest years of development, with virtually no domestic production, barring subsistence agriculture and output of extractive industries for export, customs duties constituted the only suitable form of indirect taxation. Few countries in the world remain in this situation today, but some have experienced so little development that duties appropriately remain the major means of indirect tax. As domestic production develops, customs duties (but, initially, not necessarily collection of taxes at the time of importation) lose their advantages and their acceptability as the primary source of revenue. Import substitution reduces the revenue from the duties and their equity. At the same time duties artificially encourage import substitution beyond that desired for development. A failure to supplement or partly replace duties by domestic indirect taxes will not only sacrifice tax revenue but cause a serious decline in the efficiency of the use of resources, with inefficient small-scale enterprises developing in fields in which the country has a severe competitive disadvantage (Due, 1970:181-182). Nevertheless, customs administrations are expected to raise substantial revenue, provide domestic producers with protection, provide supply chain security, prevent the importation of prohibited or unsafe imports (for example, illegal weapons or expired medicines), and combat the trade of narcotics through the implementation of laws and regulations that are in line with WTO (World Trade Organization) commitments. Customs administrations are expected to accomplish these objectives, both effectively (by achieving them) and efficiently (at the lowest possible cost

to the budget and to the trading community) without compromising trade facilitation (De Wulf & Sokol, 2005:5).

However, in most countries of the world, the administrative experience of the last decades has produced substantial evidence that government agencies engaged in the process of delivering services have not always been successful. This is because governments do not always have an adequate capacity to deliver services. To become more effective, improved delivery of services can be obtained by conscious decision, policies, and organizations aimed at altering the situation (Nzongola-Ntalaja, 1986:182). Therefore, it is axiomatic that government performance means having the right people to do the appropriate jobs at the appropriate time. This does not happen by accident. Successful governments and agencies actively plan for a future workforce that meets the needs of the government with respect to accomplishing the tasks that are required to achieve government objectives both in the short term and long term (Ingraham *et al.*, 2003:37-38). If government is to act as an entrepreneur, it has to utilize all the resources under its control in new and innovative ways to maximize productivity and efficiency (Maas & Fox, 1997:5).

Economic growth is a process of change through time, which involves an inter-relationship between economic, political and social factors. It can be envisaged as an almost uninterrupted increase year after year, in a country's per capita output. Unsurprisingly, the development priorities of developing countries include income growth, rising investments and exports, creating more and better employment opportunities, and benefiting from technical progress. No wonder, developing countries are placed under considerable pressure to upgrade their resources and capabilities if they are to achieve these objectives (Murinde, 2001:63).

Improving service delivery calls for a shift away from inward-looking, bureaucratic systems, processes and attitudes, and a search for new ways of working which put the needs of the public first, is better, faster and more responsive to the needs of the citizens. It also means a complete change in the way that services are delivered. The objectives of service delivery therefore include welfare, equity and efficiency (South Africa: Draft White Paper on Transforming Public Service Delivery, 1997:3). Although the immediate concern of the DRC is ending the war and driving out the invading armies, the country will not be rebuilt without significant reforms to its economic policies. The Congolese government must create a business-friendly environment by investing in infrastructure, ending the corrupt issuing of contracts, defending private property, and using the country's wealth of natural resources to benefit its people. In order to attract business and not merely aid, the DRC must move away from static policies and cronyism and embrace free market capitalism to spur foreign and domestic investment (Dearaujo, 2001:10).

A good investment climate requires sound macroeconomic management and trade and investment policies that foster openness, productivity, and growth. Businesses require a well-functioning legal and regulatory system with protection of property right, ready access to credit, and an efficient judicial system, taxation, and customs systems. Reliable and affordable infrastructure: power, communications, transport and water, lowers costs and helps attract new investment, as does a well-educated workforce (World Bank, 2003:40). However, the management of the public workforce ultimately involves achieving success in the following areas: determining how to fulfill the government's workforce needs, acquiring the necessary personnel, developing their skills, motivating them to work in support of public ends, rewarding them for this behaviour, and improving remedial strategies to improve the performance of those who fail. The consensus is that in order to contribute effectively

to government performance, a human resources management system should not rely on arcane, hard-to-understand rules and regulations. Rather, the rules governing the system should be easy to understand and consistently applied. They should also be reconsidered frequently and updated as appropriate (Ingraham *et al.*, 2003:39). When all is said and done, the delivery of public goods and services, notwithstanding their efficient and responsive delivery, is of no value if it does not benefit the individual, the community and society at large (Maas & Fox, 1997:3).

To create a world-class competitor, there is a compelling need to create a performance management culture and to subsequently entrench it at all levels of the company. The basic tool adopted for performance management is the Balance Score Card (BSC). This approach enables a company to identify key performance areas and to maintain continued focus in these areas for long-term sustainable growth in highly competitive markets. The strength of the balanced scored card methodology lies in its long-term focus and is couched in a company's vision and mission statement. The vision is then translated into a set of tangible strategies and goals that can be implemented. In this manner the vision is operationalized. By translating the mission into key business objectives, the mission is operationalized (Mjiako, 2002).

Public institutions exist in a changing environment and they have to adapt to be able to handle challenges and opportunities adequately (Maas & Fox, 1997:4). Sustainable development requires policy reforms, and effective policy reforms require change in institutions. Institutions, for our purposes refer to rules, norms and expectations that govern the transactions and relations among people. White (1992:2) argues that it is the institutional arrangements that define what can be done, what cannot be done, and who can do what to whom; and it is the institutional structures that prevent social orders from coming apart in centrifugal chaos.

Institution building has begun to be taken seriously within the development community, there are three ways in which institutional development normally takes place: restructuring of organizations; deregulating activities; and building a capacity for policy analysis (Cloete & Mokgoro, 1995:35). Therefore, one can assert that entrepreneurship is one of the instruments able to generate prosperity in a rapidly changing environment. As an instrument, it does not exist in a vacuum. It incorporates several values and subsystems, including the characteristics of the organization, the environment, the processes used and entrepreneurial dynamics. The identification and use of opportunities call for initiating certain entrepreneurial processes, ranging from identifying and implementing ideas to evaluating and adjusting them. Entrepreneurship cannot operate if an organization in which the entrepreneur operates is not entrepreneurial in nature. Being entrepreneurial demands organizational vision, training programmes and participative decision-making (Maas & Fox, 1997:2-3). An entrepreneurial institution is an innovative organization. This is especially necessary in the public sector because the public service, as a whole, is bound to encounter greater competition and will face new challenges. Therefore, organizational development is absolutely necessary. Planning for organizational renewal includes changing the organizational culture and managing the change process. Here, as well, sound entrepreneurial skills are needed (Maas & Fox, 1997:4-5). It is, in this instance, that there is an apparent need for OFIDA to operate in an efficacious way. This requires OFIDA to dispose of a strong leadership, to put in place good management systems and to acquaint itself to new ways of doing things, adopt new technologies and procedures, and dispose of proficient personnel so that it can render excellent services to the community. Consequently, OFIDA will be able to establish an entrepreneurial culture within its organizational structure and so far, it will cope with any challenge in the provision of customs services.

BACKGROUND TO THE STUDY

The history and the evolution of customs services are both marked by important stages throughout the world and particularly, in the Democratic Republic of the Congo (Thambwe-Mwamba, 1996:11-13). For instance, two periods have influenced both the history and the evolution of customs administration in the Democratic Republic of the Congo, namely: the colonial period (Belgian Congo) and the Post-Colonial period that starts from 30 June 1960 until present.

Before the independence of the country, the administration of customs service of the Belgian Congo, particularly its Head Office was established in Antwerp (Belgium). In this case, one of the first fiscal reforms of the independent Congo was to bring home the administration of customs services thus, in the name of national sovereignty. This reform was supported by the Ordinance nr 8 of 06 January 1968. Since then, customs' regime has undergone several significant modifications in line with Ordinance nr 89 of 23 January 1970 complemented and strengthened by the Ministerial Instruction nr 96 of 02 December 1970, and so on.

After a while, the management of OFIDA was given back to the Belgium government for the sake of restructuring and organizing the institution so that it could play a significant role in the Congolese economy as one of the main sources of revenue. Three years later, the Technical Cooperation of the then, European Economic Community (EEC) now known as European Union (EU), took over OFIDA under its authority up until 1988, the period when the country found itself able to recuperate the management of the institution. However, the formula of customs regime utilized in the DRC is original this is because OFIDA is a public enterprise, and is managed in line with the legislation which regulates the function of public enterprises, while its operations are regulated by

the prerogatives reserved for the public administration. Hence, OFIDA has a mission which is double in nature: fiscal and economic. The attainment of this mission requires a rational organization and an appropriate use of available resources (Thambwe-Mwamba, 1996:11-14). It is therefore essential to look at the missions of OFIDA.

MISSIONS OF OFIDA

Article 4 of the Decree nr 74/114 of 15 May 1979 which instituted the establishment of OFIDA as a public service organization, the institution is tasked, for the national treasury, to accomplish the missions and to ensure the prerogatives that were devoted to the previous Customs and Excises Administration. Hence, for instance, the missions of OFIDA can be divided into two main groups of activities, namely: fiscal missions and economic missions. These missions are discussed below.

Fiscal Missions of OFIDA

The fiscal mission of OFIDA exists mainly to levy goods at arrival or departure from national territory. The fiscal role of OFIDA is more concerned with gathering budgetary funds for the national treasury. This role involves three attributes:

- The collection of customs duties, excises and taxes;
- Secondary collections, which are collections made by OFIDA on behalf of other public services, such as Funds for Industrial Promotion (FPI: Fonds de Promotion Industrielle), Industrial and Commercial Benefices, Maritime Freight Management Office (OGEFREM), Directorate General of Administrative and Domain Revenues (DGRAD), and so on.

- Fiscal controls. At this instance, OFIDA proceeds to controls in domains in which legal prescriptions are respected. For instance, the importation by exoneration, customs administration must be aware of the cargo is all about, and so on.

Beside the attainment of the above missions, OFIDA is also in charge of collecting statistical data for the mere fact that it is the single public institution, which can better furnish the basic statistics in relation with goods that enter or depart the country. OFIDA is able to do this because of the fact that it records the flow of goods on a daily basis. Along with the fiscal mission, which is the primary one, OFIDA also plays an economic role, which is discussed below.

Economic Missions of OFIDA

Industrialization has brought significant concurrence between states in terms of trades and exchanges. Beside fiscal role, customs administration plays an economic role. This is so that it can find ways of regulating trades and exchanges as well as promoting welfare conditions of citizens. The economic role of OFIDA consists mainly to ensure that trades and exchanges take place within the framework of established policies and regulations, and that the flow of goods passes speedily through customs to its destination. Therefore, OFIDA ensures:

- 1) The control of international exchanges with the aim of:
 - Protecting nationwide structures of production against foreign concurrence and guaranteeing them several benefits in the national market;
 - Safeguarding the figure of national employment by combating economic or social dumping as well as aids on exportation;

- Participating in the equilibrium of the balance of payments exclusively by the application of restrictive measures on the import of a number of products in order to reduce expenditures in foreign currency.
- 2) The promotion of external exchanges by:
- Promoting export through awarding reduction of customs duties on export to national producers in order to encourage them to export, so they can then earn foreign currencies;
 - Promoting customs mechanisms neutrality. In terms of customs administration, this is eliminating the persisting marks of indirect protectionism which is also called ‘administrative protectionism’. The adherence of the country to international treaties and agreements require it to respect conventions in order to promote international trade.
- 3) OFIDA’s third mission is concerned with the application of regulations that pertain to other public services, but which coincide with customs legislation. This implies the application of the legislation that assists other administrations. Considering the fact that customs services are well established at all borders, the customs administration can on a regular basis apply, for the benefits of other public institutions or organizations, the measures that are initiated in terms of the defense of the key interests of the Congolese nation (Nzita Lutete, 2000:30).

Put briefly, the activities of OFIDA consist of:

- Collecting duties and taxes on import and exports;
- Collecting excises duties;

- Controlling borders;
- Investigating offences pertaining to customs, excises and other related policies;
- Training the personnel in line with modern techniques of management;
- Protecting the national economic space; and
- Producing customs excises statistics (<http://www.minfinrdc.cd/>, 06 July 2005).

Despite the turmoil that has been going on for many years in the country, one can say that OFIDA remains focused on achieving its missions. It strives to combine proficient personnel to responsive and adequate procedures in order to bring effectiveness in the attainment of its goals.

STATEMENT OF THE PROBLEM

In the Democratic Republic of the Congo economic development was essentially concentrated on the self-mining sector. Results show that, by the lack of diversification of revenue sources, the single mining sector neither responded favorably nor played the role expected from it by the government. The role of the mining sector was, however, to generate funds in order to finance the development process in the country. Though the mining sector did benefit from flourishing prices of mineral products such as copper, cobalt, diamonds, and so on, in the global markets around the 1970s, these products allowed the sector to sustain the growth but only for a short period of time because of the fact that when trends changed in the world markets, the products of exportation

faced a significant collapse in terms of prices and thus, has had damaging effects on the global economic system and particularly on the Congolese economy. The most significant damage was the disequilibrium recorded in the macro-economic aggregates, which paved the way for crises to take place. As a result, the DRC is faced with a situation of deep crisis for many years. Given this situation, one would like to know if a country with abundant resources like the DRC should concentrate its development on one sector while there are many opportunities of diversifying sources of revenue? The development of a country should not be regarded as a result of efforts engaged by one sector, but it has to be the fruit of interaction between all sectors of the economy. It is only then that development can become sustainable. It is for this reason that this study intends looking at the performance of the customs sector. There is no intention of saying that the customs sector will replace the mining sector. Alone the customs sector will not be able to overcome the challenges of development. But evidence is that, in this period of crisis, customs can play a significant role by generating funds to finance the expansion of the economy. This cannot happen by accident. It will require OFIDA to operate in an effective manner. Then, OFIDA will become competitive and even more competitive, and it will also provide fiscal encouragement for the growth and expansion of economic activities in the country, as a whole.

In closing their statement Ingraham *et al.* (2003:38) are cited when they state that government performance means having the right people to do the appropriate jobs at the appropriate time. This does not happen by accident. Successful governments and agencies actively plan for a future workforce that meets the needs of the government with respect to accomplishing the tasks that are required to achieve government objectives both in the short term and long term. For the purpose of this study, this refers to, how can OFIDA utilize the available resources in

order to maximize its opportunities and provide services that are efficient and affordable for the benefit of all. With efficacious customs services, the country will generate funds that can be invested in the revitalization of the formal economy and finance the rebuilding of the country. It is essential for a country to dispose abundant mineral resources and opportunities for growth, but sufficient conditions are concerned with the maximization of available resources in order to enhance welfare conditions of all.

PURPOSE OF THE STUDY

Given the nature of the problem stated above, the purpose of this study is to:

1. critically examine the performance of OFIDA, focusing on:
 - (a) Its ability to provide customs service in the DRC; and
 - (b) Its ability to gather budgetary funds for the National Treasury.
2. identify the challenges that hinders OFIDA to maximize its full potential in the provision of customs service in the country; and finally.
3. find the means whereby the findings of this study can be synthesized in order to come up with recommendations that officials and policymakers may possibly look on in their endeavor to address and improve service delivery in general, and improve customs service particularly.

To this end, it is essential to outline the research question of this study.

THE RESEARCH QUESTION

The research question that addresses the tenets of this study is:

How can the end product service delivery be addressed in a public organization such as OFIDA in order for it to provide services that are effective and affordable?

FRAME OF REFERENCE

This study is essentially a normative study which attempts to assess the effectiveness of OFIDA in the administration of customs service in the DRC. A case study basis will be used, with focus on the Head Office of OFIDA situated in the metropolitan area of Gombe in Kinshasa. The normative study is strengthened by an empirical study, which addresses the perceptions displayed by customs agents regarding the performance of their institution in the provision of customs services in the country. The locus of this study is therefore selected on the basis that customs standards are all the same all over the country. Thus, findings can be generally applied to the organization as a whole. In the attainment of the objective of this study, several methods and techniques of research are employed. They are used in order to determine the research process and to specify how data are collected. Chapter Two is devoted to the analysis of the methodology of research of this study.

IMPORTANCE AND SIGNIFICANCE OF THE STUDY

The topic 'Public Service Delivery in the Democratic Republic of the Congo: A Case Study Approach' with reference to the Head Office of the Congolese Customs and Excises Office 'OFIDA' in Kinshasa is selected for

the reason that in this period of the country's rebuilding, any person or organization interested in the development of the Democratic Republic of the Congo cannot ignore its economic context. Giving particular attention to this context means, on the one hand, seeking for ways and strategies that would respond effectively, with efficacious prospects of solution, to the challenges that the country faces at this very moment. On the other hand, it means demonstrating decision-makers and leaders that, in this period of crisis, there are other sectors such as customs which if well managed, can generate incredible funds able to finance the expansion of the economy and sustain the country rebuilding process.

LIMITATIONS OF THE STUDY

In the research process of this study the study has faced various challenges which include the following:

1. Time

Time has been a serious constraint. This study was compiled concurrently with course modules. All of this was achieved over a twenty-four month period. Taking into account the time frame, it was not possible to collect all the supplementary information pertinent to this study.

2. Information

Several difficulties were experienced regarding the documentary search. First of all, official documents needed for this study were not readily accessible and/or available, as one would expect them to be. If available, the information was not current as many changes occur in the trade environment on a regular basis. Secondly, the available literature was more concerned with policies and procedures whereas one would prefer to access additional information on the outcomes of these policies and

procedures. Although OFIDA is one of the public organizations that provides reliable data and has the culture to divulgate information, this is not readily available due to a lack of a culture of transparency and accountability which hinders public servants in the DRC to make information or public documents accessible to the public. In this context, it was not easy to gather detailed information pertinent to this study.

3. Funding

The absence of sponsorship and any supporting grants in carrying out this research resulted in some limitations which inhibited the research, and motivation to look at all the relevant issues needed for the findings of this study.

4. Validity and Reliability of data

In the absence of reliable and conventional sources of provision of statistical data in the country, there is a distortion between data provided by OFIDA and other organizations such as the Central Bank of Congo (BCC), IMF, SADC, COMESA, and so on. In this case, there is a degree of subjectivity and error, which might impact on the interpretation of data.

5. Language

The DRC is a French speaking country. Most of the relevant information to this study is in French. Thus, the translation of the information, from French to English, may result in some deviation or error.

In spite of the above-mentioned limitations and constraints, it is important to note that the relevant data were accessed and used to meet the objective of this study. These data were useful in drawing conclusions and making recommendations. The next section briefly examines the structure of this study.

STRUCTURE OF THE DISSERTATION

This study is divided into six chapters.

Chapter One covers the general introduction. It also provides the statement of the problem, in order to raise the research question. This chapter will also outline the frame of reference of the study, its purpose is so that the importance as well as the significance of this study can be understood. The limitations of the study will be discussed. Finally, the chapter will lay out the structure of the dissertation.

Chapter Two is concerned with the methodology of the study. It gives particular attention to the analysis of the method of research and the types of scientific research methods, in order to determine the most appropriate and applicable for the research process of this study. Emphasis is placed on the data collection instruments. It briefly outlines the methods of data analysis used in Chapter Five. This assists in the consideration of the relevance of ethics, reliability and validity in the research process. Finally, this chapter will examine the data collection plan. This chapter is of critical importance because it assists in the determination of the research process and the manner in which data will be collected.

Chapter Three aims to provide the literature review which deals with concepts such as public administration, public policy, governance, leadership, organizational theory and strategic planning. In analyzing public service delivery, it is significant to provide a conceptual framework to these concepts which are interrelated.

Chapter Four analyzes the provision of customs services in the Democratic Republic of the Congo. It also examines the customs processes, the standard measures and the customs valuation standards

before it discusses the evasion of customs duties. Then the contribution of customs revenue in the Congolese economy will be discussed.

Chapter Five is devoted to the report of the empirical research which was conducted at the Head Office of OFIDA in Kinshasa in order to find a way to strengthen the conclusions of the study.

Chapter Six concludes the study by enumerating the critical issues in order to propose recommendations.

CONCLUSION

Chapter One plays an essential role by breaking ground for the study. Throughout the general overview, the chapter provides a broad view in terms of service delivery improvement, it has also provides the background to the study. It was also necessary for this chapter to examine the background of the study in order to gain insights into the establishment of OFIDA as a public organization in the DRC. Looking at the importance of this study, and the frame of reference, assisted in paving the way for the statement of the problem of this dissertation. Once the problem had been stated, the chapter outlined the purpose of the research, raising the research question. The chapter also discussed the frame of reference enabling the importance and the significance of this research to be indicated. Finally, the chapter examined the limitations before it elaborated on the structure of the research.

CHAPTER TWO RESEARCH METHODOLOGY

INTRODUCTION

Research in public administration is a purposeful and systematic investigation of behaviour, processes and techniques in the administration of public institutions in order to describe, explain, and predict certain phenomena pertaining to these behaviours, processes and techniques (Botes, 1995:26). Understanding research methods is key to gathering, using, and evaluating information (O'Sullivan, Rassel & Berner, 2003:1). People learn from conversations with friends, relatives, neighbours, technicians, clerks, associates at work and in school, as well as from newspapers and television. This informal learning is important, but restricted, because in daily encounters people rarely ask how things occur or why they occur, and they are unlikely to think about groups other than their own. To get a deeper understanding, one needs to study the world more systematically. However, sociologists, psychologists, political scientists, public administrators, educators, and professionals in the medical, social, and human services apply a more methodical approach to learning, this is called social research. Social research utilizes an array of techniques (Rubin & Rubin, 2005:1). Therefore, systematic research is essential in order to obtain and evaluate knowledge which can be used to determine the general applicability of aims, as well as the efficient utilization of resources (Brynard & Hanekom, 1997:1).

In the context of public administration, administrators rely on data to make better decisions, to monitor them, and to examine their effects. Data are another way to refer to information. As a current or future public administrator, you know that adequate information is key to

making effective decisions (O’Sullivan, Rassel & Berner, 2003:1). This study aims to find out how well OFIDA is effective in the provision of customs services in the Democratic Republic of the Congo so that it can provide the means or strategies whereby the provision of customs service can be developed and improved. Thus, the study will provide officials and decision-makers with valid and reliable information which will assist them to gain better insights into the magnitude of effort required in addressing end product service delivery in the Democratic Republic of the Congo, particularly in the customs service. These objectives can be attained only by the application of scientific research methodology. For instance, this chapter that covers the research methodology will discuss the method of research. It will also cover the different types of scientific research in order to select the most appropriate and applicable method to this research. In addition, data collection instruments will be looked at, before the methods of data analysis that are used in Chapter Five are briefly discussed. This will break ground for the consideration of the relevance of ethics, reliability and validity of the research process. And finally, the data collection plan will be examined.

METHOD OF RESEARCH

In the context of public administration, research can be defined as follow:

- Research is a method of action by means of which people solve problems in an endeavour to extend the boundaries of knowledge. This means that it encompasses the interpretation of data in order to reach a conclusion (Leedy in Brynard & Hanekom (1997:2).
- Research involves the application of a variety of standardized methods and techniques in the pursuit of valid knowledge. Precisely because scientists aim to generate truthful knowledge,

they are committed to the use of objective methods and procedures that increase the likelihood of attaining validity (Mouton, 1996:35).

However, the basic thrust of all research is to solve problems and to expand knowledge of our universe, which necessitates that it is carefully and systematically conducted. Research is needed to find answers to problems in our society, to experiment with the most expeditious way for conducting research to solve societal problems, and to validate procedures, which can be replicated (Taylor, 2000:2). The scientific method is, therefore, used in administration to determine in a more precise manner institutional outcomes using reliable theoretical knowledge, models, and sophisticated tools of analysis. By doing this, we can easily obtain dependable data that can be used to aid decision-making. However, it should be mentioned that administration is not part of the 'pure' or 'hard' sciences, such as physics or chemistry. It is a social science. It is rooted in society and its scientific knowledge is which has a social base and can, by that very fact, be influenced by human behaviour (Knezevich, 1984 and Thloahlane, 2005).

In order to reach the objective of this study, the research methodology needs to be applied, because it provides a statement of how the research objective will be reached and how the problem encountered will be solved. This shows the critical importance of the research method in the attainment of the objective of this study as it provides adequate means in gathering data. The section that follows discusses different types of scientific research, with particular focus on the most applicable method used in scientific research.

TYPES OF SCIENTIFIC RESEARCH

Scientific research can be basically classified into two main groups, namely: quantitative research and qualitative research. The scientific method is currently employed as the major research mechanism in both quantitative and qualitative research methods. These two methods are briefly examined below.

Quantitative Research

The major purpose of quantitative research is to make valid and objective descriptions on phenomena. The researcher is attempting to show how phenomena can be controlled by manipulating the variables. Attempts are made to discover principles and laws, which can be applied to the larger population. For example, quantitative methods include historical, descriptive, correlational, causal-comparative, experimental, action research, and development. These methods yield numerical data and are evaluated by utilizing descriptive or inferential statistics. Statistical treatment of data through the use of descriptive or inferential means, are used to test hypotheses and determine if significant relationships or differences exist. The findings are generalized to the population (Charles, 1988; and Taylor, 2000:69-70).

Quantitative research methods have a lot in common primarily due to the fact that all researches follow a common purpose (Taylor, 2000:70). Therefore:

1. Research questions or hypotheses are developed to guide the research.

2. Data sources are identified depending upon the type of research being conducted.
3. Research tools are identified, such as surveys, questionnaires, standard tests, interviews, rating scales, inventories, and checks lists, to name a few.
4. Establishing methods and procedures, specific steps are outlined for conducting the research.
5. Analysis of data; what statistical procedures will be employed.

For the purposes of this study, it is critical to discuss some of the most important quantitative research methods:

Descriptive Research

According to Brynard & Hanekom (1997:6) this type of research concerns information obtained through observation. For Taylor (2000:71-72), descriptive research describes and interprets the present. Its primary purpose is to analyze trends that are developing, as well as to analyze current situations. Thus, data derived can be used in diagnosing a problem or in advocating a new or approved programme. In essence, descriptive research is designed to solve present day problems. Solutions of present day problems will assist in projecting goals and directions for the future, including information relevant on how to reach designated goals. Information relevant to the present condition is a prerequisite in solving problems. Descriptive research may also aid identifying goals and objectives while indicating realistic means for achieving them.

Sources of data are numerous in descriptive methods. They include surveys, case studies, comparative studies, time-and-motion studies,

document analyses, follow-up studies, trend studies, and predictive studies. All of the aforementioned methods can be valid techniques providing that they are properly constructed and used.

Correlational Research

Correlations attempt to show relationships between two or more variables. They are classified as negative or positive and tend to show strong or weak relationships. These relationships assist the researcher in explaining, controlling, and predicting phenomena. Correlations do not show cause and effect. They simply indicate that relationships occur between two or more variables. This method permits the researcher to analyze several variables at once, or a combination of variables to determine how they may affect certain behaviour. Correlational research assists us by explaining, predicting, and controlling conditions that affect us in our society. The scientific method is also employed in correlational research. Unlike historical and descriptive research methods, Correlational research requires few data sources. Only two data sources are needed, depending upon the variables under investigation. Commonly used data sources include test scores, dichotomies and ranking of attributes. Samples in correlational research, based upon the central limit theorem, should consist of at least thirty individuals (Taylor, 2000:72-73).

Experimental Research

Experimental research follows the scientific method more closely than any other method. Conditions are rigorously controlled. The researcher is able to manipulate the experimental variables. Cause-effect relationships can be demonstrated using experimental methods of research. It describes what will be when conditions are scientifically controlled. Direct manipulation of the independent variable and control of

extraneous variables are necessary when conducting experimental research. Attempts are made by the researcher to keep constant, all variables with the exception of the independent variable. Extraneous variables must be controlled so that the researcher will be able to determine to what degree the independent variable is related to the independent variable.

However, data used in experimental methods includes standardized test results, assessment data, rating scales, interviews, surveys, questionnaires, personality tests, and informal tests, to name but a few data instruments. These data instruments are frequently administered on a pre-post basis. Differences are determined by analyzing the differences between the pre-post tests. If significant differences are noted, they are usually attributed to the experimental condition manipulated by the researcher (Borg, 1993 and Taylor, 2000:73).

Causal-Comparative Research

Causal-comparative research methods attempt to show cause-and-effect relationships. Researchers attempt to discover how one variable influences another one. They are chiefly concerned with the factors, which produced the cause-effect condition. Causal-comparative research should be used when the cause cannot be manipulated. The researcher is simply trying to establish cause-effect relationship. In essence, causal-comparative research yields data which may be used to predict, modify, and plan, to change directions and approaches. Assessment data, scores, ratings, and all types of instruments and measures are used to obtain data for causal-comparative research. Differences between the two groups are analyzed and there is no attempt to manipulate the variables (Best, 1959 and Taylor, 2000:73-74).

Evaluation and Action Research

The purpose of evaluation research and action research is to discover if programmes and policies are working, for whom they are working, and what could be improved. For example, action research aims to change the *status quo* by documenting the extent of some problems, or by examining proposed solutions to see which might work best. An action researcher would examine problems faced by those in a neighbourhood to figure out what can be done to solve them (Rubin & Rubin, 2005:9). For this reason, action research basically follows the same format as experimental research. It is the application of the scientific method to practical problems requiring action solutions (McKay, 1992). Therefore, Stringer (1996) asserts that an action research project consists of gathering initial data, describing the situation, exploring and analyzing what is happening and interpreting and explaining how and why things occur through the acts of planning, implementation, and evaluation.

However, action research is not a true method of research but an approach to research designed to solve practical problems. It is directed toward developing a greater understanding and improvement of practice over a given period of time. This type of research is a collaborative approach that permits individuals with the means to take action to resolve specific problems. This approach favors consensual and participatory procedures that enable people to:

- (a) Investigate, systematically, their problems and issues,
- (b) To formulate powerful and sophisticated accounts of their situations, and
- (c) To devise plans to deal with the problems at hand. Action research focuses on methods and techniques of inquiry that examines

interactional practices, and perceptions about practice. Nevertheless, action research is presented in such a way that its findings can be easily understood by both practitioners and lay individuals (Stringer, 1966). Data sources are similar to those employed in experimental research. Sources depend upon the nature and type of study being investigated (Taylor, 2000:74-75).

Let us now look at the qualitative research methods.

Qualitative Research

The qualitative research design differs from the quantitative research design in that it usually does not provide the researcher with a step-by-step plan or a fixed recipe to follow. In quantitative research the design determines the researcher's choices and action, while in qualitative research the researcher's choices and actions will determine the design. Put more simply, qualitative researchers will, during the process, create the research design best suited to the research (De Vos, 1998:80). Therefore, qualitative research methods are designed to give real and stimulating meaning to the phenomenon by involving the researcher directly or indirectly in the process. Qualitative research may be classified as deliberative, integrative, and historical (Taylor, 2000:79). Several qualitative methods that researchers can employ to design qualitative research have been identified. Some of these methods are outlined below:

Phenomenology and Ethnomethodology

According to De Vos (1998:80), phenomenology and ethnomethodology approaches aim to understand and interpret the meaning that subjects give to their everyday lives. In order to accomplish this, the researcher

should be able to enter the subject's world, and place themselves in the shoes of the subject. This is primarily done by means of naturalistic methods of study, analyzing the conversations and interaction that researchers have with subjects. Researchers using this strategy of interpretive enquiry will utilize participant observation and interviewing as methods of data collection. Data are systematically collected and analyzed within a specific context. However, Taylor (2000:82) has enumerated some steps to follow in conducting this kind of research:

1. The researcher separates him/herself from the phenomenon.
2. Epoche: the researcher looks inside self; reduces prejudices.
3. Phenomenological reduction: the researcher identifies data in pure form.
4. Horizontal data: the researcher examines groups, clusters.
5. Eliminate irrelevant, repetition, or overlapping data.
6. Identify themes.
7. Textual portrayal of each theme: describe the experience.
8. Structural synthesis: look beneath for deeper meaning.

Grounded Theory

The systematic techniques and procedures of sampling and data analysis enable the researcher to develop a grounded theory. A grounded theory is one that is systematically developed from the data inductively derived from the study of phenomena. The qualitative researcher could, thus, in the process of designing qualitative research, start off with ethnography and participant observation as a strategy to gain an understanding of the

life worlds of subjects. Then, in order to gain a better understanding of the meaning that they attach to their worlds, he/she may use a phenomenological or ethnomethodological strategy and therefore decide to conduct in-depth interviews with the subjects (De Vos, 1998:81). Consequently, grounded theory is designed to develop or construct theory related to the phenomenon under study. The researcher's intent is to collect all relevant data germane to the conditions. Data sources include observations, interviews, and field visits as necessary (Creswell, 1998 in Taylor, 2000:85).

However, the history and development of ground theory has generated some controversies among researchers. The theory was first developed by Glasser & Strauss (1967) to respond to questions posed by sociologists relevant to the understanding of human behaviour assessed by quantitative methods. It was believed that human behaviour was too complex to be relegated to basing analyses on averages and statistical manipulations. Rather, human behaviour is developed through interaction with others. Symbols in one's environment are used to construct realities. Therefore, individuals must become active participants in creating incoming situations. Quantitative methods and procedures could not accomplish this goal. In contrast to the above theoretic notation advanced by Glasser & Strauss (1967), they later developed separate views concerning grounded theory. Glasser (1992) strongly criticized Strauss's approach. He maintained that the nucleus of ground theory research is the development of a theory closely related to phenomenon under study. Strauss and Corbin (1994) disagreed and maintained that the theory should be based upon data generated from the field of sociology. In spite of the controversy in the field, grounded theory has remained a vital tool. Stern (1994) wrote that both Glasser and Strauss produced scientific work; the differences in their work being

the method used. Researchers should clearly indicate the method being employed at all times (Taylor, 2000:85-86).

Case Study

O’Sullivan, Rassel and Berner (2003:39) state that case studies are studies that examine in some depth, persons, decisions, programmes, or other entities that have a unique characteristic of interest. Case studies are the preferred research strategy if one wants to learn the details about how something happened and why it may have happened. Therefore, case study researchers tend to work with qualitative evidence or limited quantitative data. As outlined in the preliminary chapter, this study is drawn upon a case study method as a fundamental design frame. However, Kuye (1997:3) is cited in this study when he asserts that the case study method is used within a qualitative research framework that is associated with a naturalistic research paradigm, that is, a social-anthropological approach. This is a preferred paradigm for qualitative research rather than the agricultural-botany approach that involves experimentation. As a result, Kuye distinguishes between social anthropology (naturalistic) and the agricultural-botanical paradigms and he favours the naturalistic approach over the agricultural-botanical paradigm for most qualitative research. This is because pre-ordinate, experimental methods are inappropriate in social science.

Kuye (1997:5) adds that in the process of coming up with cases, the case study method involves selecting a number of cases, usually institutions or sites in which field work will be carried out. Hence, for example, case studies may be used in both quantitative and qualitative research methods. Thus far, they may involve the use of multiple data sources such as total or partial group discussions, interaction between groups or individuals, or discussions between different members of the group.

Validity of case study data may be conducted by comparing one data source to another data source on the same phenomena. Caution should be exercised in selecting the type of case study method. Nevertheless, the case study approach can be single or collective, or intrinsic or instrumental. It is the duty of the researcher to choose an approach based upon his training and experiences with the use of case study strategies as well as his/her knowledge on qualitative research method, to set boundaries for the study, and to choose data sources which will provide sufficient data to give a comprehensive picture of the issues involved (Yin, 1989, and Taylor, 2000:87-88). In these circumstances, Nsingo (2004:77) asserts that cases have the advantage of exposing the operational reality of organizations and allow one to bring out the strengths and weaknesses of such organizations and enhance one's chances of engaging or suggesting remedial action for such organizations.

In the light of what has been stated above, it is significant to note that the analysis of different types of quantitative research and qualitative research was of critical importance in this study as it affords insights into these methods. It allows the most applicable methods in the context of the research process of this study to be chosen. However, in making a choice between quantitative and qualitative research designs, it is significant to understand that quantitative research is about testing theories, whereas qualitative research develops theories.

The deductive method is used in quantitative research while the inductive method is used in qualitative research. Generally, quantitative methods are objective and reliable and can be generalized to the large population. Conversely, qualitative methods are often subjective and generate rich, detailed and valid data (Stecker, 1992 and Taylor, 2000:171). In these circumstances, the best method to choose should be

the one that is applicable to the particular context of a study. For the purpose of this study, a combination of quantitative and qualitative research methods was deemed to be objective in attaining the design of the study. In this context, the next section can outline the research design used in this study.

RESEARCH DESIGN

The word ‘design’ alludes to planning. To design a research project is to put together the various components of that particular project. A research design is, therefore, a grand plan of a particular research project that shows how one wishes to proceed with the research and how to guard it against both internal and external factors, which may interfere with its processes. It is supposed to be a foolproof plan that enhances the research’s validity. This improves its acceptability as a knowledge base within the discipline in which it is rooted. More importantly, a researcher should be able to handle extraneous variables, as these are a major cause of invalidity of research (Bless & Higson-Smith, 1994 in Nsingo, 2004:73). However, Selltiz *et al.* in Black and Champion (1976:77-78) specify that research designs are exploratory, descriptive, and/or experimental in nature. Consistent with these types of research designs, they delineate four major purposes of social research:

- (1) to gain familiarity with a phenomenon or to gain insights,
- (2) to describe things,
- (3) to determine associations between variables, and/or
- (4) to test hypotheses. As a result, research design involves developing strategies for executing scientific inquiry. It involves specifying

precisely what you want to find out and determining the most efficient and effective strategies for doing so. Appropriate designs enable the social scientist to make observations and interpret the results.

In meeting the objective of this study, a few methods and techniques of research are utilized in order to determine the research process and how the collection of data will be effected. Nevertheless, documents were accessed so that, on the one hand, examine the applicable legislation, outline standards and procedures of services, describe the types of duty and then, discuss the processes of customs evaluation. On the other hand, the research consists of an empirical study, which addresses the perceptions displayed by employees of OFIDA, particularly agents stationed at the Head Office, thus, regarding the performance of their organization. For this reason, employees were approached for interviews, by means of questionnaire. The empirical study will be supported by a field study conducted in order to collect accurate information from customs agents and administrators. This is to say that the research design of this study uses, interchangeably, quantitative research methods and qualitative research methods. The choice of this design is motivated by the fact that the mixed-methodology design is, first, the most suitable in attaining the objective of this study, and secondly, it can strengthen the findings and consequently, validate them by means of both deductive and inductive methods. In other words, this research is simultaneously a descriptive and an explanatory study as it intends to focus on the in-depth description of OFIDA in order to find a way of indicating causalities between variables and events that have an effect on the provision of customs services, and then, analyze how effective OFIDA has been in service delivery. Recommendations for addressing end product service delivery at the Congolese Customs and Excises Office 'OFIDA' will be noted.

DATA COLLECTION INSTRUMENTS

Marczyk, DeMatteo & Festinger (2005:117) assert that there are certain broad categories that encompass the more common types of data collection techniques. Generally, and not surprisingly, the research question and the nature of the variables under investigation usually drive the choice of measurement strategy for data collection. In this context, it is important that measuring instruments used in a study should ensure some measure of reliability and validity, and be in line with the requirements of ethical research. Thus, in meeting the objective of this study some methods and techniques of research were required to determine the research process and the way data will be collected. The instruments used were documentary search and survey questionnaires because of their appropriateness to the study.

Documentary Search

Several documentary sources were used. These included the following primary and secondary sources:

- Reports of international organizations regarding global agreements and regional treaties regarding the evolution of trade and exchange;
- Applicable legislation and regulation as well as governmental notices and reports regarding customs matters in the Democratic Republic of the Congo;
- Articles from definite journals and magazines, for example, the Official review of the Congolese Customs Service; and

- Books, text-books, unpublished dissertations, lecture materials, and opinion papers that relate to the research topic.

Limitations

Knowledge of the whereabouts of sources is not necessarily available to all social scientists on an equal basis. Anyone familiar with the social organization of scientific research knows that accessibility depends, to a degree, on proximity. Long distances from archives, library holdings, facilities for processing data and related conditions can do much to hinder potential accessibility to secondary information. This can, therefore, affect the knowledge that the investigator might have of the types of sources (Black & Champion, 1976:421).

Questionnaire

To investigate the performance of OFIDA in the provision of customs service in the Democratic Republic of the Congo, the type of information (for example, the opinion of customs agents about their organization) required from the organization and its agents can only be obtained by using quantitative research techniques. Hence, for example, this research is also an empirical study, which strengthens the normative study because it addresses the perceptions displayed by employees of OFIDA Head Office. Employees are approached throughout interviews by the means of a questionnaire (See Annexure). The questionnaire was submitted in French, which is the official language of the DRC, but for the purpose of this study, findings are reported in English.

The questionnaire was submitted to selected employees at different divisions of OFIDA/DG to complete anonymously. The aim of the

questionnaire was, essentially, to scrutinize the opinions of staff members of OFIDA/DG concerning the performance of their organization in the provision of customs services. Staff members were selected from different divisions within the General Delegation, the Administrative and Financial Department, and in the Technical Department. In total, ten divisions were selected. These are: the Legal Division, the Division of Research, the Division of Customs, the Division of Excises, the Division of Information Technology, the Division of Internal Audit, the Division of Revenues, the Division of Personnel, the Division of General Services and the Division of Legal Matters. These ten divisions can be classified into two main groups of five each. Potential respondents for the first group were five per division, and potential respondents for the second group were four per division. The selection of targeted employees was based on their direct location in the above divisions at the time of the submission of the questionnaire (August 2005). A brief analysis of how the questionnaires were dispatched and the rate of responses in every division follows:

1. Legal Division

- (a) Five questionnaires were submitted.
- (b) Respondents: one Inspector and four Verifiers.

2. Division of Research

- (a) Five questionnaires were submitted.
- (b) Respondents: two Inspectors and three Verifiers.

3. Division of Customs

- (a) Five questionnaires were submitted.
- (b) Four completed. Respondents: two Inspectors, one Verifier, and one Verifier-Assistant.

4. Division of Excises

- (a) Five questionnaires were submitted, only two were completed.
- (b) Both respondents were Inspectors.

5. Division of Information Technology

- (a) Five questionnaires were submitted, only two were completed.
- (b) Both respondents were Inspectors.

6. Division of Internal Audit

- (a) Four questionnaires were submitted and three were completed.
- (b) The respondents include one Director, one Deputy Director and one Auditor.

7. Division of Revenues

- (a) Four questionnaires were submitted, three were completed.
- (b) The respondents were one Inspector, one Verifier and one Verifier Assistant.

8. Division of Personnel

- (a) Four questionnaires were submitted, only one was completed.
- (b) The respondent was an inspector.

9. Division of General Services

- (a) Four questionnaires were submitted, and three were completed.
- (b) Respondents were one Principal Redactor, one Inspector and one Verifier Assistant

10. Division of Legal Matters

- (a) Four questionnaires were submitted.
- (b) Respondents: two Inspectors and two Verifiers

To sum up, 32 questionnaires out of 45 were returned. Completed questionnaires were collected during the two last weeks of September 2005. Considering the clarity and precision of questions, this period was deemed sufficient to allow respondents to answer the questionnaire despite their formal tasks.

Limitations

The model of questionnaire used in the collection of primary data for the purpose of this study was the fixed-response model or close-ended model. This model has some limitations due to the fact that it does not give the researcher the opportunity to provide the respondent with all relevant response alternatives. Consequently, the respondent is forced to choose from what has been proposed, although it may not precisely fit his/her point of view. As a result, the researcher may end up with misleading information.

DATA ANALYSIS

According to Mouton (2001:108-109), the section of data analysis provides, or explains the stage at which gathered data are transformed in information via the process of analysis. Nsingo (2004:85-86) asserts that data analysis is sometimes discussed within the qualitative and quantitative divide. However, a closer look at such polarization and the interest of some scholars in pursuing it brings out traditional epistemological divisions of linking the qualitative/interpretive framework with what is often termed the 'soft' approach of the social science, while the link for the quantitative/statistical framework is for the 'hard', and apparently, more cognitive focused natural sciences. Such polarization maneuvers seem to have a 'political motivation' of distancing the two

fields (social and natural sciences) and sending a message that one is more superior than the other, specifically, that natural sciences are deemed to require higher cognitive capability. Therefore, this study does not focus on one or the other. Instead, it uses, interchangeably both, in order, to demonstrate their compatibility and complementarity. Hence, the principles of reliability and validity will not be compromised because the study follows the requirements of ethical research in social sciences. In this context, the next section focuses on the analysis of the relevance of ethics, validity and reliability, this is because they are important areas of interest in any scientific research.

PRINCIPLES OF ETHICS RELIABILITY AND VALIDITY

Chandler & Plano (1988:17) define ethics as the branch of philosophy dealing with values that relate to human conduct, with respect to the rightness or wrongness of specific actions, and to the goodness or badness of the motives and ends of such actions. In the context of scientific research ethics begins and ends with the researcher. A researcher's personal moral code is the strongest defense against unethical behaviour. Before, during, and after conducting a study, a researcher has opportunities to, and should, reflect on research actions and consult his or her conscience. Ethical research depends on the integrity of the individual researcher and his or her values. If values are to be taken seriously, they cannot be expressed and laid aside but must instead guide the actions of the sociologist. Sociologists determine who will be investigated, for what purpose and in whose service. In these circumstances, ethical research requires balancing the value of advancing knowledge against the value of non-interference in the lives of others (Sagarin, 1973 and Neuman, 1997:443). For these reason, researchers must respect participant's privacy and maintain confidences

as part of their professional responsibilities to subjects (O’Sullivan, Rassel & Berner, 2003: 251). This can be achieved through reliable and valid research.

However, reliability and validity are central issues in all scientific measurement. Both concern how concrete measures, or indicators are developed for constructs. Reliability and validity are salient in social research because constructs in social theory are often ambiguous, diffuse, and are not directly observable (Neuman, 1997:138). At its most general level, reliability refers to the consistency or dependability of a measurement technique. More specifically, reliability is concerned with the consistency or stability of the score obtained from a measure or assessment technique over time and across settings or conditions. If the measurement is reliable, then there is less of a chance that the obtained score is due to random factors and measurement error. The concept of validity refers to what the test or measurement strategy measures and how it does so. Conceptually, validity seeks to answer the following question: ‘Does the instrument or measurement approach measure what it is supposed to measure?’ (Marczyk, DeMatteo & Festinger, 2005:102-106). Reliability and validity are concepts that are interconnected this is because a measurement cannot be valid unless it is reliable. It is important to bear in mind that validity is not only about what is being measured, but it is also about how well it is being measured. To ensure validity and reliability in this study, the researcher has endeavoured to employ, thoroughly, the selected research methods so that the findings of the study can draw on the principles of objectivity and honesty. This allows the research to remain focused on the significance of the research topic.

DATA COLLECTION PLAN

According to Nsingo (2004:88), the data collection plan indicates the manner in which the researcher organizes the process of collecting research information.

In this study, the blueprint for data collection arrangement is as follows:

- Questionnaire distribution: this was carried out between 21 August and 17 September 2005;
- Documentary search: this was carried out between 30 April 2005 and 21 December 2005.

CONCLUSION

The basic thrust of all research is to solve problems and to expand knowledge of our universe which necessitates that it is carefully and systematically conducted. Research is needed to find answers to problems in our society, to experiment with the most expeditious way for conducting research to solve societal problems, and to validate procedures which can be replicated. This chapter has attempted to look at the method of research, discussing different types of scientific research in order to select the most applicable methods for the research design of the study. The chapter has also looked at the tools of data collection and the analysis of data; in addition it has analyzed the relevance of ethics, reliability and validity in the research process. Finally, the chapter outlines the plan of data collection. Chapter Three details the literature study.

CHAPTER THREE

LITERATURE REVIEW

INTRODUCTION

The literature review is the power source of the conceptual framework. A comprehensive literature review is of prime importance before conducting quantitative or qualitative research. Once ways have been explored to ascertain the feasibility of the identified problem and the need for the investigation, attempts must be made to verify the need for the study in the available literature (Taylor, 2000:61). However, customs administrations should be regarded by governments as important national assets and tools for trade facilitation, revenue collection, community protection, and national security. Comprehensive reform and modernization programmes should focus on achieving improved performance in core customs areas such as leadership and strategic planning, organizational and institutional framework, resources (human, financial, and physical), external cooperation and partnership, good governance, and so on (De Wulf & Sokol, 2005:78). For this reason, this chapter intends to look at these areas, with particular focus on public administration, public policy, governance, leadership, organizational theory and strategic planning.

CONCEPTUAL FRAMEWORK

Public Administration

Du Toit & Van der Waldt (1997:61) define Public Administration as a broad spectrum combination of practice and theory which aims to:

- promote public policy-making which is sensitive to the needs and aspirations of society;
- cultivate a greater understanding of the relationship between government and governed society; and
- establish managerial practices directed at efficiency, effectiveness and a sensitivity to people's innermost needs.

However, Shafritz (2000:3) defines public administration first, as the occupational sector, enterprises, and activities having to do with the formulation and implementation of policy of governmental and other public programs and the management of organizations and activities involved; and secondly, as the academic field concerned with the study of, improvement of, and training for the activities mentioned in the first part of the definition. In this context, public administration refers to two distinguishable, but closely related activities:

- (a) a professional practice (vocation, occupation, field of activity), and
- (b) an academic field which seeks to understand, develop, criticize, and improve that professional practice as well as to train individuals for that practice.

The term 'Public Administration' (with a capital P and a capital A) refers to the academic discipline studied in universities, technikons, technical colleges and polytechnics (now called universities of technology in South Africa), while the term 'public administration' (with a lower case p and a lower case a) refers to the activities, both strategic and operational, within the public sector (Van Wyk, Van der Molen & Van Rooyen, 2002:60).

Development of Public administration

As 1900s progressed, a bifurcation developed among those who wrote about the work of government. While some wrote about the administrative side of the enterprise, others wrote about the policy side. Graduate programs developed that emphasized either the public policy aspects or the administrative aspects. In the meantime, those who were actively engaged in the work of government were wrestling with both sides of the coin: policy plus administration. As a corollary event, business administration programs made a transition from the word 'administration' to the word 'management', as public administration programmes began to replace the term 'administration' with 'management'. At least, the term 'public management' merely reflects the transition in popularity from the word 'administration' to the word 'management'. At most, it reflects the appreciation that public managers must juggle both policy and administration to be effective (Ott, Hyde & Shafritz, 1991).

Public Administration and Public Management

There are differences of opinion about whether the two concepts 'public administration' and 'public management' are synonymous. In this study, assumption is made that when considering the context of government institutions or public services, there is a difference between 'public administration' and 'public management'. In this context, 'public management' can be viewed as that aspect of 'public administration' that is concerned with efficiency, accountability, goal achievement, and other managerial and technical questions (Graham & Hays, 1993). Consequently, the activity of 'public administration' in government institutions is much wider in scope and nature than management. In

other words, this implies that management in government institutions cannot take place if the outputs (results) of ‘public administration’ do not enable those in managerial positions to manage (Fox, Schwella & Wissink, 1991:2). In other words, one can say that ‘public administration’ is an enabling activity on a continuous basis. By contrast, ‘public management’ is a continuing activity, the ongoing continuation of activities made possible by ‘public administration’. Therefore, ‘public administration’ enables managers in government institutions to perform their managerial functions. Management should therefore be seen as a continuation of ‘public administration’ so that specific products and services are provided to society (Du Toit & Van der Walddt, 1997:45-46). In this context, one can conclude that the two concepts are not similar but are intertwined in their relationship. One’s activities allow the other to achieve its objectives and vice versa.

Theories of Public Administration

The paradigms of public administration lie basically in two main models: orthodox public administration and supremacist political enterprise. These models are briefly outlined below.

Orthodox Public Administration

This model is defined from the concept of administration based on:

The Politics/Administration Dichotomy

This is the first paradigm of public administration. The dichotomy indicates that there should be a separation of roles between public administration and politics. Public administration should be tasked with

policy implementation while politics should be tasked with policy formulation. This means that public administration should maintain a servant status and its action should be solely dependent on political enterprise. This presupposes a passive administration, whose innovative and creative skills are curtailed. Such an administration concentrates on *craft competency* (the ability to implement appropriately) rather than *craft literacy* (the ability to formulate or design appropriate policy blue prints to enhance service delivery). The separation of policy functions reduces the entrepreneurial nature of public administration as the interest of bureaucrats is to put policy into action although cognizant of the limitations of such policies (Nsingo, 2005).

The Weberian Model of Bureaucracy

This model exalts hierarchy, rules and regulations, impersonality, seniority as 'sacrosanct or revered fundamentals' public administration. Regular contact with a bureaucrat will show you that he/she cannot act until he/she refers to the rules of and regulations. This is not to say that they are not important but to emphasize the fact that the rules have become too many and too cumbersome, instilling a culture of caution and fear in the bureaucrat. It is needless to say that instructive guidelines have led to a conservative bureaucracy characterized by delays, red tape, passing the buck, rigidity, unaccountability and non responsiveness in service delivery. These bureaucracy pathologies have tremendously reduced the entrepreneurial nature of public administrators. This has portrayed public organizations as non-performing institutions and has led to calls for administrative reform, hence the New Public Administration (NPA) or the New Public Management (NPM), concepts that have come to dominate current administrative parlance in matters of governance (Nsingo, 2005). It is

essential at this stage to examine the concept of NPM before stepping into the second approach of public administration.

New Public Management (NPM)

The New Public Management (NPM) approach was developed as a reaction against the focus of the traditional Public Administration discipline on the input-related structures and functions of government that did not seem to produce the anticipated results in terms of social development in industrial societies (Kettl & Milward, 1996:4; Hood, 1995). As a result of the perceived inefficiencies of the traditional public administration system, NPM promotes the adoption, by the public sector, of generic and liberal free market-oriented business management principles. It also promotes the voluntary transfer of the public sector's non-core functions to private or voluntary sectors, either through full or partial privatization exercises, joint or partnership ventures, or agency or outsourcing contracts. In this way the state can gain access to other resources in society in addition to those under its direct control and it can improve the quality of public services by allowing other service providers to deliver specified services better than the state can do itself.

This approach blurs the distinction between the public, private and voluntary sectors by postulating that many principles of management are generic and applicable to both public and business-oriented organizations. It has brought about a paradigm shift in the way the role of the state in society is perceived. It has changed Public Administration into Public Management (Pollitt & Bouckaert, 2000:8). It has become an influential approach that has taken root across the world and is still expanding in its application in different societies. NPM scholars disagree about the ideal new boundaries between the traditional sectors in society

(Rhodes, 1997:47). It has even been alleged that the NPM approach has extended the role of the state in society rather than restricted it, because of its gaining access to, and its regulation and control of, both profit making and voluntary agencies as proxies to achieve its objectives (Durant, 1998:212; Smith, 1998:51).

The NPM and governance approaches have, therefore, stimulated the development of the network approach to public affairs by highlighting the fact that traditional public policies and functions are increasingly designed and performed by networks of diverse, autonomous public, private and developmental institutions brought together around, and loosely bound together by, the same or related interests, instead of being controlled solely by the public sector (Mandell & Steelman, 2001). In this network view of the relationship between public and other institutions, the public sector does not necessarily control the networks that it participates in, but it has to rely on persuasion or bargaining in some cases in order to get its way. The vertical bureaucratic authority and control that the public sector exercises in traditional public administration, therefore, has given way to a process of horizontal consultation, persuasion, bargaining and co-ordination in order to achieve the desired results (Cloete, 2005:13-14). After that has been said regarding the first approach, it is essential to look at the second approach of public administration which is the Supremacist Political Enterprise.

Supremacist Political Enterprise

According to Nsingo (2005) it is a fact that politics is supreme in the public sector. Politics and society have a democratic social contract, where those who rule are expected to protect society and provide goods and services to improve the good life and pleasure of all. If a state fails in

this fundamental mission then it is no longer necessary. It should be rejected and alternatives must be found. However, supremacist politics tends to:

- minimize the role of public administration;
- reduce the participatory nature of politics (violation of the democratic social contract);
- formulate policies that have not received thorough consultation (hence, flawed policies are pronounced);
- make promises that are difficult to fulfill; and
- be responsive to its whims and not to society.

This tends to frustrate the bureaucracy, as it would have limited operational space. As a result, public administrators lose interest in the success of the institutions for which they work. They put in enough effort to keep on going. They inherently become docile and non-entrepreneurial. Their organizations become static and incapable of fulfilling social needs. Worse still, the public administrators can also decide to be corrupt and engage in systematic accumulation of resources for themselves just as with politics. This becomes a competition for resources between politics and the bureaucracy at the expense of the community. Under these circumstances, it is pertinent to bring about reform by the way of public administration functions. Alteration is only possible in terms of the New Public Management, which allows the public administration to become entrepreneurial and to focus on rendering excellent services to the community.

Public Policy

Defining Public Policy

According to Du Toit & Van der Walddt (1997:16) a policy is a declaration of intent, this means what needs to be done to achieve a particular objective or objectives, for example, a literate, well-trained society. A policy is however embodied in an Act. Its purpose is to reveal the intention of the government to achieve specific objectives in a particular manner. Therefore, public policy can be described as:

- the authoritative allocation of values through the political system to individuals in society (Easton, 1951);
- what people choose to do or not to do (Dye, 1984); and
- a purposive course of action followed by an actor or set of actors in dealing with a problem or matter of concern (Anderson, 1994).

However, a public policy is generally characterized by a combination of decisions, commitments, and actions directed toward achieving a particular outcome or result which is deemed to be in the public's interest. Public policies can be further distinguished from public programmes and projects; a public programme is a set of concrete actions and implementation steps directed toward the attainment of a public policy, while a project is typically a single segment or operating activity within a program (Shafritz, 2000:43). Nevertheless, depending on the importance and influence as well as the scope of a policy, policies can be of two types, namely:

Strategic or Tactical Public Policy

This type of public policy involves policies that are formulated at different levels of government be it national, provincial or local.

Functional or Operational Public Policy

This type of public policy is concerned with policies pertaining to human resources, finances, procurement and others (Regenesys, 2005:17). In this context, it is essential to look at the different models of public policy.

Theories of Public Policy

The development and management of a policy present various challenges. In order for one to cop with them, policy researchers have attempted to bring some structure to the study of policy and created different models that can assist one to embrace the issue. For example, the models of public policy can be classified into two main groups, namely: the rational calculations and the social theory models. Each of them is examined below.

Rational Calculations Models

These models are particularly concerned with the content, the logic of policies. They emphasize logic and rationality, as opposed to values and making choices, and they use the cost-benefit analysis as their central tool to make informed decisions. Some of the models that constitute this group are briefly outlined below.

Rationalism

Rationalism involves the calculation of social good (Regenesys, 2005:18). This model of public policy is rooted in a faith in a person's reason and the assumption that problems of governance are amenable to reasonable solution through scientific analysis, logic and systematic inquiry. The underlining premise of rationalism is that world phenomena, though complex can be solved by employing well calculated, reasonable, objective and logical arguments to unravel these complex phenomena and to provide answers that can lead to societal change and development.

Nevertheless, rationalism employs the politics of reason to determine courses of action that should be followed for the amelioration of problems. It has its base in philosophers such as Aristotle, Locke, Berkely, Hume, Bacon and Weber. Fundamental to this philosophy is that a public institution should input proper procedures and values of designing and planning what it wants to do. Thus, to be reasonable, both its political and administrative dynamics must be properly reasoned out, planned, designed and implemented accordingly. For public officials to engage in planning and designing they should portray a scientific mind in their approach to governance. The argument here is that decision-making is only plausible if it contains a scientific analysis of the issues. This means that decisions on what courses of action to undertake should only be made after a proper weighing of the pros and cons of several decision options. It is only after this cost/benefit analysis exercise that a particular option can be undertaken (Bozeman, 1979:63, and Nsingo, 2004:32). According to Kuye (2005), the attractions of this style of decision-making are obvious. It has an aura of careful forethought and scientific precision that contrasts with some of the more rudderless

models of policy-making. Some of the techniques used in rational decision-making are operations research, cost-effectiveness analysis, and cost-benefit analysis. Because comprehensive rationality involves careful analysis, it ought to provide a solution that produces the desired result with the most efficient use of resources.

Public Choice's Model

Kuye (2005) asserts that public choice is one of the newest models of public policy-making, it is for this reason that it appears to mean different things to different writers. The basic element of public choice is the application of economic styles of thinking to the analysis of political behaviour. In this case, Kuye (2005) defines public choice as the economic study of non-market decision-making, or simply, the application of economics to political science. The aim of this model is essentially to explain collective decisions (about what are often thought to be political matters) in terms of the self-seeking behaviour of rational individuals. The desire to maximize income, security, or more generally, utility is the motivating force behind all actions including voting. For this reason, the overall policy game consists of the interaction of these four games (political, bureaucratic, lobbying by interest groups, and the media) because everyone in the system needs everyone else. One of the problems with the public choice model is that it presents few testable hypotheses. People are presumed to act based on certain motivations, but since these are subjective, they cannot be measured or tested.

However, public choice is the model that is appropriate to use when individuals or interest groups behave in a manner of calculated self-interest. The sum total of these behaviours is then considered equal to the will of the nation. This implies that all the influences that could

obstruct people, (such as monopolies) from choosing for themselves, should be removed. As a result, this model is concerned with participation and moreover the extent to which, people are taking charge of their own lives (Regenesys, 2005:19).

Process Model

This model focuses on the process of policy formulation and not its content. The policy process involves the following processes: problem identification, agenda setting, legitimization, implementation, and evaluation. In this context, citizen involvement (political parties, unions, civics, and so on) is generally more involved in the problem identification stage and diminishes as the policy process becomes more technical (Regenesys, 2005:19). The public policy process can therefore be described as the interaction of decisions and actions of various policy actors (individuals, interest groups or organizations in the public, voluntary and private sectors) either with the purpose of achieving stated public policy objectives or unintentionally affecting a public policy issue or sector. Consequently, the public policy process can be divided into two broad analytically distinct phases. The first is a design phase, which concerns the review of policy and awareness, the issue structuring and prioritization, as well as policy agenda setting, option generation and assessment, and culminating in decision-making on a preferred policy. The second phase is concerned with the implementation phase, in which the public policy design/blueprint/framework is transformed from unwritten ideas or concepts, or from a written document, into visible consequences in society. These phases cannot be separated from each other and design does not necessarily precede implementation. In most cases they are parallel processes, because even in the implementation phase, refinements or adaptations need to be made to policy plans as a

result of design defects which do not have or could not have been foreseen in the design phase (Cloete, 2005:14-15).

Group Theory

In this model, groups have far greater political force and influence than individuals. Thus, power is influenced by group size, wealth, institutional strength, leadership, access to decision-makers, or internal cohesion. As a result, the interests of the different groups could be managed by establishing ground rules, arranging compromises and balancing interests, enacting compromises in the form of public policy, and enforcing the compromises (Regenesys, 2005:19).

Incrementalism

This model is concerned with policy makers accepting the legitimacy of established programmes. Changes to policies are generally slight and kept to a minimum. Thus, public policy is regarded as a continuation of past government activities with only minor, incremental modifications (Regenesys, 2005:19). Charles Lindholm in Kuye (2005) states not only that comprehensive rationality is impossible, but he adds that policies are seldom changed radically as a result of extensive reviews. In effect, he implies that comprehensive rationality fails as both a normative and a descriptive model. Thus, Lindholm assumes that, in the real world, policies are changed incrementally as a result of successive limited comparisons between the *status quo* and some close alternatives. Moreover, Lindholm argues that this successive limited comparisons approach or incrementalism was both an accurate descriptive model and a normatively desirable one. He points out that comprehensive rationality

tends to ignore the fact that new policies must be accepted by existing interest groups, organizations and other clientele groups.

Yet, the incremental model also has its critics. Amital Etzioni in Kuye (2005) has expressed the fear that incrementalism goes too far in buttressing the established order. If the *status quo* is satisfactory, there is no point in searching widely for improvements. However, if the *status quo* is not acceptable to major groups in society, then incrementalism is a less suitable guide to actions. It assigns too great a role to established and powerful interest groups and does not recognize the need to protect those who are not part of organized groups.

Briefly, public policy is at the heart of what governments do. In liberal democracies, political parties compete for power on the basis of programmes and platforms consisting of policies. Once in power, they are expected to refine and amend these proposals, implement them, and respond to new public problems as they arise on the agenda. Making sense of policy, understanding its contents as well as its contestability, is a crucial part of any democracy. Making sense of policy is precisely what policy analysis is all about. Under these circumstances, one can assume that all policies intend to achieve one common objective, that is to make a difference, or to change the way of doing things. In this process, decision makers may come across encouraging issues and resisting forces. It is their duty to think strategically in order to find a means and a way whereby they can manage effectively and cope with any challenge that may occur, in order to bring success in the policy implementation phase.

Governance

Defining Governance

In the last two decades, governance has become an important issue in development policy discourse and social science research. Yet a lack of conceptual consensus on the term results in a multiplicity of definitions. Hence, for example, the relationship of governance to development, institutional reforms, and public policy processes and outcomes remains ambiguous (Olowu & Sako, 2002:1).

However, governance can be defined as the formation and stewardship of the formal and informal rules that regulate the realm, the arena in which state as well as economic and societal actors interact to make decisions (Olowu & Sako, 2002:19). According to Kooiman (1993:2), governance is a set of patterns that emerge from governing activities of social, political and administrative actors. For him, these patterns form the emerging outcomes which constitute a more abstract framework at a higher level for day-to-day governing activities. However, Kooiman (1993:258) also argues that governing can be described as those purposeful activities of social, political and administrative actors aimed at guiding, steering, controlling or managing aspects or facets of society. This has led to the definition that governance is the pattern or structure that emerges in a socio-political system as a common result or outcome of the interacting intervention efforts of all involved actors. This pattern cannot be reduced to the outcome produced by one actor or groups of actors in particular. Inherent in Kooiman's definition is the idea of public-private interactions within a network of relationships aimed at achieving desired objectives for society. Strategies such as intergovernmental management (IGM) in different forms are increasingly needed to manage these complex

relationships, while different theories of complexity, including chaos and quantum theories, are increasingly relied on to explain various aspects of these interactions (Cloete, 2003:11). Nevertheless, the World Bank (1989:60) defines governance as the exercise of political power to manage a nation's affairs.

Like most concepts in social sciences, governance is not a new term. Indeed, the term 'governance' was first used in France in the fourteenth century where it meant 'seat of government'. The term became much more popular when the World Bank 're-invented' governance in a World Bank Report of 1989. The use of the term 'governance' by the World Bank signaled a new approach to development which was based on the belief that economic prosperity is not possible without a minimum level of rule of law and democracy. At the same time, use of the seemingly apolitical term 'governance' was valuable in preventing criticism that the World Bank was trying to interfere in the political decisions made by debtor countries (Pierre & Peters, 2001:1; World Bank, 1989:60; and Bovaird & Löffler, 2003:163-164). In this context, one of the most important elements of governing is goal setting, or the determination of priorities. The old adage that 'to govern is to choose' remains true, and it indicates that priority setting is a central feature of governing. The basic argument here is that one organization, or a single government, is the most probable source of governance in the sense of priority setting and coordination of policies (Peters & Savoie, 2000:38-39). For this reason, governance is an important element in measuring government performance (Dallas, 2004:273). To bring about effectiveness in the activities of governments some approaches to governance have been developed. They are briefly discussed in the next section.

Approaches to Governance

Most governments around the world, particularly those on the African continent, have been incapable in establishing a system that ensures good governance in the management of public affairs. For example, they are unaccountable, inefficient, ineffective, corrupt and generally non-performing. To become effective (or more effective) in the management of public affairs, they need to be transformed and reformed. This will occur only when governments acquaint themselves to the key factors of governmental excellence which involve, according to Nsingo (2005): Democratic Good Governance (DGG), New Equation of Government, and Managerialism. These concepts are briefly discussed below.

Democratic Good Governance (DGG)

This approach regards a political regime based on the model of a liberal democratic polity. This polity respects human rights, and has a competent, non-corrupt and accountable administration. DGG can be defined using three factors: the systemic factor; the political factor; and the administrative factor. Let us explore each of these factors.

The Systemic Factor

This factor indicates that DGG should operate within a systems framework where the environment becomes a key factor to generate input for the political system to make decisions. These decisions should in turn be churned back into the environment for implementation so as to satisfy the needs of communities. The government should return to get feedback, which would indicate whether or not communities are satisfied with the policy decisions that have been implemented. The systemic

factor indicates that all subsystems are important in the governing process. If one subsystem is ignored the whole system can be destabilized and can atrophy. Pluralist democracy works well within a systemic framework.

The Political Factor

While systemic factor emphasizes input from the environment, the political factor focuses on the need for the decision box to be accountable and responsive to society. It should respect human rights and the dignity of all. It should respect the rule of law and work to enhance honest and just government. The political factor is intended to encourage the development of a consultative and participatory culture where communities become part of the decision making process.

The Administrative Factor

The administrative system's emphasis is on excellence in policy implementation and quality service delivery. This implies that the administrative wing of government should have the necessary skills to offer appropriate policy advice and to implement policies in accordance with policy design and the wishes of society. This calls for a high degree of responsiveness and accountability. It also means that administrators have to be entrepreneurial in order to cherish the rudiments of Democratic Good Governance (DGG), excellence in service delivery, proactive enterprise, creativity and innovation.

The New Equation of Government

The new equation of government takes cognizance of the changing responsibilities of governments that would like to enhance democratic good governance as a panacea for socio-economic development. The focus here is on reshaping the public service so that it could be strategically placed to deal with socio-economic competitiveness and customer needs. This means that the public service had to forgo the old ways of doing things encapsulated in what is called the 'old equation of government' and come up with new and improved processes of socio-economic development within the umbrella concept of the 'new equation of government'. In this context, the public service is no longer seen as a constant, to be taken for granted when things are working well. It has entered the new equation as a key variable for excellent service delivery and enhancing governmental competitive success. It should no longer be a drain on public resources, it should drive the processes of socio-economic development. This is what is called an entrepreneurial government.

Managerialism

Managerialism is a concept that tries to explain the proliferation of public management in public sector organizations. It is also referred to as the managerial ideology or neo-taylorism. Therefore, it can be considered as a way of thinking, which indicates that the public sector can only succeed if it adopts market driven strategies and allows public administrators (now public managers) to exercise their utmost discretion in transforming public sector institutions to be entrepreneurial and to cherish excellence in service delivery. The fundamental notion of

managerialism is that management is necessary, important and good for any organization (Nsingo, 2005).

The objective of good governance is therefore to create an environment in which public servants, as well as politicians, are able to respond to the challenges of better governance. These challenges involve factors such as a notion of duty, vocation, and service delivery to the public, as well as the caring responsibility for their welfare. For this reason, good governance strengthens the values of a liberal democracy. That ideal, based on vocation, duty, and service also draws upon the concept of sacrifice, a concept that rises above self-interest, placing individualism over collective good, and greed. The concept also creates a shared feeling or spirit of public duty among those who govern (Olowu & Sako, 2002:49-50). This implies that good governance is prescriptively conceptualized as the achievement by a democratic government of the most appropriate developmental policy objectives to develop its society in a sustainable way by mobilizing, applying and coordinating all available resources in the public, private and voluntary sectors, domestically and internationally, in the most effective, efficient and democratic manner (Cloete, 2005:15).

Leadership

Defining Leadership

According to leadership researchers such as Northouse (2000), the concept of leadership is embraced from a personality perspective which proposes, for example, that leadership is a combination of special traits or characteristics, which individuals ought to possess, so that they can persuade others to accomplish tasks through effective governance

practices (Kets de Vries, 2001:22). However, Shafritz (2000:191) defines leadership as the actions of a person who, whether elected, appointed, or emerging by group consensus, directs, coordinates, and supervises the work of others for the purpose of accomplishing a given task.

According to Maxwell (1998:205), leadership is to be regarded as a relationship or a partnership between leaders and followers. For this reason, people who engage in leadership are referred to as leaders, whereas individuals, toward whom leadership is directed, are referred to as followers. In this context, leadership can be described as a transactional event that occurs between the leader and his or her followers within a particular context to promote or achieve an outcome through effective governance practices (Northouse, 2000:4). Therefore, Ingraham *et al.* (2003:17-18) have made an assumption that sound leadership has a positive influence on effective management and thus, on the overall government performance. They add that leadership contributes to management effectiveness in two ways: it influences each management system independently by setting priorities and emphasizing certain activities; and it marshals these systems to operate as elements of a coherent and cohesive administrative framework. Therefore, leadership is a characteristic that is needed every time when a particular task or job requires the efforts of a group of individuals. Let us now look at the theories of leadership.

Theories of Leadership

Contemporary theories of leadership focus essentially on organizational and interorganizational contexts and settings. According to Shafritz (2000:193), they can be categorized roughly into two types. One type is based primarily on personal attributes and abilities. These include the

charismatic and transformational leaders and influence based on such attributes as intellectual abilities, expertise, and experience. The other type includes the so-called transactional theories of leadership, where influence is based on an explicit social contract, for example, an employment agreement with stated wages, salaries, and working conditions, or a labour contract. Needless to say, these two types of leadership frequently occur together, and there are few pure types. It is therefore essential to examine these two types of leadership in this study.

Transactional Theories of Leadership

Transactional theories of leadership had its beginnings in the 1930s, but did not emerge as the dominant theories of leadership until the 1950s. Two primary forces were behind the ascendancy of leadership, namely: frustration and disappointment with the trait theories and dramatic post-World War II advances in the applied behavioural sciences. In this case, contingency theories assert that the effects of a leader's personality or behavioural style on performance are contingent on the nature of the leadership situation. These theories attempt therefore to integrate the role of personality and situational factors in their predictions of leadership performance. The first theory to do so was the contingency model of leadership effectiveness. This theory holds that the effectiveness of a group depends upon two interacting elements:

- (1) the leader's personality, and
- (2) the degree to which the situation gives the leader control and influence over the group process and outcomes. The relevant personality component is the leader's motivational structure (the hierarchy of goals the leader seeks to satisfy at work).

However, the contingency model views leadership as a dynamic process. As situational control changes, so will the match between leadership style and situational control. It is therefore possible to predict the changes in leadership performance that are likely to occur as a result of changes in the leader's situational control. To help leaders become more transactional, various methods were designed. These methods are: path-goal theory, the normative decision model, life-cycle theory, situational leadership theory 'SLT', and so on (Shafritz, 2000:195-197). For the sake of this study, these methods are not discussed. The next section examines the second theory of leadership.

Transformational Theory of Leadership

Burns in Shafritz (2000:202) describes transformational leadership as the leadership that is able to raise the moral and ethical standards of their followers and enlist them in actions that go beyond their own self-interest. The theory of Burn is supported by other writers such as Bass (1985) who believe that transformational leaders stimulate their group members to greater intellectual accomplishments and unselfish deeds. This is a relatively new development in the area of leadership and will, no doubt, become more developed and systematized in the years to come. Some methods were also designed to develop transformational leadership. The most important of them was the Cognitive Resource Theory.

The Cognitive Resource Theory (CRT) attempts to discover the conditions under which leaders make effective use of their own, and their followers, intellectual abilities and job-relevant knowledge. CRT identified two major situational factors that affect how the leader's cognitive resources contribute to leadership and organizational performance. First, the leader

has to be willing and able to direct and supervise the group. Secondly, stress, especially caused by conflict with the immediate superior, strongly inhibits the leader's ability to make effective use of intellectual abilities, and creativity. In somewhat oversimplified terms, leaders in stress-free situations use their intelligence and creativity but not their intellectual abilities. In fact, under high stress, leader's intelligence correlates negatively with performance; under low stress, leader experience tends to correlate negatively with performance (Shafritz, 2000:03).

However, Ingraham *et al.* (2003:20-21) assert that leaders can serve an important function as shapers and co-ordinators in the realm of government management. Here the concern is with the ability of leaders to cause the structures, work processes, and incentives within and across the government's management systems to function in a way that promotes operational coherence and cohesion throughout the government. Leaders are situated within governments, where they can attain perspective on how the management systems interact; thus, they are in a position to ensure that the systems are mutually enabling, that each system operates in a way that supports the performance of the others. Moreover, beyond ensuring that the systems work cooperatively, leaders are also able to see that the joint effort of the management systems supports a commonly held vision of the achievement of the government's missions, goals, and objectives.

The concept of leadership is of great significance in the context of public administration particularly in a public organization such as OFIDA thus, for the reason that (De Wulf & Sokol, 2005:74) a firm commitment at the highest political level to maintaining a high standard of integrity throughout customs is particularly in societies where corruption is a widespread or systemic problem. Effective integrity programmes therefore

require a high level of management support and leadership. Therefore, it is important to set up clearly defined supervisory and decision-making structures and obligations. In addressing the provision of end services at the Congolese Customs and Excises Office 'OFIDA', leadership is required, more than ever, because of the aptitude of leaders to come up with informed decisions; to provide guidance and direction; to enlarge the institution's mission, vision, and values; to communicate these to all members of the organization; and to organize the behaviour of all organizational components and systems which will bring about effectiveness in the way the organization operates and thus, for the betterment of all.

Organization Theory

Defining Organization Theory

In the process of analyzing organizational theory, it is significant for one to understand what is meant by 'organization' and 'theory'. Pattanayak (2000:253) defines organization as a bounded sub-set within a society of interdependent relations among individuals, who interact with each other both directly and in mediated ways. According to the sociological approach to the theory of organizations, organizations can be seen as miniature societies. In other words, organizations are identifiable social entities formed when a group of independent individuals combine and interact, in an ordered fashion, for the purpose of achieving certain goals (Parsons, 1964 in Haynes, 1980:117).

A theory can be defined as an explanation of some phenomena. It involves a set of interrelated principles that describe relationships observed in association with the phenomenon for the purpose of

explaining and predicting the phenomenon (Fox & Meyer, 1995:128). A theory has essentially three important attributes:

- (a) it comprises concepts, assumptions, and generalizations;
- (b) it describes, explains and predicts behaviour of phenomena; and
- (c) it is heuristic, which implies that it stimulates and guides further knowledge development (Lungu, 1990 in Thloahlane, 2005).

In this context, organizational theory can be defined as:

- 1) Concepts, theory and models used to explain the components of and patterns of behaviour in an organization.
- 2) A set of generalizations, conceptual schemes and approaches to organizations. There are three levels of theory: highly specified and narrow (Frederick Taylor); middle level (Warren Bennis); and broad (Talcott Parsons, Daniel Katz and Robert Kahn).
- 3) An amalgam of sociology, business administration, public administration, and psychology that focuses on the study of organizations, their structure, and their behaviour.
- 4) Concepts, principles and hypotheses used to explain the components of, and behaviour in and of, organizations (Fox & Meyer, 1995:91).

Development of Organizational Theory

There are several ways of administering and solving the problems faced by organizations. Those who deal with administration, management and organizations acknowledge this diversity. Various theories have been

developed to offer a broad framework that can be used as guidelines for administering or managing organizations. Theories can help one to realize that administration is not a haphazard trial and error oriented process, but that it follows well-proven and established ways of doing things. The uses of organization theory in public administration are concerned with:

- Assisting managers in identifying important aspects of problems and situations;
- Discovering and forecasting the relations between events;
- Supplying guidelines for discovering and evaluating alternative means of action; and
- Defining criteria for isolating important information in decision-making situations (Fox & Meyer, 1995:91).

Current organization practices can be appropriately understood through the exposition of organization theories that have guided the operations of these entities over the years. These theories form an arsenal of knowledge that can be used to explain organization processes. They are often classified as schools of thought, viewpoints or approaches (Thloahlane, 2005). Waldo in Fry (1989:228-229) divides the development of organization theory into three stages:

The first stage is the Classical period, epitomized by the works of authors such as Taylor, Gullick, Fayol, and Mooney. The Classical stage of organization theory was based on the 'machine model' of the organization and emphasized the rational aspects of human behaviour. This stage reached its zenith in the 1930s and culminated in the publication of the *Papers on the Science of Administration*.

Waldo labels the second stage in the development of organization theory the 'neoclassical' approach. This stage began with the Hawthorne experiments in the 1920s and was of major importance through to the 1950s. In contrast to the classical stage, the neoclassical approach emphasized the emotive and socio-psychological dimensions of human behavior in organizations.

The final stage in the development of organization theory is modern organization theory, which, according to Waldo, began with the publication of March and Simon's *Organizations* in 1958. Modern organization theory is based on an 'organic' or 'natural system' model of the organization and stresses organizational growth and survival. The modern approach endorses organizations that have less reliance on hierarchical controls, more recognized sources of authority, greater opportunity for personal mobility, and greater receptivity to organizational change. Modern organization theory is decidedly behavioral in orientation, adopting the methods of the physical and biological sciences and seeking a value-free 'general theory' of organizations true for all times and places. After the development of organization theory has been outlined, the next section deals with strategic planning.

Strategic Planning

Defining Strategic Planning

For a better understanding of the concept of strategic planning which can also be referred to as strategic management, it is important to define 'strategy'. In describing strategy there is no single universally accepted

definition. Indeed, different authors and managers use the term ‘strategy’ in a variety ways.

According to (Grant, 2005:27-28), strategy is concerned with planning how an organization or an individual will achieve its goals. Mintzberg in Bovaird & Löffler (2003:56) suggests different meanings which are often given to the word strategy in management contexts:

Plan: some sort of consciously intended course of action, a guideline to deal with a situation.

Ploy: a specific manoeuvre intended to outwit an opponent or competitor.

Pattern: a pattern in a stream of actions.

Position: a means of locating an organization in an environment, the mediating force or match between organization and environment.

Perspective/paradigm: an ingrained way of perceiving the world (what ‘personality’ is to the individual). These concepts will each be appropriate in different circumstances.

The concept ‘strategic management’ can be described as a disciplined effort to produce fundamental decisions and actions that shape and guide what an organization is, what it does, and why it does it (Shafritz, 2000:208). When strategic management is used to refer to strategic planning or strategic thinking, it can be defined as a set of concepts, procedures, and tools designed to help leaders, managers, and public administrators to figure out what their communities or organizations should do to survive and prosper (Bryson & Roering, 1989). In this case, the purpose of strategic management is to exploit and create new and

different opportunities for tomorrow; long-range planning, in contrast, tries to optimize for tomorrow the trends of today. Strategic management is therefore essential in dealing with the continuous stream of changes that flood all organizations. Managers need to cope with pressures of rapid change in order to achieve organizational goals effectively. Thus, 'strategic thinking' is an on-going process in which significant events are dealt with in a comprehensive manner (Rowe *et al.*, 1994:3-4).

The complexity of modern business has led to strategic management becoming the responsibility of everyone in the organization. As a consequence, they require an awareness of the techniques, processes and technologies needed to successfully execute business strategy (Fahy, Roche & Weiner, 2005:17). However, strategic decisions are essentially concerned with:

- the long-term direction of the organization, as opposed to day-to-day management issues.
- defining the scope of the organization's activities in terms of what it will and will not do.
- matching the activities of the organization to the environment in which it operates, so that it optimizes opportunities and minimizes threats.
- matching the organization's activities to its resource capacity, be it finance, manpower, technology or skill levels.

As a result, strategic management is characteristically dealing with an uncertain future and new initiatives. It can be considered therefore as the harbinger (forerunner) of change.

Theories of Strategic Planning

Organizations build their business strategies in a number of different ways. There are six accepted strategy forming models, namely: the planning model, the interpretive model, the political model, the logical incremental model, the ecological model and the visionary leadership model (Bailey & Johnson, 1994). These models are briefly discussed below.

Planning Model

Strategic decisions are reached by the use of sequential, planned search of optimum solutions to defined problems. This process is highly rational and is fuelled by concrete data.

Interpretive Model

The organization is regarded as a collection of associations, sharing similar values, beliefs and perceptions. These 'frames of reference' enable the stakeholders to interpret the organization and the environment in which it operates, cultivating the emergence of an organizational culture particular to that company. Strategy, thus, becomes the product, not of defined aims and objectives, but of the prevailing values, attitudes and ideas in the organization.

Political Model

Strategy is not chosen directly, but emerges through compromise, conflict and consensus seeking among interested stakeholders. Since the

strategy is the outcome of negotiation, bargaining and confrontation, those with the most power have the greatest influence.

Logical Incremental Model

Strategies emerge from 'strategic subsystems', each concerned with a different type of strategic issue. Strategic goals are based on an awareness of needs, rather than the highly structured analytical process of planning model. Often, due to a lack of necessary information, such goals can be vague, general and non-rigid in nature until such a time when they unfold and more information becomes known.

Ecological Model

In this perspective, the environment impinges on the organization in such a way that strategies are virtually prescribed and there is little or no free choice. In this model, the organization which adapts most successfully to its environment will survive in a way which mirrors Darwin's natural selection.

Visionary Leadership Model

Strategy emerged as the result of the leader's vision, enforced by his/her commitment to it, his/her personal credibility, and how he/she articulates it to others.

If strategic management is all about managing to achieve superior performance, then the essential tasks of strategy are to identify the sources of profit available to the business, and to formulate and implement a strategy that exploits these sources of profit (Grant,

2005:xi). In these circumstances, the management of an organization must understand where value is created and destroyed, whether its business model is operating effectively and how this can be improved. This is done by defining and evaluating strategy, setting targets, measuring performance, forecasting and then re-evaluating the strategy (Fahy *et al.*, 2005:20-21). Once we begin to consider the process of strategy making within organizations, it becomes apparent that strategic management fulfils multiple roles (Grant, 2005:27-28). Thus far, strategic planning offers several advantages. It:

- improves organizational performance.
- minimizes management by crisis.
- serves as an early warning system.
- provides a mechanism for building in continuous improvements and assigning accountability for results.
- forms the basis of an organizational performance appraisal system.
- serves as a valuable team-building exercise (Keen, 1994:84-87).

In other words, one can say that strategic management allows an organization to be more proactive than reactive in shaping its own future; it allows an organization to initiate and influence (rather than just respond to) activities, and thus to exert control over its own destiny. Historically, the principal benefit of strategic management has been to help organizations formulate better strategies through the use of a more systematic, logical, and rational approach to strategic choice. This certainly continues to be a major benefit of strategic management, but research studies now indicate that the process, rather than the decision or document, is the more important contribution of strategic

management. Communication is a key to successful strategic management. Through involvement in the process, managers and employees become committed to supporting the organization. Dialogue and participation are essential ingredients (David, 2005:15).

In the context of customs administration, strategic and operational planning should however take account of the changing environment, including with respect to security threats. The fight against terrorism is becoming a ‘whole of government’ undertaking, therefore customs should appropriately define its role and specify its responsibilities within an integrated approach. Therefore, customs should strive to establish targets and performance criteria for each of these tasks. In the process, customs should maintain communication arrangements with other key stakeholders in the public and private sectors (De Wulf & Sokol, 2005:273). The above discussion on the different concepts that pertain to the evolution of the functions of the public administration in service delivery can help one to notice the relevance of a thorough application of these concepts in a public organization, such as OFIDA. Decision makers should find the most suitable manner in which to apply these concepts in the management of this organization so that it can become effective and efficient in the provision of customs services in the Democratic Republic of the Congo.

CONCLUSION

The intent of this chapter is to provide a conceptual framework of this study by covering important aspects of concepts such as public administration, public policy, governance, leadership, organizational theory and strategic planning.

Looking at public administration, emphasis in this chapter was essentially on the New Public Management, which is a concept that has brought a paradigm shift in the way the role of the state in society is perceived. It has stimulated the development of the network approach to public affairs by highlighting the fact that traditional public policies and functions are increasingly designed and performed by networks of diverse, autonomous public, private and developmental institutions.

This chapter also looks at public policy. Here focus is on the different models of public policy with the aim of providing this study with a broad picture of the conceptual framework of decision-making. In analyzing governance, the focus was on democratic good governance, new equation of government, and managerialism, which are concepts developed, in order to bring about effectiveness, efficiency and accountability in the management of public affairs. However, the concept of leadership was also discussed in order to highlight its importance in service delivery. The assumption is that leaders can play an important function in shaping and coordinating the attainment of different activities in the realm of government management. In the section, the Cognitive Resource Theory was mentioned as an essential model because it assists in discovering the conditions under which leaders make effective use of their own, and their followers, intellectual abilities and job-relevant knowledge. Regarding organizational theory, this chapter has examined different approaches to the theory of organizations. Emphasis is placed on the contemporary model, which holds that, in the organizational theory, concern should not only be on the technical aspects and the human aspect, but it should be on these together with the environment within which they are found. Finally, this chapter discusses the concept of strategic planning, as it is an important concept that helps organizations to formulate better strategies through the use of a more systematic, logical, and rational approach to strategic choice.

In the light of what has been discussed in this chapter, an assumption can be made that excellence service delivery can be attained first, if a country is managed in line with principles of good governance, and secondly, when the management of public organizations relies upon the quality of managers and systems. In other words, we believe that public organizations that have strong managers and sound management systems are able to perform better than those with weak managers and shaky management systems. For example, if OFIDA is to strive to operate up to standard and provide customs service in an effective way, it has to rely upon good management systems, sound leadership, attaining a high level of integration and alignment across its management systems, and to determine the extent to which it manages for results. In the attempt to find out how well OFIDA functions according to the above key levers, Chapter Four examines the profile, analyzes the organizational structure, and looks at the operations of OFIDA.

CHAPTER FOUR

PROFILE, ORGANIZATIONAL STRUCTURE AND OPERATIONS OF OFIDA

INTRODUCTION

Customs institutions are established, not only, with the purpose of collecting customs duties, but their basic mission is to ensure that trades and exchanges, being on a national or international level, take place within the framework of established policies, rules and regulations, and that goods pass rapidly through customs to their destinations. They also play an important role in the maintenance of primary trade statistics, the administration of customs tariffs and laws which have significant implications in the administration of other taxes.

The import and export of goods are subjects of control that each state is entitled to apply at the entry borders, through the application of legislation that is in line with national and international standards. This task can only be achieved by the customs organization which has, under its charge, the administration of customs services. It is for this reason that, in the Democratic Republic of the Congo, OFIDA was established as a public institution which ensures, on behalf of the state missions, dedication to public service and assist the government in gathering budgetary funds by collecting customs dues.

This chapter aims to provide a profile of OFIDA in order to analyze its organizational structure. It also examines OFIDA customs operations. This allows on understanding of the establishment of OFIDA as a public organization that has been mandated to provide customs services

administration and is charged with the collection of customs duties in the DRC. An analysis of the organizational structure will help in understanding the structures and management systems that are in place within the organization. For example, when the relevance of customs duties is considered within the economy of developing countries, particularly the DRC, a discussion on the provision of customs services, with particular focus on customs procedures and standard measures will be incorporated. An examination of the challenges facing the provision of customs services particular the evasion of customs duties will be made. In addition an analysis of the role of customs revenue in the Congolese economy will be effected.

PROFILE OF OFIDA

Creation of OFIDA

OFIDA was established as a public institution by Decree 79-114 of 14 May 1979, in which Article 1 stipulates: ‘the establishment of a public institution with the denomination ‘Customs and Excises Office’, which has a legislative mandate of administrative, economic and financial nature’. However, the legislative mandate of OFIDA is detailed in article 5 of Decree 79-114, which states that OFIDA has the power to carry out transactions, and bring an action to court, in the form of a demand as well as in its defense, in the interests of the state. In partnership with the Central Bank and other services, OFIDA may also reform or harmonize procedures in place, in order to accelerate customs procedures. Article 25 of the same Decree places OFIDA under the administrative supervision of the Ministry of Finances (Official Journal, 1979:8).

Aims of OFIDA

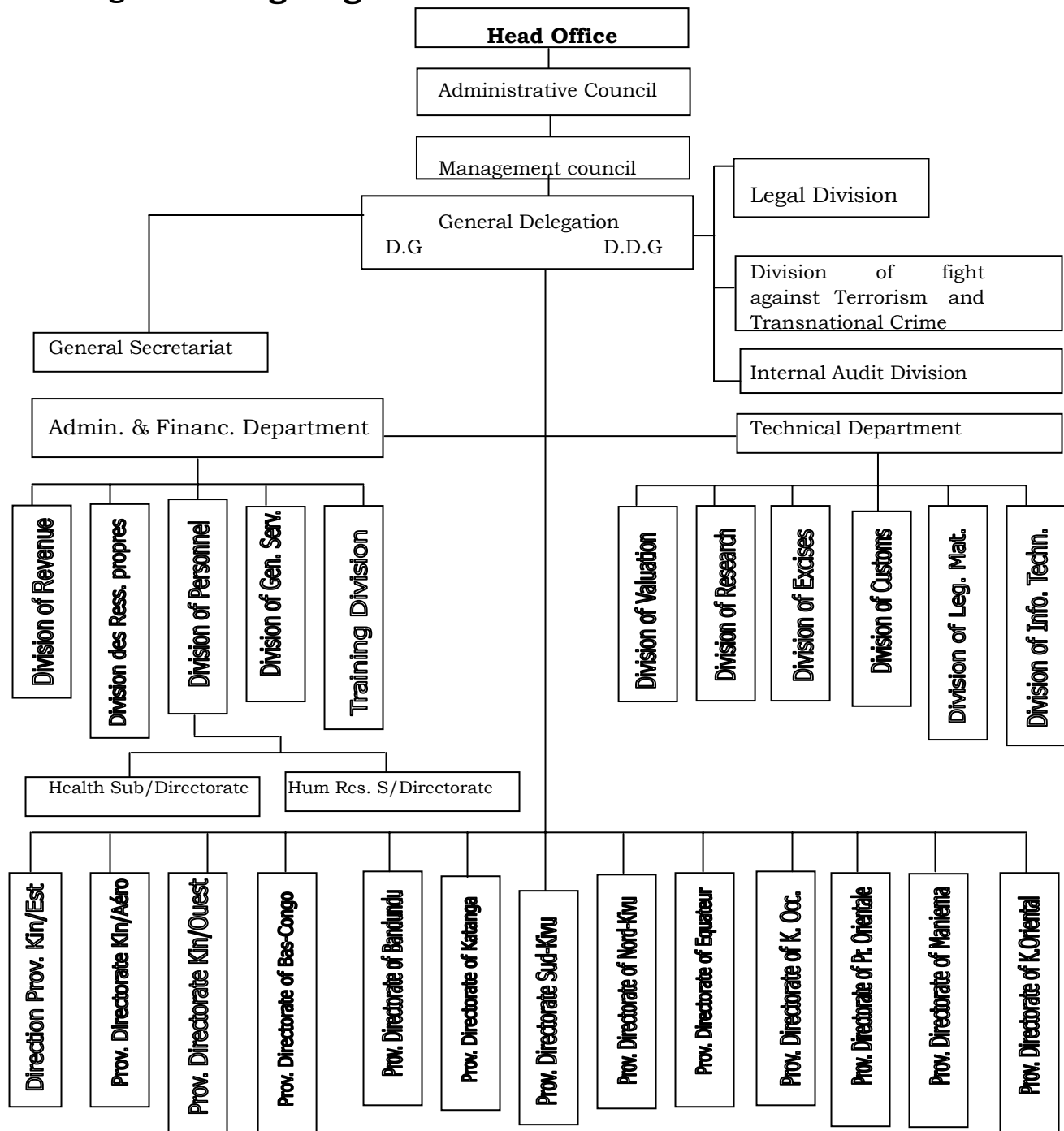
The goal of public service is to promote civility, as it finds the most economic and responsive means of applying government resources to achieve publicly determined ends, to enable citizens to realize their best potential in a good, just, and democratic society (Mansbridge, 1994:64). In this context, it can be said that the function of OFIDA is more concerned with the provision of customs services which are adequate, responsive and appropriate to the community, so that it can better protect and regulate economic activities for the betterment of all (OFIDA, <http://www.minfinrdc.cd/> 06 July 2005). The missions have been outlined in the introductory chapter, thus the next section analyses the organizational structure of OFIDA.

ORGANIZATIONAL STRUCTURE OF OFIDA

Yin *et al.* (1977) define organizational structure as a framework within which a common set of expectations that are established with respect to governance, staff composition, decision-making, roles, tasks and routines involved in the execution of an organization's mission. Ullrich & Wieland (1980:39) describe organizational structure as a network of formally, deliberately planned and implemented relationships existing among the positions in an institution. Organizational structure is commonly manifested as a hierarchy, consisting vertically, of different levels of authority, and horizontally of different units such as branches, divisions or sections. However, in the process of bringing together the different parts, a structure of relationships is created and the whole expanse of work to be done is thus divided. The result is that an organizational (or institutional) structure is established (Bhambri, 1975:40). Large organizations are almost universally hierarchical in structure. This

implies that they are divided into units which are subdivided into smaller units, which are, further, subdivided, and so on (Pugh, 1971:202). Nevertheless, the structure of OFIDA consists of the Head Office, structured in 14 Central Directorates, called 'Divisions', and 10 Provincial Directorates that comprise many customs offices. The Head Office is co-ordinated by a General Secretary which supervises all the activities of the office (<http://www.minfinrdc.cd/> 06 July 2005). Figure 4.1 details the organogram of OFIDA.

Figure 4.1 Organogram of the Head Office of OFIDA



Source: Division of Information Technology (OFIDA)

LEGEND:

Admin. & Financ. : Administrative and Financial
 DG : Director General
 DDG : Deputy Director General
 Dept. : Department
 Gén. Serv. : General Services
 Info. Techn. : Information Technology

Leg. Mat. : Legal Matters
 Prov. : Provincial
 Pr. : Province
 K. Occ. : Kasai-ccidental
 K. Oriental : Kasai – Oriental

As in the case of France and Belgium, the Congolese customs administration utilizes:

- central services with functional competency at the national level (these services include: human resources and logistics, regulations, litigation or legal services, tariff studies, and so on) in the form of a Directorate or General Delegation, established within the Head Office of OFIDA, situated in Kinshasa.
- external services, which have geographical and functional competency, extend to a part or a portion of the territory that corresponds, generally, to the administrative limits in terms of regions, provinces and districts. This explains the existence of 14 central directorates or divisions at the Head Office and the existence of 10 Provincial Directorates at national level.

The organizational structure of OFIDA at the territorial level was inherited from the colonial period, and copied from the French and Belgian models. As a result, the DRC's capital city, Kinshasa, is not central when compared to its national borders. The liaison between central and external services is complex and presents many challenges. For Thambwe-Mwamba (1996:27), this context characterizes a critical issue that requires important logistical factors because he believes that it is not obvious that the actual arrangement of customs administration is the best possible organization structure that may exist. With 10 provinces, in addition to the capital city, the DRC is the third largest country on the African continent it extends over 2345 square kilometers. The country is situated in Central Africa and has nine bordering nations: Angola, Zambia, Tanzania, Burundi, Rwanda, Uganda, Sudan, Central African Republic and Congo/Brazzaville. This strategic geopolitical position on the continent needs to be exploited. To benefit from this

opportunity, the country will need to establish a customs administration that is well structured and well managed.

According to McKinney & Howard (1998:21), organizations are essential to modern life, they are created to solve problems, but they are mirrors and are limited by culture, replicating ‘the kinds of available roles, skills, beliefs, values and institutions that shape the behavior of people’. Government has become the single most important system of organization; it helps to do those things we cannot do for ourselves, it also tells us what we may or may not do. In 1950, Leonard D. White (1950:185) observed that the life and spirit of an organization does not spring from its structure. Quality depends on the motivations that energize (or paralyze) staff. They derive, in large measure, from the character of the leadership. Gold-Smith in Hope (2002:87-96) states that good leadership and good governance are imperatives in Africa because they would provide the means and represent the realm through which good policies can be implemented in the national interest. It should be quite well understood that a well-functioning bureaucracy can help to improve the efficiency with which resources are allocated and promote growth and poverty reduction by providing sound policy input and delivering critical public goods and services in a cost-effective manner (Gardner, 1990:1). Under these circumstances, sound leadership is needed in the management of OFIDA for the reason that it is only through good leaders that the organizational development can be achieved. Then, OFIDA will provide customs services in an effective and efficient manner and it will be able to acquaint itself to new ways of doing things, adapt to new procedures and markets, and definitely cope with the challenges that characterize the ever changing environment of the global economic system. After all that has been said about OFIDA and its organizational structure, the next section looks at the operations of OFIDA.

OPERATIONS OF OFIDA

The operations of OFIDA consist, predominantly, of providing customs services which can be done, only by following the customs procedures. This section briefly examines customs procedures in order to analyze the standard measures and the customs valuation standards.

Customs Procedures

Customs procedures include all the operations that take place when goods enter or exit a territory. This section, therefore, discusses customs processes or operations. These processes are briefly discussed below.

Inward report of aircraft, vessels and vehicles

The basis of customs accounting for imported goods is the inward report or manifest of the carrying aircraft, vessel or vehicle. That report must be submitted within a specified time, after the carrier arrives. The owner or agent of the carrier is responsible for all goods reported, until they have been made the subject of a customs declaration or entry and that entry has been duly processed, and the goods are released from customs control (United Nations, 1977:6-7). In the context of the Democratic Republic of the Congo, Article 2 of Decree of 29, January 1949 states that goods may not enter the territory of the DRC (or depart from) except when it is in accordance with the rules established by the Department of Finances.

Article 4 of the same Decree states that the transporter must bring to the customs office, at arrival or departure, a certified copy which matches the manifest (list of goods transported) or any other document regarding

the transportation of the cargo. This obligation complies with the Bill of Lading. In Article 5 section 2, the Decree stipulates that the model and conditions of utilization as well as validity of a declaration are fixed by the Minister of Finances. In this case, a customs declaration may be described as a customs printed form in which an importer, generally acting throughout his/her broker, declares all the information regarding his/her cargo.

There are more models of customs declarations than there are customs regimes. These models of declarations are grouped according to a customs regime. For example, there are four customs regimes, namely: import, export, transit and warehousing (W'issanganino, 2004:11). The declaration of the cargo to the customs office is an important step in that it allows the launch of customs processes and assists the customs office to track the entry or the departure of goods. This shows how the inward report characterizes a prerequisite condition in dealing with the customs services. Before looking at the next step in the process, it is important to look at the people that are engaged in the process of customs duties payment.

Persons involved in the payment of Customs Duties

Customs entries can be made, either, by the owner of the goods or by an agent or broker licensed by customs for the purpose and duly authorized by the owner of the goods (United Nations, 1977:8). Generally, any person who imports goods can engage in the process of customs duties payment. Often it may be the owner or more usually the transporter who engages in this process. In many cases, customs procedures seem to be too complex for the importer to handle them. Therefore, importers do prefer to assign this task to experts, who are called customs brokers.

In the DRC, the legislation gives customs brokers a true legal monopoly for the reason that only personal luggage and individual vehicles are allowed to be carried out by their owners, but matters associated with any other category of goods need to be handled by customs brokers, who may be public or personal.

Customs entry requirements

The customs entry forms require the person declaring the goods to give the following details:

- a) The names and addresses of the declarer, the importer and the consignor;
- b) The method of transport and identification of the carrying aircraft, vessel or vehicle;
- c) The country in which the goods originated and the place from which they were consigned;
- d) The description, numbers, marks and weight of the packages;
- e) The commercial description and quantity of the goods;
- f) The tariff classification and rate of duty applicable to the goods;
- g) The statistical classification of the goods (United Nations, 1977:7).

Customs procedures start when the importer or his/her broker presents a declaration which is acceptable. For example, a declaration does not have any meaning for the customs services because it has not yet been accepted. As soon as the declaration is approved it is then that the owner or the broker bears his/her responsibility *vis-à-vis* the customs services.

The next step in customs operations consists of customs examination of goods.

Customs examination of goods

Entries that are duly passed are sent by customs agents to a place in which goods are landed. There customs agents will selectively examine the goods in the presence of the owner or his/her agent to check, by physical inspection, the accuracy of the entry declaration in respect of kind, quantity, tariff classification and so on. The customs right of examination must include the power to take and test samples of the goods. The expenses of unpacking, repacking and providing specialized facilities for examination must be borne by the importer (United Nations, 1977:9). This is an essential step of customs control in that it assists the customs services in testing the veracity of the declaration so that they can proceed to the physical verification of goods and then impose the duty which is due.

Application of duties

In the case of goods for home consumption, import duties are liable in accordance with the tariff applicable at the time of entry. In the case of post parcels, the tariffs are liable at the time of assessment by customs. When goods are entered before the arrival of the aircraft or vessel in which they are imported, the rate of duty in force is applied when the aircraft or vessel arrives. Export duties are liable in accordance with the laws relating to such duties and are normally payable at the rates in force when the aircraft or vessel departs from the port or place of exportation; or in the case of postal goods, at the time of posting (United Nations, 1977:13). When a declaration complies with these requirements, it is then that customs duties must be paid. After the payment of duties, the customs receiver delivers a proof of payment and

an acquitted copy of the declaration to broker in order for him/her to release the cargo from customs territory. In the case of a declaration which is not accepted by the customs office, dispute may arise. Dispute takes place when the declaration made by the owner or the broker does not match with the report of verification made by the customs agent. In this case, there is a provision for dispute settlement.

Disputes arising from the application of duties and the like

Customs laws must provide a procedure for dealing with disputes over the duty payable or the amount of drawback or other refund that may be claimed (UN, 1977:15). In the context of OFIDA, competency, in terms of legal matters, is generally defined with reference to the compromised duties. For small amounts, the customs Regional or Provincial Director resolves the infraction by fining the broker. When the infraction involves a large amount of money, the customs Chief-Director or the Minister of Finance will intervene and settle the dispute. When the offending broker refuses to pay what he/she owes to the customs services, the matter is then referred to the Courts with reference to the provision of laws, which are applicable in the country.

Standard Measures

Since the end of World War II, the world trade environment has changed in various ways. This change has occurred so that a country can no longer afford to isolate itself from the world. Exchanges between countries are increasing and are becoming more complex. As a result, the international community has drawn up norms and standards, in order to regulate world trade. The DRC has adhered to most of these international agreements, by signing treaties and conventions on regional

and international levels, particularly in the context of the United Nations Conference on Trade and Development (UNCTAD), the General Agreement on Trade's Tariff (GATT) now the World Trade Organization (WTO), The World Customs Organization (WCO), the Common Market for Eastern and Southern Africa (COMESA), and the Southern Africa Development Community (SADC), and so on.

The Brussels Tariff Nomenclature (BTN)

The majority of customs duties are levied on an *ad valorem* basis as a percentage of the value of the goods, this demands an equitable, uniform and readily applied system for the valuation of goods for customs purposes. Various systems of valuation have been employed by different countries, such as systems based on domestic value in the country of origin, on physical appraisal of value in the country of importation, or simply on the price paid by the importer.

In order to meet the need for a uniform, comprehensive and systematic tariff classification with common and precise methods of interpretation, the Customs Co-operation Council (CCC) has devised and incorporated at an international convention, a tariff classification known as the Brussels Tariff Nomenclature (BTN). This classification is now used by more than 120 countries, it enables them to converse in trade and tariff matters in a common tariff language with the assurance that, by reference to the BTN classification, commodities under discussion are defined in exactly the same terms in all participating countries (United Nations, 1977:19, 22). Nevertheless, the Congolese tariff system is expressed in terms of *ad valorem*. This latter has been used to a large extent since the independence of the DRC. Thus far, the tax *ad valorem* characterizes a critical tool that allows the collection of customs duties in

the country. For example, the tariff is a legal document that lists applicable rates in terms of imposing customs duties and taxes. OFIDA imposes a tariff of duties and taxes on import instituted by the legislation Nr 002/03 of 13 March 2003, and it has a tariff of duties and taxes on import introduced by the legislation Nr 003/03 of 13 March 2003. This legislation stipulates, for example, that the customs value is the duty that is levied in order to apply the tariff concerning matters of import duties and taxes. The purpose of this charge is to ensure the accurate collection of import duties and taxes, to fight unlawful concurrence and to effectively protect the national industry. In the context of OFIDA, the standards of duties consist of five per cent (5 %) duty imposed on selected equipment supplies and a fifty per cent (50 %) duty charged on luxury goods.

Customs Valuation Standards

In the Democratic Republic of the Congo, customs valuation standards are established in terms of the transactional method of valuation for imported goods. This particular method assists in determining the customs duty on the basis of the price paid on imported goods, or on the basis of the charge to be paid in the customs territory of the DRC. The requirement is that the imported goods must have been previously sold in the country. The effective cost paid, or to be paid, must be adjusted according to the calculation system of the base of imposition which is either CIF or CAF. For example, when the customs valuation is not determined on the basis of transactional valuation, there are some alternative methods that can be applied in a successive order.

These methods are as follow:

- a. Transactional method of valuation for identical imported goods;

- b. Transactional method of valuation for similar imported goods;
- c. Method of retroactive or deductive valuation;
- d. Method of the calculated value;
- e. Method of valuation through reasonable means or method of last option (OFIDA, 2003: 2-3).

When opportunities that abound in the DRC are considered, it is then that the need of disposing of a development-oriented valuation system becomes obvious. In the context of the Democratic Republic of the Congo, in which opportunities for business and trade abound, it is critical to adopt a valuation system which will respond to the needs and expectations of traders and above all, respond to the requirements of the internationally recognized standards. As a result, customs services will become more affordable. Then, the country will be able to create a friendly business environment that can contribute to the expansion of the economy and bring to it, economic development. Consequently, the country will be able to play a meaningful role in the process of regional integration and support the ideology of African Renaissance which is a primary feature of the African Union (AU). This will create an environment supportive to the concept of New Partnership for Africa's Development (NEPAD) and will enhance conditions for economic development and growth throughout exchanges and strong trade relationships. The following section of this chapter is devoted to the analysis of the evasion of customs duties which is amongst the major challenges that hinder OFIDA's effective operation and thus maximizing its revenue.

EVASION OF CUSTOMS DUTIES

Evasion of customs duties involves fraudulent practices, which weaken the effectiveness of customs administration. These practices occur, basically, through the following means: misclassification; underreporting of magnitudes; understating the value; misstatement of country of origin; smuggling and so on (Due, 1970:49). In the DRC, the difficulty in the collection of customs duties is amplified by the fact that business people who commit fraud are, in many cases, assisted by public servants. This situation is amplified by the large number of customs agents, at the borders when there is insufficient reason to have them posted there. This paves the way to facilitate fraud in the provision of customs services (Thambwe-Mwamba, 1996:119). As a result, customs and fiscal fraud are among the almost natural activities conducted by business people and customs agents, this is due to their support of other. In these cases, the state has the duty of establishing structures and mechanisms that will be able to prevent and combat this unethical behaviour in the provision of customs services. It is the responsibility of the customs administration to fight all kinds of customs evasion.

Although trying to combat customs fraud and contraband is a major preoccupation of OFIDA, thus far, mechanisms made available appear to be ineffective in the sense that taxpayers are still able to find ways of participating in fraudulent imports or exports. This is the result of the fact that OFIDA, whose duty is to combat fraud, is not well enough equipped; while customs agents are not sufficiently motivated to perform their duties. Instead, they are attracted to enabling this unethical conduct to take place. When one considers the existing legislation, it can be said that it is essential for OFIDA to take corrective measures and act in order to change the trends and pave the way for customs officials and

agents to commit themselves to the attainment of the organization's objectives, by showing a high standard of professional ethics. In spite of the challenges faced by OFIDA, the organization is striving to achieve its missions in the DRC. The next section will discuss the role of customs revenue in the Congolese economy.

THE ROLE OF CUSTOMS SERVICE IN THE ECONOMY

Customs duties offer, to a developing economy, several advantages of particular importance in the earliest years of development. These advantages can be outlined as follow (Due, 1970:28-29):

1. Customs duties provide a technique for attaining the objectives of indirect taxation that is administratively more feasible initially than domestic taxes.
2. Customs duties are particularly effective devices for accomplishing a major objective for economic development: restriction of imports of consumption goods, particularly those of a 'luxury' nature, and of capital goods not regarded as significant for economic development.
3. By varying the rates of duty on different types of capital goods, the government can use the customs system to influence relative investment in various lines of industry in conformity with the development plan.
4. At the same time, by discouraging importation of the taxed goods, the duties encourage import substitution, the establishment of domestic industries to produce the high duty products, if the duty equals or exceeds the cost differential between domestic and

foreign production, given the exchange rates. Such protective effects may conform to overall development plans. As subsequently noted however, they may also be undesirable.

5. Finally, in a developing economy customs revenue meets accepted standards of equity to a reasonable degree, far more so than in highly developed countries. So long as most goods consumed by the higher income groups but not by the lower are imported, a duty on all except basic necessities (most which may be domestically produced anyway) is likely to be the most effective way of placing a heavier burden on the higher income groups.

The magnitude of customs revenue in the economies of developing countries, such as the DRC, is no longer to demonstrate because of the extraversion nature of its economy. For example, customs revenues contributed more than 30 per cent of the overall income of the Congolese government between 1989 and 1990. This was estimated to amount 400 million US dollars a year (Thambwe-Mwamba, 1996:20). This should encourage the belief that customs revenue can provide the necessary funds to finance economic development and growth in the country. This implies that customs revenue can transform the determinants of economic development and thus provide resources for the support of governmental actions. As a result, the government of the Democratic Republic of the Congo will stop asking for international aid and loans because it will be able to maximize its sources of income and use the resources efficiently to promote development. And then, the DRC will end up creating an environment that attracts investment, revitalizes the economy and enhances the welfare conditions of all its citizens.

However, Table 4.1 lists the main trading partners of the Democratic Republic of the Congo, while table 4.2 furnishes the volume of imports and exports. The contribution of customs revenue in the economy is outlined in table 4.3.

Table 4.1: DRC's Main Trading Partners

Main Trading Partners (US\$ m)						
	1994	1995	1996	1997	1998	1999
Exports to:						
Belgium-Luxembourg	590	629	634	553	623	724
United States of America	180	249	239	277	164	216
South Africa	100	101	119	108	0	0
Italy	86	142	74	48	42	34
Germany	33	59	62	42	0	0
India	0	28	34	38	37	39
Finland	0	9	22	29	45	46
Imports from:						
South Africa	108	214	241	220	214	145
Belgium-Luxembourg	152	209	228	136	143	104
Nigeria	52	51	57	64	66	66
Hong Kong	67	45	37	42	0	0
United States of America	44	85	81	42	37	23
Kenya	0	45	37	42	32	34

Sources: IMF, *International Financial Statistics* (1994)

IMF, *Direction of Trade Statistics* (1995-1999)

In light of this table, it can be said that from 1994 to 1996 exports and imports were on the increase, but in 1997, both exports and imports suddenly decreased. The reason is that 1997 characterizes a period of great political instability in the DRC. The rebel forces of Laurent Désiré Kabila were fighting against the dictatorial power of Mobutu Sese Seko. Nevertheless, the country is again benefiting from exchanges with its partners in the international community. Prospects for import and export abound and the country can benefit from both imports and exports. As

soon as peace and political stability are restored in the DRC, the country will be able to benefit significantly from its opportunities for business and its wealth in natural resources.

Table 4.2: Volume of Exports and Imports in Democratic Republic of the Congo

Foreign Trade by Value (US\$ m FOB)				
	1997	1998	1999	2000
Exports of which:	1,389.80	1,051.60	749	685.2
Diamonds	693	521.5	521	439.5
Copper and Cobalt*	716.6	195.9	59.7	107.5
Petroleum	168	123.7	115.9	141.3
Coffee	253.1	113.3	91.2	32.3
Gold	10.9	1.6	0.1	0
Imports of which:	807.4	546.3	568.2	595.9
Consumer Goods	294.8	241.7	188.6	267.4
Machinery	129.4	99.5	79.6	109.2
Energy Products	156.3	93.3	89.2	59
Raw Materials	103.7	63.7	94.9	69.4

Sources: IMF, *International Financial Statistics*, Central Bank of Congo (1999-2000)

*Gécamines production only.

In the above table, the importance of trades and exchanges between the DRC and its partners is noted. For this reason, a deduction can be made, that the DRC earns more from exports and spend less on imports. However, the decline of both imports and exports from 1998 is the result of the aggression that the country fell victim to, from neighboring countries. These circumstances hinder the country's ability to maximize its revenue and thus, paralyzing the economy, because of the illegal activities that are taking place in detriment of the controlled actions of the government. For example, the decline in the export of mineral resources such as gold, diamonds, copper, and so on is the result of

massive looting of these mineral resources, this is particularly due to smuggling and illegal sales that are taking place in the DRC.

Table 4.3: Evolution of Customs Revenue in Budgetary Income from 1995 to 1997 (Millions of Congolese Franc ‘CF’)

Names of Organizations	1995		1996		1997	
	Budgetary Plan	Obtained Income	Budgetary Plan	Obtained Income	Budgetary Plan	Obtained Income
1. Customs	353,035	808,023	3,477,837	5,227,925	-	14,369.80
2. Taxes	264,925	547,479	2,370,044	3,637,522	-	13,325.60
3. Gécamines	174,930	252,164	840,000	2,852,013	-	-
4. Miba	102,820	-	360,231	-	-	-
5. Oil Producers	194,876	326,635	1,428,182	2,254,961	-	6,511.20
6. Oil Distributors	168,635	138,080	1,626,234	890,550	-	375.78
7. DGRAD	-	-	1,162,739	825,399	-	2,968.00
8. Others	496,346	47,878	-	-	-	2,813.30
Total Income	1,755,567	2,120,259	11,265,267	15,688,370	-	13,325.60
Customs Contribution (%)	100%	38.1 %	100%	33.3 %	100%	36.5 %
Other Sectors Contribution (%)	100%	61.8 %	100%	66.6 %	100%	64.4 %

Sources: Ministry of Finances, Directorate of Treasury and Central Bank of Congo

A careful look at the above table allows on evaluation of the importance of the contribution of customs revenue in the Congolese economy. Customs revenue distinguishes itself from other sectors, in terms of its substantial contribution. For example, between 1995 and 1997, customs revenue alone contributed for 38.1%, in 1995; 33.3% in 1996; and 36.5% in 1997. In terms of public budgetary income, this represents approximately the half of the contribution of all the other sectors of the economy together. With an average of 35% each year, customs revenue did play and continues to play a key role in government revenue.

Although customs revenue contributes substantially to the budgetary income, it is essential to bear in mind that OFIDA is not yet realizing its full potential. More can be done and achieved, especially when taking cognizance of the opportunities that abound in the country. It is therefore imperative to revitalize customs services and allow OFIDA to develop and improve its activities so that it can play a more consistent role in the Congolese economy, and then uphold the means to effectively support the reconstruction programmes that are taking place in the country.

CONCLUSION

This chapter emphasized the profile, the organizational structure, and the operations of OFIDA. An analysis of the establishment of OFIDA was of critical importance, it helps to understand how the organization operates. The purpose of this was to break ground in the examination of the organizational structure of OFIDA. This chapter has also covered the operations of OFIDA and it examined the evasion of customs duties, which constitutes one of the most important challenges, which hinder OFIDA's ability to maximize its revenue and to operate effectively in the provision of customs services in the DRC. To cope with this challenge, the study advises that OFIDA takes corrective measures and acts effectively so that it can bring about the reforms and changes which will pave a way for customs agents and officials to become motivated to do their job, and enable them to do it with a high standard of professionalism. Through the analysis of the role of customs revenue, it was noted that OFIDA is still playing a significant role in the economy despite the current environment in which OFIDA functions. The magnitude of the role played by customs revenue in the Congolese economy was tabled in Table 4.3. An assumption made in this chapter,

was that although OFIDA is contributing substantially to the economy, it is not yet operating up to standard. Therefore, there is a need for this organization to be revitalized so that it can work up to standard and thus maximize its revenue. Chapter Five therefore analyzes the performance of OFIDA in the provision of customs services reporting on the empirical study which was conducted in September 2005.

CHAPTER FIVE

THE PERFORMANCE OF OFIDA IN THE PROVISION OF CUSTOMS SERVICES IN THE DEMOCRATIC REPUBLIC OF THE CONGO

INTRODUCTION

As stated in the previous chapter, the magnitude of customs revenue in the economies of developing countries, such as the Democratic Republic of the Congo, is no longer demonstrable because of the extraversion nature of its economy. However, globalization has brought to the world economy, a powerful phenomenon of global integration that manifests itself through the increase in flow of international goods and services, funds, foreign direct investment, trade in proficient services, and through the establishment of new networks of information in the world (Tshibwabwa Bwana, 2003:1). As a result, in all regions of the world, endeavors are guided towards economic integration at regional and international levels. The main issue is the role that customs services will have to play in the ever changing environment of the world. In this context, customs services should shift from playing a fiscal role to playing a more economic role. This requires developing countries, particularly the DRC, to change from a fiscal concept and focus on the economic function of customs services.

This chapter is devoted to the investigation of the effectiveness of OFIDA in the provision of customs services in the Democratic Republic of the Congo. This will be done through the analysis of the report of the empirical research of this study. In terms of the empirical study, a questionnaire was elaborated on in order to investigate the perceptions of

customs officials and agents at OFIDA/DG on the performance of their organization in the attainment of its missions. Nevertheless, the efficacy of OFIDA in the provision of customs services can be measured only in terms of its ability to achieve its fiscal and economic missions.

ANALYSIS OF DATA

Table 5.1: Question 1: I understand the vision and missions that guide the activities of OFIDA

Value	Frequency	Per cent	Cum Per cent
1.00	1	3.0	3.0
2.00	0	0	3.0
3.00	8	25.0	28.0
4.00	23	72.0	100.0
Total	32	100.0	

Source: Interview/questionnaire completed in September 2005 at OFIDA/DG.

The majority of respondents (97%) have agreed with the assertion that they understand the vision as well as the mission that guides the activities of OFIDA, while only 3% strongly disagree. Taking into account the majority of respondents, it is important to note that most customs officials and agents know precisely the aims of their organization.

Table 5.2: Question 2: I know the standard of services that customers expect from OFIDA

Value	Frequency	Per cent	Cum Per cent
1.00	3	9.4	9.4
2.00	1	3.1	12.5
3.00	16	50.0	62.5
4.00	12	37.5	100.0
Total	32	100.0	

Source: Interview/questionnaire completed in September 2005 at OFIDA/DG.

The majority of employees at OFIDA/DG do not only understand the aims of their organization, but they also know the standards of services that customers expect from them. For example, 87.5% of respondents believe that they know the standards of services, while 12.5% of respondents disagree. This is an important step in terms of service delivery because employees are knowledgeable of what is expected from them. In this context, OFIDA needs to motivate employees in the performance of their tasks, enhance their work conditions, and monitor them so that they can serve their customers with dedication and courtesy.

Table 5.3: Question 3: I know exactly what is expected of me according to service delivery standards of quality, quantity, time and cost

Value	Frequency	Per cent	Cum Per cent
1.00	2	6.0	6.0
2.00	5	16.0	22.0
3.00	6	19.0	41.0
4.00	19	59.0	100.0
Total	32	100.0	

Source: Interview/questionnaire completed in September 2005 at OFIDA/DG.

Despite the fact that the majority of employees were not involved in the setting of standards, 78% of respondents acknowledge that they know what standards of service customers expect from them. 22% of respondents do not agree with the statement. Because the majority of employees acknowledge that they know the standards as well as what their organization expects from them, it shows that the internal communication channel is well established within OFIDA.

Table 5.4: Question 4: I was involved in the process of setting the standard of services

Value	Frequency	Per cent	Cum Per cent
1.00	25	78.1	78.1
2.00	2	6.3	84.4
3.00	4	12.5	96.9
4.00	1	3.1	100.0
Total	32	100.0	

Source: Interview/questionnaire completed in September 2005 at OFIDA/DG.

The majority of respondents (84.4%) are of the view that they were not involved in setting standards of customs services, while 15.6% of respondents agree with the statement. However, in setting standards, both, employees and customers have to be involved in order for the implementation phase to be successful. Measures have to be determined for the monitoring of these standards, as well as the frequency with which and manner in which the standards will be measured. Standards listed should reflect priorities indicated by customers during the process of consultation (Dodoo, 1997:119). This is to say that the success in service delivery depends largely on the extent to which employees participate in the process of setting standards, and views of customers considered. However, employees as well as customers can be approached by the way of consultation and/or negotiation.

According to Van Staden (2005) consultation in public policy is often the result of a mixture of negotiations, convincing and orders or directives. He adds that public policy concerning a specific issue need not to be the result of a once off conscious policy-decision but should be the result of a

practice that becomes institutionalized over a period of time. It can take place within the framework of applicable legislation and decisions, and later when a decision of the applicable authority is legitimized. Van Staden (2005) asserts that negotiation takes place in order to enhance the acceptance of the legislation encompassing the policy and in so doing creates an enabling framework for the implementation of the policy with less negative political results if it rests on consensus. In this context, one can say that consultation and negotiation are important factor which assist all stakeholders particularly the employees to abide a policy and then, to accept it as their own, and then strive to give the best of themselves during the implementation phase.

Table 5.5: Question 5: All our customers are aware of what services we deliver and how to proceed about accessing them

Value	Frequency	Per cent	Cum Per cent
1.00	7	22.0	22.0
2.00	11	34.3	56.3
3.00	11	34.3	90.6
4.00	3	9.4	100.0
Total	32	100.0	

Source: Interview/questionnaire completed in September 2005 at OFIDA/DG.

At a glance, this table shows that the opinion of those who agree and those who disagree to a certain extent is equivalent (34.3%). The majority of respondents (56.3%) do not agree that customers know the exact standard of services they expect from OFIDA and how to access those services. 43.7% of respondents think that customers know the standards

of services and how to access services. Considering these responses, one can say that there is a concern with the external communication channel despite the fact that the internal one is effective.

Nevertheless, Pricewaterhouse Coopers 2000/2001 in Crous (2002:95) asserts that standards have to be publicized ensuring that they are made available to all customers on a regular basis. Monitoring instruments should clearly indicate which standards are not being met and assist in providing reasons for this, so that a department can be able to explain poor performance or dips in performance to its customers. In terms of changes that occur regularly in the sector of customs services, OFIDA needs to set up a communication system which is effective in order to keep customers in touch with any review or adaptation of procedures so that they can know what to expect when dealing with the customs administration. Publishing procedures internally and externally is an important factor that can help in improving service delivery since it assists employees and customers to know what is expected of each of them in the matter of customs services. It is significant to say that OFIDA distributes a customs review called 'Révue des Douanes Congolaises' (Congolese Customs Review). This review is published on an annual basis and it represents an important tool that, if well managed, can create an effective communication system.

Table 5.6: Question 6: The executive team does meet formally, on a regular basis, to discuss strategic issues in order to come up with solutions that will have to be cascaded down to employees for implementation

Value	Frequency	Per cent	Cum Per cent
1.00	4	12.5	12.5
2.00	1	3.1	15.6
3.00	15	46.9	62.5
4.00	12	37.5	100.0
Total	32	100.0	

Source: Interview/questionnaire completed in September 2005 at OFIDA/DG.

84.4% of respondents agreed that customs officials do meet on a formal basis to discuss strategic issues. 15.6% of respondents do not agree with the statement. The majority of respondents who agree indicate that decision makers of OFIDA are aware of the ever changing environment within which their organization operates. The provision of customs services being constantly influenced by the evolution of international trade agreements and conventions, it is important for the management systems of OFIDA to meet regularly so that they can think strategically for the future of their organization.

Table 5.7: Question 7: The process of restructuring OFIDA will assist this organization to make best use of its resources

Value	Frequency	Per cent	Cum Per cent
1.00	13	41.0	41.0
2.00	10	31.0	72.0
3.00	7	22.0	94.0
4.00	2	6.0	100.0
Total	32	100.0	

Source: Interview/questionnaire completed in September 2005 at OFIDA/DG.

72% of the respondents do not think that the process of restructuring OFIDA has orchestrated the best use of resources, while 28% of them believe that it did. For any organization to be effective in the attainment of its objectives, it has to go through reforms on a regular basis. Restructuring the operations of OFIDA intended to bring about changes in the way OFIDA operates so that it may perform effectively and become competitive. In most cases, reforms benefit organizations in terms of effectiveness, but they do not always bring benefits for employees (it can result in retrenchments, reduction of advantages, and so on). Nevertheless, the majority (72%) of respondents who disagree with the statement indicates the employees' fear for the future as well as the resistance to change. It is the task of top management to ensure that reforms will be beneficial to all and ensure the future of employees.

Table 5.8: Question 8: The one stop counter is a step towards the improvement of customs services delivery

Value	Frequency	Percent	Cum Per cent
1.00	3	9.0	9.0
2.00	4	13.0	22.0
3.00	15	47.0	69.0
4.00	10	31.0	100.0
Total	32	100.0	

Source: Interview/questionnaire completed in September 2005 at OFIDA/DG.

78% of employees believe that the one stop counter is a step towards the improvement of customs services delivery, while 22% do not agree with the statement. A one stop counter in the provision of customs services is about regrouping all the services in one building, that are involved in the collection of customs duties. However, concentrating all services in one place is a step towards improving customs services delivery since it assists OFIDA in providing speedy services and keeping away traders from wasting time by having to visit the different offices which were often separated by long distances. It has also assisted the office by preventing fraud and other forms of unethical conduct.

Table 5.9: Question 9: Customs legislation is oriented towards the improvement of our services

Value	Frequency	Per cent	Cum Per cent
1.00	3	9.0	9.0
2.00	6	19.0	28.0
3.00	11	34.0	62.0
4.00	12	38.0	100.0
Total	32	100.0	

Source: Interview/questionnaire completed in September 2005 at OFIDA/DG.

72% of employees are of the view that customs legislation is oriented towards the improvement of services at OFIDA, while 28% of respondents disagree. The percentage of those who have agreed shows that OFIDA is committed to developing policies that assist in developing improved procedures and complying with international standards and norms. This will help the organization provide customs services, which are of excellent quality. The main issue here is with the implementation phase, which can create problems.

Table 5.10: Question 10: The practice of job related training of customs agents is regularly applied at OFIDA

Value	Frequency	Per cent	Cum Per cent
1.00	13	41.0	41.0
2.00	10	31.0	72.0
3.00	7	22.0	94.0
4.00	2	6.0	100.0
Total	32	100.0	

Source: Interview/questionnaire completed in September 2005 at OFIDA/DG.

72% of the respondents do not agree with the statement that the practice of job related training of customs agents is regularly applied at OFIDA, while 28% of respondents think that it is regularly applied. Although most of customs agents come from the National School of Finances (Ecole Nationale des Finances 'ENF'), which falls under the responsibility of OFIDA, there is no regular evaluation of the performance of employees. In this context, it is vital for OFIDA to train its employees on a regular basis so that they can adapt themselves to new procedures and technologies, and be able to cope with any change in terms of customs administration.

Table 5.11: Question 11: My wage motivates me to perform my duties with efficacy

Value	Frequency	Per cent	Cum Per cent
1.00	14	44.0	44.0
2.00	9	28.0	72.0
3.00	6	19.0	91.0
4.00	3	9.0	100.0
Total	32	100.0	

Source: Interview/questionnaire completed in September 2005 at OFIDA/DG.

72% of respondents believe that their wages do not motivate them to perform their tasks with efficacy, while 28% of respondents agreed that wages do motivate them. The respondents that do not agree affirm the assumption that, in the public sector, employees' incomes, in most cases, fall below subsistence level. As a result, there is low performance in the provision of public services, while the way is paved for unethical behaviour to take place. Nevertheless, considering the fact that customs agents are often tempted to take bribes, or to practice other forms of corruption, it is important to provide them with incentives so that they can find satisfaction in their work and then perform their duties effectively. This is to say that excellent remuneration will end-up enhancing the ability of employees to perform their tasks with high professional standards and consequently, this inducement will promote ethical conduct in the provision of customs services.

Table 5.12: Question 12: The conduct of officials and agents of OFIDA articulates the necessity of providing efficacious customs services

Value	Frequency	Per cent	Cum Per cent
1.00	5	16.0	16.0
2.00	10	31.0	47.0
3.00	10	31.0	78.0
4.00	7	22.0	100.0
Total	32	100.0	

Source: Interview/questionnaire completed in September 2005 at OFIDA/DG.

The views of those who agree and those who do not agree to a certain extent with the above statement are the same (31%). However, 53% of respondents agreed that the conduct of officials and agents of OFIDA is a key factor in articulating the necessity of providing efficacious customs services, while 47% of employees disagree. The close gap between those who agree and those who do not demonstrates the existence of an ethical dilemma within OFIDA. According to Sinclair (1993:910), professionalism refers to being competent, efficient, masterly and qualified. For example, an efficacious service delivery at OFIDA requires customs officials to display a high standard of professional ethics and being committed to their work for professionalism is basically concerned with the ability of doing well the assigned duty.

Table 5.13: Question 13: Political instability is a key factor that hinders OFIDA to maximize its potential

Value	Frequency	Per cent	Cum Per cent
1.00	2	6.0	6.0
2.00	5	15.6	21.6
3.00	6	19.0	40.6
4.00	19	59.4	100.0
Total	32	100.0	

Source: Interview/questionnaire completed in September 2005 at OFIDA/DG.

78, 4% of the respondents believe that political instability is the most important obstacle that hinders the customs administration to operate to standard, while 21.6% of respondents are of the view that political instability does not negatively affect the provision of customs services. Nevertheless, the persistence of political instability in a country such as the DRC, which is endowed with enormous natural resources and has abundant opportunities for trade and exchanges, has the ability to destroy the reign of law and order, can generate fear and will not allow traders to take risks in doing serious businesses. It also opens doors for customs contraband and smuggling which are the main factors that hinder OFIDA to maximize its revenue and to operate effectively.

Table 5.14: Question 14: OFIDA is effectively playing its role in the national economy

Value	Frequency	Per cent	Cum Per cent
1.00	1	3.1	3.1
2.00	3	9.4	12.5
3.00	11	34.4	46.9
4.00	17	53.1	100.0
Total	32	100.0	

Source: Interview/questionnaire completed in September 2005 at OFIDA/DG.

87.5% respondents believe that OFIDA is effectively playing its role in the expansion of the Congolese economy, while only 12.5% of respondents do not agree. In other words, this means that the majority of customs agents believe that their organization is doing well in achieving its mission.

Table 5.15: Question 15: It is my opinion that OFIDA delivers excellent service to the community

Value	Frequency	Per cent	Cum Per cent
1.00	2	6.0	6.0
2.00	3	9.4	15.4
3.00	22	69.0	84.4
4.00	5	15.6	100.0
Total	32	100.0	

Source: Interview/questionnaire completed in September 2005 at OFIDA/DG.

In closing, the majority of respondents (84.6%) are of the opinion that OFIDA is providing excellent customs services to the community, while 15.4% of respondents think that it does not. Taking into account the majority of views, it is consistent to say that employees of OFIDA believe that their institution renders services that are efficient, affordable as well as adequate and responsive to the needs of the community. In this context, one can only come up with recommendations that may help this organization to keep on doing well.

CONCLUSION

This chapter analyzed the answers submitted by employees of OFIDA/DG, regarding the performance of their institution. Responses to the questionnaire show that the majority of employees or customs agents acknowledge that they understand the aim of their organization, although the majority of respondents were not involved in the process of setting the standards of services. They agreed that they know what OFIDA and the customers of OFIDA expect from them. This indicates the effectiveness of the internal communication channel within the organization. In this context, customs agents need to be monitored, trained and motivated so that they can provide the services with dedication and courtesy in order to meet the expectations of customers and then, the expectations of the community as a whole.

It was said, in this chapter, that success in service delivery depends largely on the extent to which employees are involved in the process of setting standards and the views of customers being considered. In this matter, employees and customers can be approached by means of consultation and/or negotiation. Consultation and negotiation can therefore assist all stakeholders, particularly the employees within an

organization such as OFIDA, to abide by a policy and then, accept it as their own. Consequently, they will then strive to give their best in the implementation phase.

When asked if customers know precisely what standards of services they should expect from OFIDA, and how to access them, the majority of respondents (56.3%) did not believe that customers are aware of the standards and thus did not know how to access the services. 43.7% of respondents suggested, that customers did know the standards and they knew how to access them. The closeness of the two views allowed the assumption that there is a problem with the external communication channel. However, the commitment of OFIDA in improving the provision of customs services is shown in the responses of the majority (84.4%) of employees who believe that management does meet, formally, in order to discuss strategic issues and come up with solutions that will be cascaded to employees for implementation. This shows that the management of the organization is conscious of the changes that occur in international trades and exchanges. It is important for them to make a strategic plan in order for OFIDA to operate in line with the new ways of doing things and thus complying with international standards and norms. Nevertheless, the majority (72%) of respondents disagreed with the statement that the process of restructuring OFIDA was effective in improving services, 28% of respondents believe that is effective. This indicates employees' fear of the future and therefore, their resistance to change. This conviction become clearer when 78% of employees said that the one stop counter is a step towards the improvement of customs services delivery, while only 22 % do not agree with that statement.

The majority (72%) of respondents were of the opinion that customs legislation is oriented towards the improvement of services provided by OFIDA, while 28% do not agree. Although the majority of employees

agreed that legislation promotes the improvement of services, they do not agree with the statement about the practice of job related training for customs agents. 72% of respondents believe that their wages do not motivate them to perform their duties with efficacy, while only 28% of respondents agreed that it does. This makes it obvious of the existence of an ethical dilemma at OFIDA. For example, 53% of respondents considered that the conduct of officials and agents of OFIDA is a key aspect in articulating the necessity of providing efficacious customs services, while 47% of employees disagreed. When considering this narrow gap in the divergence of views, the ethical dilemma becomes apparent. Customs officers are vulnerable to unethical conduct because they are easily attracted to bribes that traders often offer them. With no significant incentives, it is difficult to expect customs agents to exhibit high professional standards in the provision of customs services.

Regarding the role of OFIDA in the expansion of the Congolese economy, the majority (87.5%) of respondents believe that OFIDA plays a meaningful role in the expansion of the Congolese economy, and it also supports effectively, governmental activities in the country. On the same note, the majority (84.6%) of respondents were of the opinion that OFIDA provides excellent service to the community. For this reason, one can assume that OFIDA achieves its mandate, as all employees have acknowledged its performance in doing so. However, this favorable view should not be taken for granted. It is essential for OFIDA to continue raising the standard of services in order to become more and more competitive, and then, realize its full potential. Chapter Six, after detailing the conclusions of this research project, will propose recommendations in regard to the issues that have been raised in the report of empirical study in this chapter.

CHAPTER SIX

CONCLUSION AND RECOMMENDATIONS

The aim of this study was to examine the performance of OFIDA in terms of the provision of customs services and thereafter make recommendations so that the delivery of customs services can be addressed, enabling the organization to render services in a more efficient and effective manner. In terms of governance, public service delivery is the result of the intentions and decisions of government institutions, and are the results of the actions undertaken and decisions made by people employed in government institutions. It can be assumed that public service delivery is a crucial responsibility of government and government institutions.

The role of the government is, mainly, concerned with carrying out certain activities in order to address issues within society. Basically, the role of the government is to make public policy for the greater welfare of society. In essence, this role involves the identification of critical conflicts and issues within society and mobilization of resources to deal with them. Therefore, public administration can be described as a set of activities and organizations concerned with achieving the major purposes of the state, acting on society's behalf. As a result, OFIDA was established in the Democratic Republic of the Congo as a public organization in charge of customs administration, so that it can manage the provision of customs and excises services on behalf of the government. Nevertheless, OFIDA plays an essential and encompassing role in the country, this role is of double nature: both fiscal and economic. In broad terms, the missions of OFIDA consist of: collecting duties and taxes on imports and exports; collecting excises duties; controlling borders; investigating offences pertaining to customs, excises

and other related policies; training personnel in line with modern techniques of management; protecting the national economic space; and producing customs and excises statistics. OFIDA furnishes the statistical data to the government. It can be said that the activities of OFIDA do not only benefit itself, but they also benefit the government and its various departments, importers and exporters, international organizations, non-governmental organizations, and the country as a whole.

All organizations, being public or private, have to make provision for continuing activities directed towards the achievement of their given aims. Keeping this in mind, it was necessary to discuss the relationships that exist between concepts such as public administration, public policy, governance, leadership, organizational theory and strategic planning in order to find their *raison d'être* in the provision of public services, with reference to the provision of customs services. The above concepts, if applied in the context of OFIDA, will help this organization to establish strong leadership, thus creating development-oriented policies associated with proficient personnel and responsive procedures for the provision of excellent services at all times. However, it is significant to bear in mind that if efficient, the customs sector can encourage the expansion of the economy and thus, promote economic development, whereas if it is inefficient, customs administration can cause negative externalities that may have damaging effects on the general welfare of the state.

To investigate the effectiveness of OFIDA in the provision of customs services, an empirical study was conducted in order to collect the opinions of customs officers concerning the performance of their institution. This was effected by means of a questionnaire which was submitted to staff members of the Head Office of OFIDA. According to the findings, assumptions made by the majority of employees are that their organization provides excellent services to the community and that it

supports, effectively, the governmental activities for the promotion of economic development and stability in the country. OFIDA needs to be revitalized on a continual basis so that it can reach a stage of attaining its full potential. Although the majority of respondents agreed that OFIDA operates effectively, it should be noted that considering the opportunities that abound in the country, OFIDA needs to address a number of issues raised by the findings of the empirical research, in order for it to become more effective. The most important issues in addressing service delivery regard the following:

- (1) Peace and political stability in the country: without peace and stability, it is difficult to rule a country. Moreover, a government will find it difficult to establish the rule of law and to create a safe environment for business and investment, consequently, the government as well as all public institutions will not operate effectively. In order to improve and develop the provision of public services, and specifically customs services, it is essential for there to be peace and stability in the DRC, which has endured political turmoil for many decades. OFIDA needs to find ways of developing and improving the standard of its services which will allow the organization to maximize its potential. OFIDA will then be able to create a friendly business environment which will attract business and investments for the betterment of all.
- (2) Legislation: although employees of OFIDA have acknowledged that customs legislation is development-oriented, it is essential to say that the main customs law (Decree of January 29, 1949 which was amended by the Ordinance Nr 33/9 of 6 January 1950) has been in force since the colonial era. Considering the changes that have occurred in international trade and exchanges, the Decree has become obsolete and therefore does not fit the

reality of the current situation. To address service delivery at OFIDA, policy makers should review this legislation and adapt it to consciously designed policies in order for OFIDA to provide customs services which are adequate, responsive and effective. Reviewing the law is of great importance as it will, on the one hand, help customs administration to respond to the needs and expectations of an independent Democratic Republic of the Congo, and on the other hand, it will assist in the simplification of customs procedures. This will create a 'win-win' situation, in which OFIDA will maximize its revenue and traders will benefit from the affordability and effectiveness of the services rendered by OFIDA. Masango (2000:63) states that the manner in which public institutions conduct their activities is determined by public policy. In order to ensure that public institutions deliver services efficiently and effectively, relevant legislation should be enacted and enforced.

- (3) Communication and participation in decision-making: in the absence of dialogue between the executive management and the employees of OFIDA, there will be a permanent climate of tension and a conflict of interest. This will result in damaging effects on the provision of customs services. Addressing the provision of services requires the management of OFIDA to ensure that employees are aware of what is happening in the organization and thus allow them to have a say and to participate so that they can gain a feeling of being important to their organization. This will allow them to give to the best of their ability in the provision of services. In order to facilitate performance management programme, Masango (2000:66) states that it is necessary to involve employees at all stages of the programme. This will contribute towards ensuring that employees:

- perceive the process as fair and democratic;
 - do not become defensive and resist the implementation of the programme; and
 - develop a greater commitment with respect to the fulfillment of their respective roles.
- (4) Training and inducement: in the report on the empirical study, it was mentioned that the practice of job related training of customs agents is not regularly applied at OFIDA. Employees also agreed that their wages do not motivate them to perform their tasks with efficacy. The lack of training and motivation exposes employees to unethical behaviour and brings about poor performance in the provision of customs services. Therefore, a recommendation is that OFIDA needs to evaluate employees on a regular basis and train those who require training, so that they can adapt themselves to the standard of services and cope with any changes that may occur at anytime. In other words, it can be said that training is important in that it assists employees to master their work procedures and to cope with new technologies and new ways of doing things. Considering the fact that customs agents are often tempted to accept bribes, it is essential to provide those agents with incentives so that they can find satisfaction in their work, and then perform their duties with a high standard of professional ethics. This implies that good remuneration motivates employees to honor their job, to make sure that services are provided adequately and to ensure that there is an effective customs control in order to guarantee efficiency and effectiveness; and then, to prevent fraud and smuggling. This requires strong leadership whose leaders are concerned with

creating an enabling environment for the organization to render excellent services.

- (5) Decentralization and delegation of responsibility: the DRC is the third largest country on the African continent. The capital city, Kinshasa, is not in the center of the country, this has resulted in the central services being un-centred. In the context of customs services this situation makes the liaison between the central and external services complex and thus presenting many challenges. Under these circumstances, it is critical for the management of OFIDA to practice decentralization and to put in place strong channels for delegation in order to enable regional headquarters to have a fair degree of autonomy and delegated powers so that they can speedily respond to the needs and expectations of their respective communities, they are closer to these communities and therefore can better understand the major problems.
- (6) Logistics: considering the size of the DRC, the lack of adequate logistics as well as the persistence of the war of aggression from neighboring countries has weakened OFIDA's ability to play one of its roles which consists of protecting and controlling the DRC's borders. As a result, goods enter the country and depart from it without the control of the customs administration. In this context, individuals are able to loot the resources of the DRC without fear; fraud, smuggling and customs contraband are becoming a way of life in the country. To address this situation, OFIDA needs the means to correct this situation. For example, there is a need for OFIDA to acquire adequate logistics and equipment such as tough all-terrain vehicles, helicopters, yachts, warehouses, laboratories, cutting edge apparatus (for example, computers, scanners, drug trackers and so on), in order for the

office to patrol the borders in an efficient and effective way. With these, OFIDA will not only prevent fraud and smuggling, but it will also play a key role in fighting customs contraband, trans-national corruption and cross-border crime.

- (7) Information technology: compared to other customs administrations on the continent, OFIDA is far behind in terms of the use of information technology. Information technology is a critical tool in the provision of services in the 21st century, it is imperative for every country to take advantage of the use of electronic data processing systems. In the provision of customs services the relevance of IT helps, on the one hand, simplify and harmonize customs procedures and facilitate trade, and on the other hand, it assists to alleviate, if not eradicate, opportunities for fraud. Thus, OFIDA should emphasize the use of information technology to support operations where it is cost-effective and efficient for both, customs administration and for traders.
- (8) Ethics and professional standards: the long reign of the dictatorship of Mobutu Sese Seko has resulted in the public sector of the DRC to be characterized by decay, in terms of professional ethical standards. Taking into cognizance the fact that the quality and success of government depends upon the conduct of its public functionaries and what the public believes about the conduct of the functionaries, personnel will be the most important and the most sensitive element in addressing the provision of customs services, because of the potential exposure of customs agents to acts of malicious intent. In this context, it is imperative for OFIDA to recruit the most suitable candidate for each post available and to provide initial staff training in order to raise their awareness. Recruiting the right person for the right

position, combined with excellent incentives will allow OFIDA to ensure that the highest possible level of professional ethical standard is maintained in the provision of customs service. Nevertheless, it is significant for customs officers and agents to show an understanding of values that guide their organization. They need on-the-job training on a regular basis, helping them to acquire the principles of ethics, and to be motivated and protected from temptation. It is when their actions are driven by a culture of excellence and willingness to offer to the best of their ability, that OFIDA will be on the path to long-term success and international competitiveness.

In the light of the results and conclusions of this study, and to encourage public servants in general and particularly decision makers at the Congolese Customs and Excises Office 'OFIDA' need to remain focused on the objectives of national interest, aiming to meet the needs and expectations of all those who benefit from customs services, especially the Congolese people. To apply good governance in the management of OFIDA in order for it to achieve its key objectives will allow the DRC to resume its pilot position on the African continent, and thus become an example and also to play a key role in the development of the continent through regional integration and partnership. Nevertheless, it is through good governance that a country is stable politically, economically and socially.

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ANNEXURE

QUESTIONNAIRE ON THE EFFECTIVENESS OF ‘OFIDA’ IN THE PROVISION OF CUSTOMS SERVICES IN THE DEMOCRATIC REPUBLIC OF THE CONGO

INSTRUCTIONS

This questionnaire is intended to obtain information regarding the perceptions of customs employees at the Congolese Customs and Excises Office “OFIDA” (Office des Douanes et Accises) concerning the performance of their organization in the provision of customs services in the Democratic Republic of the Congo. The end results will be valuable for planning and for scientific research. They will be used particularly for academic purposes and will be submitted to OFIDA.

Employees might have varied opinions on matters but your household is important since it will assist in making the end product an accurate reflection of combined opinions of employees in your institution. Please, do not write your name on the questionnaire.

A. BIOGRAPHIC INFORMATION

1. Please complete your:

Division/Section _____ and

Directorate _____

2. Indicate the level of your job, (by encircling the appropriate number).

Senior Management (Director and Above)

Middle Management (Deputy/Assistant Director)

Supervisory Level (Senior Administrative Officer/Administrative Officer)

Other (Specify : _____)

1
2
3
4

3. Indicate your highest educational qualification, (by encircling the appropriate Number).

Post Graduate Qualification

Graduate Qualification

Grade 12/Matric

Other (Specify : _____)

1
2
3
4

B. EFFICACY OF CUSTOMS SERVICE AT OFIDA

N.B.: Answer these questions to best of your ability.

For each statement, encircle a number which best reflects your opinion.

Encircle only one number in the box next to the question.

Use the following scale:	
1 = I disagree completely	3 = I agree to some extent
2 = I disagree to some extent	4 = I agree completely

	Disagree → Agree			
01. I understand the vision and mission of OFIDA	1	2	3	4
02. I know the standards of service that customers expect from OFIDA.	1	2	3	4
03. I know exactly what is expected of me according to service delivery standards of quality, quantity, time and cost	1	2	3	4
04. I was involved in the process of setting the standards of services	1	2	3	4
05. All our customers are aware of what services we deliver and how to proceed about accessing them	1	2	3	4
06. The executive team does meet formally, on a regular basis, to discuss strategic issues in order to come up with solutions that will have to be cascaded down to employees for implementation.	1	2	3	4
07. The process of restructuring OFIDA will assist this organization to make best use of its resources.	1	2	3	4
08. The one stop window is a step towards the improvement of customs service delivery.	1	2	3	4
09. Customs legislation is oriented towards the improvement of our services.	1	2	3	4
10. The practice of job related training of customs agents is regularly applied at OFIDA.	1	2	3	4
11. My wage motivates me to perform my duties with efficacy.	1	2	3	4
12. The conduct of officials and agents of OFIDA articulates the necessity of providing efficacious customs services	1	2	3	4
13. Political instability is a key factor which hinders OFIDA to maximize its potential.	1	2	3	4
14. OFIDA is effectively playing its role in the national economy.	1	2	3	4
15. It is my opinion that OFIDA delivers excellent service to the community.	1	2	3	4