

# SEPARATION OF POLITICS FROM THE SOUTH AFRICAN PUBLIC SERVICE: RHETORIC OR REALITY?

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## ABSTRACT

This paper addresses the question of whether senior public servants should be political or non-political when performing their duties. This debate has long been a central concern in the literature of United States of America from the beginning of public administration, and remains so to this day. It is also the case in South Africa, especially after the ANC assumed power in 1994. The ANC has deployed some of its members to key public service positions with a view of promoting loyalty and service delivery. This paper addresses this issue in the context of the politics-administration dichotomy. Models, which describe and analyse the relationship between politics and administration are identified. These models are dichotomy model/depoliticized bureaucracy, politicized bureaucracy model, model of complementarity, the British permanent model and the American hybrid model. This paper recognizes a need for “political appointments” (politicized bureaucracy) within the public service due to a threat, real or perceived, of political sabotage by disloyal incumbents of the previous dispensation. After a threat of political sabotage diminishes the government should then introduce the complementarity model, with more emphasis on the principle of merit, which is emphasized in the British permanent model and to a certain extent, the American hybrid model. State institutions supporting constitutional democracy should act independently against corrupt public functionaries who abuse “political appointments” for their own personal purposes.

## INTRODUCTION

The definition of the roles and responsibilities of senior public servants in a democratic country has long been a matter of debate. It has been a central concern in the literature in the United States from the beginning of public administration, and remains so to this day. This is also the case in South Africa, especially after the ANC

assumed power in 1994. The ANC has deployed some of its members to key public sector positions with a view of promoting loyalty and service delivery. The ANC believes that effective service delivery depends on people who understand and are loyal to its policies and programmes. Other political parties such as the Democratic Party (DP) are against this practice of "political appointments". The DP argues that the ANC has adopted and is implementing the Cadre Policy with the intention of seizing control over the "state machinery" and extends hegemony over civil society. In addition, this Cadre Policy ensures that the ANC remains in power.

This paper addresses this issue of political appointments in the context of the policy-administration dichotomy and involves questions such as:

- should public servants be involved in policy issues?
- should they be actively involved in the policy-making process or divorced from political matters?
- if the public servants are to be involved in policy-making, what should be their role and standard of behaviour?
- which models, on the relationship between politics and administration, are suitable to South Africa, now and in the future?

## CONCEPTUALIZATION OF POLITICS – ADMINISTRATION INTERFACE

**P**olitics refers to the aspiration for and/or retention of power over a jurisdictional area and its inhabitants by individuals or groups of individuals, inherent in which is the authoritative allocation of values in order to regulate or accommodate conflict within the community concerned (Hanekom, Rowland & Bain, 1996:126-127). During election campaigns, candidates are said to be attempting to gain power. The candidates or political parties that win the election will be in a position of power where they can allocate their values authoritatively to the community. Political values refer to policies formulated by political office bearers. Administration refers to the provision of goods and services to members of the public with the aid of the administrative and auxiliary functions. Administrative functions include policy-making, organizing, financing, personnel provision and utilization, determining work procedures and control. Auxiliary functions include research, public relations, record keeping, providing legal services and decision-making. The public service is responsible for administration or the execution of policies formulated by political office bearers.

The public service is composed of employees, to whom the *Public Service Act, 1994* (Proclamation 103 of 1994), and the Public Service Regulations apply, working within the national and provincial government departments of the Republic of South Africa. The senior public servants referred to here are those who are part of the Senior Management Service. The Senior Management Service consists of all managers and non-managers appointed either permanently or on contract, and the extent to which the above laws apply. In short, the Senior Management Service is composed of directors, chief directors and directors – general (Senior Management Service, 2001: 43).

Why is attention paid mainly to senior public service and not public service in general? Dillman (1982:4) argues that part of the answer lies in the observation that senior public servants have the main functions which put them at the centre of concern: first, to keep the machinery of administration in good order so that it is readily useful for the political leadership of the departmental system; secondly, to operate the administrative machinery so as to accomplish the aims of the political leadership, and third, to advise that leadership about the best ways and means of using the administrative machinery for the accomplishment of its aims. In carrying out these functions, the senior public servant is concerned with the traditional “POSDCORB” functions of planning, organizing, staffing, directing, co-ordinating, reporting and budgeting, and, it might be added, evaluating. In executing these functions, the senior public servant has a pivotal role in translating political goals into administrative practice. Furthermore, senior public servants influence the attitudes and work patterns and habits of those officials subordinate to them, and indeed, the characteristics of the top group have generally formed the model for the civil service at large (Marx, 1957:11,46).

Models, which seek to describe and analyse the relationship between administration and politics are identified and explained below.

### Dichotomy model/depoliticized bureaucracy

The Dichotomy model is traced to the politics-administration dichotomy, which grew out of the early administrative reform movement and its reaction against spoils system in the period 1887 and later. The Politics-administration dichotomy holds that political interference in administration would erode the opportunity for administrative efficiency, that the policy-making activities of government ought to be wholly separated from the administrative functions, and that administrators had to have an explicit assignment of objectives before they could begin to develop an efficient administrative system (Shafritz, 1985:415). The politics-administration dichotomy is traditionally traced to these two sources: Woodrow Wilson, “The study of Administration”, in *Political Science Quarterly* (June 1887) and Frank, J. Goodnow, 1900. *Politics and administration: a study in government*. New York: Macmillan. This model is also known as the neutral model of administrative responsibility. It is based on acceptance of the politics-administration

dichotomy, which specifies that the public servant should be neutral in matters of policy, but professionally competent in selecting the appropriate means to carry out policies decided upon by their political superiors. It is an instrumentalist view of the role of the public servant (Fry & Nigro, 1996:39). The dichotomy model sees the public service as distinct from the political process. It advocates a clear separation between politics and administration. It points to the inherent dangers of a fusion between politics and administration and by extension the party and the state. The central argument of the dichotomy model is that "governments come and go, but the public service remains". Therefore, the public service needs to be characterised by professionalism.

The usefulness of the dichotomy model lies in its intentions - to protect public administration from interference by elected office-bearers and members of political parties in the day-to-day administrative activities. It also helps to protect public administration from political patronage, where party political connections become the over-riding criteria in public personnel functions such as recruitment, transfer, training and promotion. The primary argument of the proponents of this characterisation of the relationship is that the public service needs to be neutral, professional and shielded from the world of politics. In South Africa, the Democratic Party (2000) is propagating this position (Democratic Alliance), at least in its criticism of the ruling party's Cadre Policy and Development Strategy (1997). It argues that by pursuing a policy that seeks to deploy its members in key positions within the public service, the ruling party is crossing the line between party and state, and interfering with the independence and professionalism of the public service.

### Politicised bureaucracy model

The politicised bureaucracy model argues that elected office-bearers have a mandate to control the public service. In this context, there is no distinction between politics and administration and between party and state. Party structures impose administrative decisions on administrators. The model also implies that rewards and appointments are made on the basis of blind allegiance to the ruling party by public servants, and not on the basis of the merit system. A relevant example of this model is the Cadre Policy and Development Strategy (1997) of the ANC. Elements of the Cadre Policy include recruitment; and promotion of accountability. Emphasis was placed on recruitment from within the party and potential recruits are made to understand and accept the basic policies and programmes of the ANC. Political and ideological training given to cadres should enable them to exercise political leadership and be organizers in their respective departments.

Education and training should include patriotism and the inculcation of attributes such as loyalty, discipline, dedication and determination. Members of the ANC are expected to be ready to serve in any capacity, taking their speciality, aptitude, qualification and

capability into consideration. This means that the ruling party has to ensure that people who are committed to the party's transformation agenda occupy senior positions in the three spheres of government. Thus, senior positions in government, especially that of chief directors and directors-general, become political appointments. Section 195(4) of the *Constitution of the Republic of South Africa, 1996*(Act 108 of 1996) also provides for political appointments: "The appointment in public administration of a number of persons of policy considerations is not precluded, but national legislation must regulate these appointments in the public service". Although the intentions of this constitutional provision are clear, corrupt public functionaries could use it to further their own personal and social agendas.

The challenge is how to manage the relationship between political office-bearers and public servants in a manner that ensures that the public service is not abused for narrow party political agendas, but remains an instrument of service delivery for the people as a whole, but under the policy direction of the ruling party.

## Complementarity model

The complementarity model is a strong foundation for public administration at all spheres of government. A complementary relationship implies separate parts and distinctness but the emphasis is on how each contributes to the whole. Such a model is better grounded historically and offers a positive approach to examining the distinct contributions of political office-bearers and public servants to the democratic process (Svara, 1998: 57).

According to Svara (2001: 179), the complementarity of politics and administration is based on the premise that political office-bearers and administrators join together in the pursuit of sound governance. Complementarity stresses interdependence along with distinct roles; compliance along with independence; respect for political supremacy along with a commitment to shape and implement policy in ways that promote the public interest; deference to elected incumbents along with adherence to the law and support of fair electoral competition; and appreciation of politics along with support for professional standards. The issue is not whether public administrators are "instrumental or usurpative" (Heady, 1984: 408) - the standard dichotomy versus non-dichotomy options - but how they are both instruments and contributors to the political process, that is, instrumental and contributive.

Complementarity reconciles what have seemed to be contradictory aspects in public administration. How can politicians maintain control and, at the same time, allow senior public servants to maintain their independence, adhere to professional values and standards and be responsible to the public? The reconciliation comes from recognizing the reciprocating values that underline complementarity.

Political office-bearers could, in theory, dominate administrative practice, but they are constrained by a respect for administrative competence and commitment. Senior public servants could use their considerable resources to become self-directed, but they are restrained by a commitment to accountability in the complementary relationship. Overhead democracy by citizens and politicians can work, but only if it is accompanied by undergirding responsibility from senior public servants.

In a study on *"The South African senior public service: roles and the structure in post-1994 departments"* (Maphunye, 2001: 316 - 317), both elected political office-bearers and appointed public servants agree that there is an overlap between the "worlds" of the public servant and that of political office bearer. They thus suggest that the two groups should co-operate, while recognizing those aspects that reside entirely or exclusively in one group's sphere of operation. Complementarity is a conceptual framework, which acknowledges different roles and responsibilities, but sees the need for interaction and inter-dependence as an alternative to the dichotomy model.

The administrative component needs political and strategic direction from political heads, and political heads need effective administrative machinery for the translation of the political programmes into government policy. The challenge is not how to insulate the public service from the political process, but how to properly locate the public service within the broader political process and to ensure a relationship of complementarity between the two. As part of their work, senior public servants do assist in shaping policy and give it practical content and meaning in the process of implementation.

Whilst it is critical for elected office bearers and public servants to appreciate this separation of powers, in the real world the distinction between the two is often blurred. The public service cannot be separated from politics in terms of the definition outlined. It is difficult to draw a line of demarcation between the policy formulation process and the implementation process.

Thus the challenge appears to be the need to define and strengthen the relationship between political office bearers and professional public servants rather than separating them. The two are not incompatible or perform conflicting roles, but are rather reinforcing and complementing each other's role. Any simple division of government into politics and administration is simplistic and practically untenable. As Svava (2001:3) puts it: "... there is continuity between the political and administrative spheres, not a separation of the two, except as it applies to insulating administrative staff from partisan political interference". Therefore, to ensure effective service delivery, both political office bearers and public servants should complement each other.

## The British permanent model

The British civil servants are those who work in the "civil" as opposed to the military, ministerial or judicial arms of the state. Members of the armed forces, government ministers and judges are not civil servants. The Home Civil Service also excludes those working in the diplomatic corps or overseas service, in the various departments of the Houses of Parliament, in local government and in the National Health Service (Pyper, 1995: 1-2). In discussing the British permanent model, the primary focus is, therefore, on those senior officials working within central government departments and associated executive agencies.

The British civil service is characterized by its adherence to specific key precepts. It is a permanent service in the sense that it remains in place on a change of government. Ministers are normally expected to work with the civil servants that have served the previous administration. Senior civil servants can be removed from office at the request of a minister, but this is extremely unusual, and will only happen if the Prime Minister and the Head of the Civil Service approve. In such cases, personal or managerial factors, rather than political grounds, are invariably offered in explanation for the change (Pyper, 1995:12). According to Fry (1985:14), the British civil servants remain non-political in the sense that they normally receive their appointment independently of ministers; that they are not allowed an overt political allegiance; and that they are not required to perform politically on the floor of either House of Parliament.

Closely associated with the concept of permanency is that of neutrality. By virtue of the fact that they are expected to serve ministers of any political complexion, senior civil servants are required to be scrupulously neutral. Senior civil servants cannot hold party office, canvass for candidates or express views in public if any of these are associated with the politics of the United Kingdom or European Parliament (Pyper, 1995:12-13).

By its very nature, the work of civil servants in liberal democratic states involves participation in the political process. Officials provide policy advice to political office bearers, implement the agreed policies of governments, and play their part in the systems of political accountability and control, which exist to check and monitor the actions of government. While there may be debates and arguments regarding the demarcation lines between ministerial and official responsibility for these activities, it cannot be denied that in each sphere civil servants make judgements, which are tinged with political considerations. They may not be party politicians, but neither are they political geldings (Pyper, 1995:20).

Recruitment is based on the principle of selection on merit by fair and open competition. The Independent Civil Service Commissioners are responsible for approving the selection of people for appointment to higher grades of the Home Civil Service. Recruitment of all other personnel is the responsibility of departments and executive agencies. Civil

servants are required to perform loyally the duties assigned to them by the government of the day, whatever its political persuasion. It is essential that ministers and the members of the public should have confidence that the personal views of civil servants do not influence the performance of their official "political" duties, given the role of the Civil Service in serving successive governments formed by different political parties. The aim of the rules, which govern political activities by civil servants, is to allow them, subject to these fundamental principles, the greatest possible freedom to take part in public affairs consistent with their rights and duties as citizens (Institute of Contemporary British History, Undated: 23).

When attention is paid to the means by which civil servants are appointed to top positions, a potentially significant distinguishing feature emerges. The British Civil Service differs from those to be found in some other states by virtue of its system of promotion by merit. The career civil service can be contrasted with a politicized "spoils" system, in which senior civil service appointments are in the power of political office bearers from the governing party. The United States offers the clearest example of a "spoils" system within a liberal democracy.

### The American hybrid model

As indicated above, in the "spoils" system, senior civil service appointments are subject to approval by political office bearers. Nonetheless, on close examination, it is obvious that the American civil service is something of a hybrid, since it combines elements of the merit and "spoils" systems.

In the American public administration, the civil service is a generic concept that describes the civilians employed by a government who are part of the career service. Civil servants are recruited and hired on the basis of merit, are evaluated periodically as to their job performance, are promoted on the basis of their efficiency ratings, and have job security. In the national government, the civil service includes all civilian employees who are part of the "classified civil service". "Classified service" is a bureaucracy in which personnel operate in a merit system under the jurisdiction of a civil service agency. Elected officials, policy-making officers who have been appointed by the elected officials, employees of particular agencies that enjoy their own personnel system (such as the FBI and the Foreign Service), and all persons employed in the judicial branch and the Congress are not part of the federal classified civil service (Chandler & Plano, 1982:234-235).

According to Kettl, Ingraham, Sanders and Horner (1996:90), the United States civil service system was intended to forever abandon the practice of political patronage-the so-called "spoils" system-for all, but a few senior positions. In part, the intention was to promote continuity, but more important, it was meant to ensure that the public officials had



the skills and abilities required to administer complex federal programmes. Thus the system places great value on neutral competence in service of the “government of the day” and upon selection on merit, the most central characteristic of the civil service.

Since the nineteenth century the United States civil service has evolved from one in which jobs at all levels were used to repay political friends to one in which people believed to be politically friendly are enlisted in the higher grades of the administration in an attempt to strengthen the impact of the President upon the executive branch. It has been estimated that over 90 per cent of federal government employees are career officials, with approximately 200,000 posts allocated on the basis of political patronage (Chandler, in Pyper, 1995:22). Only around 2,000-3,000 posts are filled by appointees who are obliged to resign when a President ends his term in office. Thus, the greater part of the United States civil service is a career service, governed by the principle of promotion on merit. However, at the top levels, officials are nominated by, or in the name of, a President, and the most competent of these will probably relinquish their posts at the end of the presidential term in office. Political appointees can also be found in some posts similar to those occupied by career officials in other departments or agencies (Pyper, 1995:22). The main advantage this brings, is the provision of committed support for the policies and style of the President in key positions. This must be measured against the tendency of even a limited “spoils” system to damage morale in the career bureaucracy (why strive for perfection if most of the top jobs will remain beyond one’s reach?)

## THE POLITICS-ADMINISTRATION INTERFACE IN SOUTH AFRICA

In South Africa, the public service has, historically, been highly politicised. When the National Party (NP) came into power in 1948 it deployed its loyal members to different senior positions in the public service. Officials deployed were those who understood and were loyal to the Party’s policies of discrimination on the basis of race, ethnicity, language and sex. It was difficult to separate the National Party (as the government-of-the day) and the public service. The post-1994 political developments predictably resuscitated the debate on the relationship between political office bearers and senior public servants. As part of the transformation agenda, the challenge for the ruling party was to transform the public service in a manner that would ensure that the ruling party programmes are translated into government or executive policy. The new political office bearers had to address the inequalities of the past as well as the legacy of institutionalised discriminatory human resource practices within the public service.

The critical question was how does one ensure that the public service becomes an effective instrument for delivering on the mandate of the party in power. Thus, the public service is called to execute what is, essentially, a political mandate. This requires some amount of commitment and loyalty to the political programmes. The fact that political office bearers, and not public servants, obtain their mandate directly from the electorate

to implement their party manifestos makes political office bearers accountable to the electorate for the performance or non-performance of the departments assigned to them.

Political office bearers are under tremendous pressure to deploy appropriate and adequate resources (including human) in pursuit of their political programmes. In relation to human resources, this means that they will demonstrate a keen interest in the quality and calibre (and political inclination) of individuals appointed to what they consider key strategic areas. With incessant and unrelenting pressure from the electorate to accelerate service delivery, the temptation by elected office bearers to personally assert control over the public service becomes even more irresistible.

Interestingly, the Democratic Alliance, which has been a main critic of the ANC on this matter, employed a similar strategy by appointing party loyalists in the City of Cape Town, where it happened to be the governing party. Those suspected of harbouring loyalties to the ANC were hounded and dismissed. What seemed to inform this strategy is the fear by ruling parties that their delivery programmes may be sabotaged by disloyal public servants. Given this situation it was hardly surprising that the new political leadership viewed its inherited public service with a degree of suspicion and scepticism. Nor was it surprising that one of the top priorities for the new Government was the appointment of new senior public servants from within its loyal ranks. The Presidential Review Commission (PRC)(1998: Chapter 2: 2-5) acknowledges that there was a threat, real or perceived, of political sabotage by disloyal incumbents of the previous dispensation. The Commission also acknowledges the need for "political appointments" within the service as a cushion against unsupportive public servants.

It was evident to the Commission, that some of those new appointees have not been able to offer much beyond political loyalty, due to the lack of skills. It was also concerned that, in general, senior public service appointments have generally reflected the ethnic or racial composition of the minister. While understanding the rationale for political appointments into the public service, the Commission argues that this should be an interim and not permanent feature of the service, and emphasises that skill and competence, rather than political loyalty, should be the guiding norm in future, especially as the threat of political sabotage diminishes.

As can be expected, a number of new ministers and senior public servants assumed office without any previous experience or, in some cases, formal training. Often they were appointed to ill-equipped offices without any "phasing in" or formal hand-over from their predecessors. This, combined with a general distrust of public servants from the previous order, could only exacerbate the existing sense of insecurity and incapacitation. Compounding this was a lack of clarity of roles between elected and appointed officials, a recurrent problem in both national and provincial departments (PRC 1998: Chapter 2:2-3).

The so-called "Sunset Clauses" (in particular Paragraphs 236/6/7/8 of the *Constitution of the Republic of South Africa Act, 1993* (Act 200 of 1993) were an additional constraint on transformation, forcing the state to carry many senior public servants who were anxious, demotivated and, in some instances, hostile. These sections were contained in force in the 1996 Constitution (Schedule 6 paragraph 24 subsection 1/2/3) unless amended, repealed or inconsistent with the new Constitution. Nor are any proclamations issued under these sections affected unless they are likewise amended, repealed or inconsistent.

Recent legislation promoted by the Department of the Public Service and Administration (DPSA), and in particular *Public Service Laws Amendment Act, 1997* (Act 47 of 1997), has made it easier in theory for the Government to dismiss incompetent or non-performing public servants. In practice the disciplinary and dismissal process in the public service remains slow. The situation is further compounded by the large numbers of supernumerary personnel retained within the public service, as well as by the weaknesses of the Voluntary Severance Package (VSP) scheme. The operation of the VSP scheme has resulted, somewhat perversely in many cases, in the loss of competent staff and the retention of the "dead-wood".

## ROLES OF PUBLIC FUNCTIONARIES

The Provincial Review Report (1997) notes that in many provinces, political interference in day-to-day administrative functions tend to paralyse administration and that there is a poor definition of the different roles of politicians and administrators. Members of executive councils (MECs) get centrally involved in administrative matters like interviews and appointments. The Presidential Review Commission (1998, Chapter 2:7) asserts that one of the key weaknesses in the system of governance is the uncertainty and confusion about the roles and responsibilities of political office bearers and their administrative heads of departments. Since 1994, there were some serious tensions between some political office bearers and their directors-general.

These tensions between political office bearers and directors-general resulted in the latter leaving the departments concerned. The following are some of the causes of serious tensions and confusion between political office bearers and senior public servants:

- alleged meddling and interfering of political office bearers in administrative matters,
- lack of understanding of institutional history by public functionaries,
- lack of understanding of administrative or technical issues by the political office bearer,

- political differences between the political office bearer and the senior public servant,
- strong participation in political issues by the senior public servant and
- seizing expert power by the senior public servants through intentionally misleading political office bearers, maintaining a veil of secrecy, withholding information and delaying decisions.

Within the governance of the modern democratic state there is a need for both elected and appointed officials with distinct but comprehensive roles.

### Roles of senior public servants in South Africa: legislative framework

In South Africa the roles of the senior public servant are clearly defined by the *Public Service Act, 1994* (Proclamation 103 of 1994) and related laws and policies. Such roles include policy-making, liaison with the political heads of their departments or ministries, representing the government in various forums, and implementing public policy in these structures. The Act outlines and regulates the composition and roles of the South African public service as follows: "In the making of appointments and filling of posts in the public service due regard shall be had to equality and other democratic values and principles enshrined in the Constitution" (Section 11(i) of the *Public Service Act, 1994* (Proclamation 103 of 1994).

The nature of 'representativeness' is usually defined by relevant legislation (e.g. the *Employment Equity Act, 1998* (Act 55 of 1998) and regulates the recruitment, selection, and promotion of government officials without unfairly discriminating on the basis of race, gender and disability in terms of the Affirmative Action (AA) policy. A number of the interviewees in the study about the roles and the structure of the South African public service (Maphunye, 2001), mentioned equality and other democratic values and principles as stated in the Constitution, which they maintained were being used in public service appointments and promotions. However, some interviewees sadly regret that negative aspects like nepotism, 'political connections and other networks' also play a role in the recruitment and promotion of senior public servants. A case in point on allegations of nepotism is that of a senior public servant who was appointed to a managerial post of a provincial department allegedly because he was a relative of the MEC, who was subsequently dismissed (*Sowetan*, 23 August 2000).

According to Maphunye (2001:320), South Africa's senior public servants face the challenge of understanding the application of the "twin mandates" as part of their roles in the government departments. These mandates are the policies of the ruling party (as represented by MECs at provincial level or ministers at national level) and the 'administrative mandate' - the rules, regulations and directives of the various administrative heads of

departments. Several of the senior public servants interviewees at provincial government levels strongly believed that failure to understand this inevitably leads to conflict and tensions between the political office bearers and administrative officials. However, they are hopeful that the new *Public Service Laws Amendment Act, 1997* (Act 47 of 1997), will address such problems between the political office bearers and senior public servants as the amendment was drafted for this purpose.

In short, the roles of senior public servants in the South African public service should be to:

- inform and advise elected office bearers, completely and on time
- implement policy and ministerial decisions effectively and efficiently
- utilize, in the carrying out of these functions, all relevant sources of data and advice, whether within or without the machinery of governance, so as to give their political heads the broadest basis for policy consideration and determination
- be fully accountable to ministers/MECs, and where appropriate Parliament/provincial legislatures
- co-ordinate, control and communicate within their departments (Presidential Review Commission, 1998: Chapter 2:7).

### Roles of political office bearers

Weber (in Fry and Nigro, 1996:37) argues that the role of the political office bearers in a democracy is to give direction to policy and expression to a common interest. The honour of political office bearers, Weber argues, lies in their personal, ethical responsibility for their actions. To take a stand - to be passionate - is the function of the political office bearer. This role is opposed to that of the public servants who are to engage only in the impartial administration of their offices. The honour of the public servant, Weber states, is vested in their ability to execute conscientiously the lawful orders of superior political authorities. In performing their duties, a sense of duty is more important than personal opinion. Theirs is the function of the impersonal, passionless application of the rules.

The Presidential Review Commission (1998: Chapter 2:7) proposes the following roles for the elected political office bearers:

- to provide the vision and policy direction
- to oversee and monitor implementation of policy

- to secure from colleagues support in the form of necessary resources for their ministries and departments
- to effectively carry out policy
- to represent ministry in Cabinet and Parliament
- to account publicly for the performance of the department
- to account to the legislature for their actions and
- to take collective responsibility for Cabinet decisions.

## POLITICIZED BUREAUCRACY: IMPLICATIONS AND RECOMMENDATIONS FOR ETHICAL GOVERNANCE

In the light of the above arguments, the notion of an independent and depoliticised public service is not a workable relationship nor does it match reality. The public service is expected to embrace the policy agenda of the governing party and this, by itself, draws the public service into politics. To effectively execute their professional mandates, senior public servants are expected to be appreciative of, and responsive to, the political context within which public administration takes place. This view proceeds from the following premise: it may be theoretically possible to separate politics from administration, although extremely difficult in practice.

The politics-administration dichotomy, as traditionally interpreted, prescribes roles that are neither practical nor desirable in the South African governmental system. The senior public servant is surely a part of the political and policy process, and rightly so. As Waldo (in Robin & Bowman, 1984: 44) puts it, "...to be policy neutral is impossible, but to be policy engaged is contrary to the letter and spirit of the governmental system...there is wide agreement that it is wrong - immoral - for an administrator not to follow conscientiously the will and instruction of a political superior". However, this recognition should be balanced with the understanding that the public servant must play a circumscribed role in the democratic process, one that is subservient to the political office bearer and public opinion.

Section 181 of the *Constitution of the Republic of South Africa*, 1996 (Act 108 of 1996) guarantees the independence of state bodies, which promote constitutional democracy. These bodies include the Auditor-General, Public Protector, Public Service Commission and the Commission for Human Rights. Section 181 (2) of this Act requires these bodies to be independent and individuals in these institutions are expected to exercise their powers and perform their functions without fear, favour or prejudice. These bodies are expected to be subject only to the Constitution and the law. According to the Democratic Party (2000: 28), although the ANC has not changed the provisions of the Constitution, the usually successful attempts to appoint cadres to these institutions run completely against the spirit of the Constitution. For ANC members the obligations imposed by democratic centralism (to defend and implement the decisions of the party) run completely against obli-

gations imposed by the Constitution (to exercise their functions without fear, favour or prejudice subject only to the Constitution and the law). Furthermore, argues the DP, the ANC has established various structures and mechanisms to ensure that ANC cadres "in all structures" continue to operate under the "direction" of the NWC (National Working Committee). Since loyalty to the Party generally prevails over loyalty to the Constitution, ANC cadres continue to operate under the direction of the NWC after appointment.

During the apartheid era public services and structures were stratified along racial lines; some whites were appointed at a specific managerial level regardless of their educational qualifications and work experience. Some deliberately did not excel at their work, knowing that they could not be demoted or expelled, irrespective of their performance. Blacks were mostly appointed at a specific operational level, irrespective of their educational qualifications and work experience. Consequently, some black public servants deliberately did not excel at their work, knowing that their efforts may not be recognized or rewarded with promotion (Mafunisa, 2000:6-7). The same argument can be forwarded now that a black government is in power. The DP (2000: 38) argues that within the public service, the ANC's racial policies led to unsuitable people being promoted, capable individuals sidelined and incentives for performance undermined as race, and political connections, became the over-riding criteria for appointments and promotions. This indicates that politicizing the public service contributes to the promotion of political patronage, nepotism and racism in the public service.

In the South African situation, the politicized model is suitable and therefore recommended. The reason is that the government has to redress the imbalances of the past discriminatory policies and practices. After the threat of political sabotage diminishes the government should then move to the complementarity model, with more emphasis on the merit principle, which is more emphasized in the British permanent and American hybrid models. The problem with the politicized model is that it is subject to abuse by corrupt politicians and senior public servants. An emphasis in the politicised model is more on political patronage than on the "merit" principle. Complementarity offers a stable solution for the politicians –administrator's problem that the dichotomy debate could not envisage. In addition state institutions supporting constitutional democracy should act independently against public functionaries who abuse the issue of "political appointments" for their personal purposes.

## CONCLUSION

**T**he model of complementarity is based on political office bearers and senior public servants joining together in the pursuit of effective governance. Despite greater emphasis through the 1930s on separation and subordination, sharing and reciprocity is a reality and must be the future public service ideal. However, emphasis should be placed on the merit system as opposed to political patronage in appointing and pro-

moting senior public servants. In the final analysis, complementarity encompasses separate and distinct roles that a complementary relationship entails and the neutrality and the insulation public servants require for accountability purposes. The dichotomy between politics and administration cannot encompass the reciprocity, sharing, interchange, independence and professional responsibility that are present in a complementarity approach.

To ensure that services are provided to members of the public effectively and efficiently, the tension between political office bearers (ministers or MECs) and senior public servants (especially director-generals) should be eased. There is therefore a crucial need for the government to develop and affirm a Professional Protocol specifying broad guidelines to facilitate more appropriate management of the relationship; roles and responsibilities of elected officials and senior public servants. A need also exists to ensure a common understanding among ministers or MECs, their deputies, and appointed officials of the machinery, systems, principles and practices of government and administration. This is to increase knowledge and skills but also to avoid conflicts inherent in the political-administrative interface.

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