

# PARLIAMENTARY WHIPS IN THE MODERN ERA: A PARLIAMENTARY NECESSITY OR A HISTORICAL RELIC?

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## *Abstract*

*In the academic literature, very little has been done to chronicle the history and the development of whips in legislatures (parliaments). The lack of material on whips is in spite of the fact that, in political and governing processes, political party whips have a history that stretches back to the 18th century. The purposes of this article are therefore aimed at addressing this gap in the literature and to emphasise the necessary role of political party whips, in South Africa and internationally. The discussion deals with the history and the duties of whips at the parliamentary, provincial and local government levels. The authors outline the historical development of whips and explain how their position has developed from noble beginnings, to the point where they play a critically important role in modern parliaments. The main functions and the selection or election of whips, within their respective legislative bodies and particularly in the South African context are also discussed. The conclusion is reached that whips do play a significant and necessary role in their respective legislative bodies and are of critical importance within a modern political system.*

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**Keywords:** Whip, whippers; party discipline; paired voting; calling motions.

**Sluutelwoorde:** Sweep; sweepstelsel; party-dissipline; gepaarde stemming; voorstelle maak.

## 1. INTRODUCTION

Winston Churchill, former Prime Minister of Great Britain, was rumoured to have stated that a (political) party without a whip's office is like a city without a sewer. This very basic analogy provides a brief insight into the functional necessity and structural inner workings of a whip system. Coe (2013:269) a former member of the British parliament, refers to the analogy of a ship without a boiler room to illustrate the propelling and guiding importance of "whips" to ensure that political parties function optimally in a parliament. These analogies highlight the critical and continuing importance of whips for the effective and necessary functioning of political parties in modern parliaments, as is argued in this article.

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In contrast to the views expressed by Churchill and Coe, the general public's basic understanding of the role and function of whips is limited. As will be indicated in the article, very little information exists in the academic literature to explain the concept of party whips and how they position themselves and function within political parties and parliaments. In order to understand the role of a whip, an understanding of the evolutionary nature of political parties and parliaments is required, especially the British parliament, which set an example for many other parliaments of the world.

The evolutionary development of the *mater parliament* in Britain is deeply steeped in history, customs and traditions and has a multifaceted history. Many of the parliamentary traditions and customs (including the development of the whip system) are intriguing and their origins obscured in the historical development process of this parliament that took place over a long period, beginning in the 18th century.

The office of "the whip" is a parliamentary position that was created out of necessity in many other parliaments as well, as part of the political development process that coincided with the development of political parties and their respective parliaments. Parliamentary whips have a long and deep association with parliaments, but for the general public it remains difficult to understand their role, not to mention the semantics of a rather peculiar word – "whip". However, in spite of this peculiar aspect, the "whip" within the political lexicon is a concept which has established itself firmly in the parliamentary landscape.

In the minds of the voting public, the concept "whip" has a peculiar connection with politics and its position in a parliament is unclear. This is the result of the fact that political parties are most often visualised in the mind of the public as comprising a leader, a deputy leader and perhaps a chairperson and members of a parliament, legislature or council and not much more. The position of a "whip" remains obscured from public knowledge, a kind of anomaly - a rare product of history.

One reason for the obscurity of the position of "whips" is that the internal operations of political parties are generally not seen or comprehended by the general voting public. The reality is that whether a political party is in opposition or in government, a great deal of the activity that takes place, happens behind the scenes in caucuses and other party structures. A beehive of managerial and organisational activity must take place in order for parties to function optimally in their respective spheres of government. In both the international environment and in the South African case, "whips" play an important role in both the governing party and opposition parties in all three spheres of government, national or parliamentary, provincial and local, to structure and manage proceedings in their respective legislative chambers.

The exposure in the literature sources on “whips”, their origins and roles in the legislatures of the world tend to be sparse and unclear and references to “whips” in the literature deal mainly with their origins rather than their operation. Occasionally, references are made to “whips” by individual parliamentarians, either in relation to organisational and disciplinary issues, or their removal from office. In this regard, “whips” are shadowy peripheral figures in the mind of the public, but in reality their role in legislative chambers is of critical importance to structure and guide their political parties within their respective parliamentary systems. Without formal “whips”, the internal discipline in parliaments and political parties would, to a large degree, be enforced in an *ad hoc* or unstructured manner, which would inhibit their proper functioning.

## **2. PRELIMINARY DEFINITION OF A WHIP AND THE FOCUS OF THE ARTICLE**

For preliminary definitional purposes, a whip refers to an individual who is a representative of a political party in a legislature and is either appointed or elected to enforce discipline, to determine tactics and to ensure attendance and voting in debates. Depending on the legislature concerned, several whips may be appointed or elected and sometimes are referred to in unconventional English as the “whippery”.

In the British parliamentary system, the formal definition of a whip is that he or she is “a member of the House of Commons who is specifically responsible for the liaison between the party’s leaders and the ordinary Members of Parliament for the purposes of information, organisation of debates and discipline” (Westmacott 1983:1) .

The purpose of this article is firstly to refer to the position of whips in the literature as a neglected area of study, followed by a more detailed definitional and historical outline of the origins of whips, their election or appointment and generally of the role of whips in Britain and South Africa. The authors will also trace the historical origins of whips and highlight the importance of their position in legislatures. The investigation will be undertaken with reference to their role in government and in opposition political parties in ensuring their optimal functioning within their respective legislatures.

In the second part of the article, the focus will shift to party whips in South Africa, before and after the 1994 democratisation of the country. The investigation will be on both the national as well as on the local level, but will especially focus on the role that whips currently play in South Africa.

### 3. WHIPS – A NEGLECTED AREA OF STUDY

As indicated above, the historical background and institutional and functional role of whips are clearly a neglected area of study within the academic disciplines of history and political science. Oleszek (1971:956) remarked, more than 40 years ago, that the study of the whip system in the United States of America had been largely obscured within the various human sciences disciplines. He pointed out that a mere handful of studies have been done in this area and that the role of party whips, especially at the state legislative level, remained an unexplored area.

Oleszek's (1971:956) observation is still valid and equally applicable in most national states, studies and offerings at universities in the United States of America and the rest of the world. Searches in databases that were undertaken subsequent to Oleszek's study (1971) in preparation for this article, yielded few results. Similarly, whips have been a neglected area of academic study within the South African academic environment. A search in Unisa's extensive electronic database did not yield a single source or reference to whips. For example, the comprehensive publication on the history of the South African National Party produced in five volumes by the Institute for Contemporary History, covering a large area of South African political history, does not contain a single reference to party whips. (Cf. List of Sources: Geyser and Marais (eds.) and Coetzer and Le Roux (eds) 1975-1994).

James Walker, Chief Government Whip in Canada from 1963 to 1966, commented that once you get beyond the parliament in Ottawa nobody seems to have heard of a whip. However, as he stipulated, nobody in Ottawa itself has ever heard of a whip. The reason is that whips work quietly behind the scenes and very little of their activities are known to the general public (Westmacott 1983:1).

Venter (1989:51) and Venter and Johnston (1991:81), in their respective introductory texts on South African politics, made only brief reference to whips and their role within the parliamentary system. Momberg (2012) devoted a large section in his autobiography to the role of whips in the post-1994 era in South Africa, although most of the material is on a more personal level about his responsibilities as a Member of Parliament (MP). However, in this regard, experienced parliamentarians such as Momberg played an important role as a whip, to familiarise the new ruling party, the African Nation Congress (ANC) post-1994 on the inner workings of parliament and other organisational matters.

Apart from the sources mentioned and referenced to in the article, little else was available in the literature after a search was conducted of the available sources on parliaments. The researchers had to rely on fragmented pieces of information to put the jigsaw pieces of the intellectual puzzle together. A comprehensive work on whips is certainly needed within the human sciences to address the gap in the literature.

#### 4. DEFINITIONAL AND HISTORICAL ORIGINS OF WHIPS

Historically, the evolution of political parties within the parliamentary system has taken place in tandem with the development of the institutional role of whips. It is important to note that the role of whips has accelerated from the second half of the 19th century and has had a profound impact on the development of political parties. The divergent interests that Members of Parliaments displayed in the first half of the 19th century, particularly in the United Kingdom, had undermined party discipline and delayed the consolidation of political parties and centralised leadership. This necessitated a strong and assertive role for the chief and other whips in parliament, not only for the ruling party, but also for the opposition parties.

The evolution of the whip further hastened the process of the consolidation of political parties and centralised leadership. *The Dictionary of American Politics* (1968:404) defines a whip as:

“[A] a member of a legislative body, designated by the party caucus, whose duty is to remind members of his party to be present when important votes are to be taken, to arrange pairs for members unavoidably absent, to conciliate members who are dissatisfied with the party program, and to keep his party leaders informed as to the attitude of members toward public questions.”

Duverger (1978:188), however, was able to summarise the role of whips neatly and draws a distinction in his observation that, “... members of parliament lead the party: but the members themselves are led by their leaders and their Whips”. The whips in the (British) parliament became responsible for the slogan: “‘Vote as you are told’, but in reality, members do not always follow the party line” (Duverger 1978:168).

The title “whip” also has a curious element which suggests a persuasive element suggested in *The Dictionary of American Politics* (1968) and the Duverger (1978) definitions referred to above and that is *to enforce discipline* and secure the attendance and votes of party members at important sessions. However, the *Concise Oxford Dictionary of Current English* (1995:1597) has adopted a more neutral connotation and describes a “whip” as “a member of a political party in Parliament appointed to control its parliamentary discipline and tactics esp. ensuring attendance and voting in debates”.

Searing and Game (1977:361) provide a definition which reflects more of the coercion and social control with their observation that the term “whip” derives from the historical British fox hunter. A “whipper-in” was the person who kept headstrong dogs running with the pack and the term was as such appropriated into the political terrain referring to political parties and their need for internal coercion and social control. This coercive aspect should be understood within the context of British politics and the problem of backbench opposition and their challenge to party leadership and decisions.

In order to understand the historical development of the notion and role of whips, the development of the political party system should also be understood. The development of a political party system has strong relations with the concept of regional representation, particularly in the British tradition. The idea of regional participation pre-empted the mass party systems, which is of a more recent origin. For several centuries, the regional representative (each individual Member of Parliament) represented the voters in a constituency, *but not* the political party he or she belonged to (Carpenter 1987:48). As a result of the fact that the loyalty of the member was directed to a constituency and not a party, party discipline was weak and cohesion was also weak and decentralised which in turn undermined the party's effectiveness to act as a unified group in a legislature.

In the mid-19th century, individual Members of the British Parliament were therefore not formally subject to the party leader or the party caucus. The Members of Parliament stood by broad general principles and supported the party, but they were also concerned with the members in their constituency, rather than with the slavish adherence to the ideas of a particular ministry. The tendency was therefore to show loyalty to their constituents and not the party. They were not disciplined for their "lack of loyalty, but there was a danger that they might not be re-elected at a general election" (Carpenter 1987:48). In 1841, British Prime Minister, Sir Robert Peel, however, required a measure of loyalty from his followers which was unheard of at that time. The freedom of individual Members of Parliament to vote according to their own views, made the task of the ruling party very troublesome, because it was very difficult to count on their support to enact legislation. The *Reform Act of 1867* provided a strong impetus to the development of the party system because the rearrangement of constituencies meant that they (the political parties) were more homogeneous than before. The individualism of members still meant that political parties in some instances could count on the support of the opposition. However, the leading statesmen of the era, Benjamin Disraeli and William Gladstone, played a major role in creating party solidarity, which addressed the problem of fragmentation to a large extent.

Over time, British ministers used a semi-official system of making sure of substantial majorities by buying the votes of Members of Parliament. In the House of Commons, a desk was created where the members came to receive the prize or payment for their vote on a division. The secretary in question was called the "Patronage Secretary" and kept a close eye on the votes and speeches of those members who benefited from the extension of the "privileges". In the eyes of the Members of Parliament, the secretary very soon became the man with the whip, just as in fox hunting where the "whips" became responsible to keep the hunting dogs within their pack.

The role of whips then became important to instil discipline in the various political parties and to centralise their functioning. When parliamentary morality improved in later years, the structure of the groups in parliament, which included the position and authority of the whip, overtook the underlying reasons for installing the whip in the beginning (Duverger 1987:xxvi).

Naturally, officers such as party whips played a more important role at election time to organise and encourage an *esprit de corps* among members of the same political parties (Carpenter 1987:48) However, the duties of whips have broadened in the 20th century and developed a specialised role in the modern era.

According to Moodie (1971:116), no British government was obliged to resign, except upon verdicts of censure. However, in recent decades governments have come to regard any vote, even on issues of minor detail, as a vote of no confidence and any defeat must be either reversed or lead to the government resigning or dissolving parliament. Whips, therefore, play a role in averting such events from taking place

Moodie (1971:117) further explains that the principal role of the whip in the British context is:

“... to keep the internal party machinery well oiled, so that the natural forces of loyalty continue to do their work. One of their tasks, therefore, is to circulate information about forthcoming debates, indicating when votes are expected, how party members should vote ... and by the number of underlinings, how important each vote is. These printed instructions are also referred to ‘whips’ – a ‘three-line whip,’ for example, being of major importance ... The printed whips are also used to summon members to party meetings of all kinds.”

Moodie (1971:117) says in his summary that “party whips help to maintain party cohesion, occasionally by pressures and threats, often by persuasion, and mainly by pointing out to members how best to demonstrate their loyalty they naturally feel, and to the leaders how best to earn their loyalty”. Moodie (1971:118) adds, with regard to the role of whips in keeping members in line, that “politics is a matter of power, and any good government can always get its way. Paying attention to its own back benchers is part of the technique of ensuring that it will get its way.”

## 5. THE APPOINTMENT AND ELECTION OF WHIPS

Importantly, the difference between appointed and elected whips should be understood in order to appreciate the role and impact of whips within the parliamentary system. Whips in the House of Commons are appointed by their immediate superiors, and not elected, so as to ensure their loyalty and efficient service. This appointment from above is a cardinal principle of party discipline, centralisation of the political party and the bureaucratic authority (Searing & Game 1977:362).

Coe (2013:269) relates how he was informed out of the blue that he was appointed as a junior whip in the House of Commons. This is in stark contrast to election from below as in the case of whips who are elected by the members to whom they then become responsible. The system of elected whips “from below” is also in operation in the United States. Elected members who obtained their position from below are more likely to “take liberties with their superiors. The advantage of elected leaders is that they emerge as leaders through social relationships and therefore articulate basic group norms” (Searing & Game 1977:362).

The method of appointment or election of whips determines their role and impact. Whips in the House of Commons are appointed, and not elected, by their immediate superiors to ensure their loyalty and efficient service (<[www.parliament.uk](http://www.parliament.uk)>). The appointment from above is a cardinal principle contributing to party discipline, centralisation of the political party and the bureaucratic authority (Searing & Game 1977:362). This explains largely party cohesion in the United Kingdom being much stronger than the cohesion in the United States.

This is in stark contrast to appointment from below as in the case of whips in the United States, who are elected by the members to whom they will be ultimately responsible. Elected members who obtained their position from below are more likely to take liberties with their superiors and pursue agendas in line with the members who elected them. The method of selection or election, and sometimes a combination of both, varies widely from country to country and even from one parliamentary system to the next, as explained with reference to Canada.

Canada strongly followed the British parliamentary tradition as a result of its colonial history. Similar to the United Kingdom, the authority of the whip is also derived from his or her appointment by the party leader. However, in contrast to the House of Commons, the party whip has remained an obscure member of the caucus and possesses neither the moral authority nor influence of the British whips (Westmacott 1983:2).

## **6. THE ROLE AND DUTIES OF A PARLIAMENTARY WHIP WITHIN THE BRITISH SYSTEM AND ACROSS COUNTRIES**

As indicated above, the primary duty of whips historically seemed to be intrinsically linked to “disciplining” the Members of Parliament who do not toe the party line. In the British parliamentary system, the back benchers, who do not always follow the directives of senior members and officials, are strongly guided by the whips. In other parliamentary systems, such as Australia, with strong party coherence and strong party discipline, whips play a lesser role. Therefore, unlike the United Kingdom, Australian whips do not hold official office, but are recognised for parliamentary purposes (Australian Parliament: website).

However, the duties of whips over the years have become more and more all-encompassing and complex, as indicated by Searing and Game (1971:361). Their responsibilities could be categorised into four principal functions:

- (i) *liaison*, a two-way process of communication and intelligence gathering which entails that whips should have their “ears on the ground” to preempt any division amongst members and to “pour oil on troubled waters”;
- (ii) *discipline*, which reaches back to the historical and more conventional position of whips, namely building authority, “cajoling subordinates” and, the old-fashioned strategy of dispensing strategic rewards and punishments;
- (iii) *management* – in the modern era, this is probably the principle task of whips; to structure and plan activities in parliament, such as the planning of the week’s business, steering Standing Committee work and dictating the procedure in the House, such as who is going to speak on what and when;
- (iv) *administrative tasks*, such as the monitoring of speakers and organising who speaks in parliament, when, on which topic and for how long.

On the website of the British Parliament (<[www.parliament.uk](http://www.parliament.uk)>), the reference to the duties of whips is concisely described as:

“... whips are MPs or Lords appointed by each party to assist with the organisation of their party’s contribution to parliamentary business. One of their (primary) responsibilities is to ensure the maximum number of party members vote and that they vote according to the party interest. This is especially the case when the majority of a party in the House is very small. However, as in other publications the responsibility of the whips (together with the Leader of the House of Commons) is the arrangement of the business of Parliament.”

Coe (2013:269) describes the role of whips as: to “make a house and to keep a house”. He explains that keeping a house means ensuring that enough government members are at hand to be summoned into the chamber in the event of a division. Coe (2013:269) added that the role of the whips “on occasion is to bring back into line the wayward of the party”. Coe (2013:269) cited occasions in the House of Commons where the wayward were almost forcefully “reminded” of their duty to their party.

The role of whips is of paramount importance to arrange the “business” of parliament and to structure the day-to-day activities. It is, however, the crucial aspect of following the party line that is the primary responsibility of a whip, especially in the House of Commons with its history of backbencher revolt. The crucial role of whips is to “whip” dissenting party members in place, which is sometimes a daunting task, as indicated above.

The importance of whips was illustrated during Tony Blair's time as Prime Minister. Early in 2003, Blair spoke about the possibility of the United Kingdom being part of a United States-led attack on Iraq, especially in the absence of a United Nations (UN) resolution specifically authorising such an attack. There were clear divisions in the Labour Party about this possibility and voting on this issue in the House of Commons. Despite the frantic efforts of party whips, 121 Labour MPs voted against their whips and there were a large number of abstentions (Cowley & Stuart 2004:306).

The role of whips forms an important link between the government and the parliamentary party, as well as between the government, the opposition party and other important key figures within the Commons. An interesting interrelationship between whips of opposition parties is that of "pairing". If a member cannot be present when an important vote needs to be taken, a whip will find a member of the opposition party who is also unable to be present and "pair" them, namely make an arrangement that neither shall cast their vote during the voting process (Stewart 1985:125). This is also the custom in Canada as indicated below.

In Canada, the activities and responsibilities of the whip are a little wider and include:

- (i) the allocation of member's offices;
- (ii) the selection of members to serve on parliamentary committees;
- (iii) monitoring attendance of members in the House of Commons;
- (iv) preparation of the duty roster to ensure a quorum;
- (v) arranging parliamentary pairs;
- (vi) communication of information to members regarding votes;
- (vii) approving of requests of members that want to travel while parliament is in session;
- (viii) recommending members to serve on parliamentary delegations (Westmacott 1983:3).

However, as indicated, the whip system in Canada is less rigid and lacks the forceful nature and visibility of whips in the United Kingdom, who operate in a much more volatile political environment.

## 7. SOUTH AFRICA – WHIPS, CONSTITUTIONAL AND STATUTORY PROVISIONS

### 7.1 The parliamentary level

A short historical background is necessary to explain the interrelationship between the development of the political party system and the role of whips in the South African context. In the second subsection of this section, the focus will narrow with reference to the current role of whips within the South African post-apartheid era and critically analyse the role of whips within a partisan political party order. Similarly, as explained in relation to whips in general, there is also a great scarcity of material in the literature on political party whips, their appointment or election and their roles in the South African context.

No references were made to the role of whips in South Africa's first Union Constitution, which was based on the *South Africa Act* (1909) enacted by the British Parliament. There is a sole reference in the *South Africa Constitution Act 32* of 1961, that the chief whip was to be appointed by the cabinet (ruling party) and his tasks were to coordinate the working of the two chambers of that parliament. However, an interesting provision was contained in article 1 of Statute 40 of 1974, which stipulated that the Speaker of the South African Parliament had to authorise the appointment of the various whips on the basis that they are "reasonably necessary for the efficient and smooth functioning of parliament" (Cloete 1983:96). The provision leaves the impression that the Speaker had authority over the appointment and the position of opposition whips.

The 1983 apartheid "three chamber" constitution (110 of 1983) of South Africa included one of the first noteworthy references to the appointment and the position of whips in the central parliament of that time. The 1983 constitution made provision for several whips in parliament, with a chief whip of parliament and chief whips for the majority party in each House, as well as the Official Opposition in each House. Their main duties were to coordinate debates and to allocate speaking terms to Members of Parliament (Venter 1989:51). However, the tasks of whips today are more diverse and complicated, as will be indicated below.

The Constitution of the Republic of South Africa 1996 is silent on the existence and role of whips in all three spheres of government, national, provincial and local. The Constitution 1996 (Sections 57(1)(a) and 116(1)(a)) provides for both parliament and the provincial legislatures to make rules and orders to determine and control their own internal arrangements, proceedings and procedures. Similarly, a municipal council may make decisions concerning the exercise of all the powers and the performance of all the functions of the municipality (The Constitution 1996, s160(1)(a)). With regard to local councils, the *Local Government Municipal*

*Structures Act*, 1998 provides for the election of mayors and other committees; it similarly does not refer to the existence and role of whips.

Whips at the local government level are appointed in terms of the *Remuneration of Public Office Bearers Act* (Act 20 of 1998) read with the *Municipal Structures Act Sections* 12(3) (f), 16(d) and Section 18(4), which allocates a municipality the authority to designate councillors as full-time or part-time in terms of a policy framework determined by the Minister for Provincial and Local government, after consulting the Member of the Executive Committee (MEC) for Local Government. In line with these provisions, for example, the Tshwane Municipality (also referred to as the City of Tshwane Metropolitan Municipality), as an example of one large South African metropolitan council, designated a Speaker, Executive Mayor, Members of a Mayoral Committee, Chairpersons of Section 79 committees and a “Chief Whip of the Council” (City of Tshwane: *Rules and Orders by-laws*, 2012). Whips are therefore given standing through internal council decision-making processes.

In an interview, the current parliamentary African National Congress (ANC) whip, Mr Stone Sizani, outlined very neatly the duties of a whip. Sizani explained that the duties of the ANC whip in South Africa are threefold:

- (i) to ensure order and discipline within the ANC caucus, which consists of ANC members of parliament;
- (ii) to play a very important role in the structuring of the parliamentary programme, namely the discussion on bills, budgets and debates;
- (iii) to act as an important link between the ANC main office in Luthuli House in Johannesburg and the parliamentary caucus in Cape Town (Joubert 2013:17).

The last point is very significant because it emphasises the strong link between the executive arm and the legislative arm within the ruling ANC party. The chief whip, in the case of the ANC, is supported by ordinary whips that share the duties in parliament and are under his direct control.

The opposition Democratic Alliance (DA) spells out in detail the responsibilities of its whips. They include the management of motions and the assisting of members with regard to questions relating to rules and practices of parliament, the administration and co-ordination of the party’s parliamentary programmes, the taking of points of order, maintaining discipline, communicating with members, the assessment of performance of members and various other administrative tasks like allocating office accommodation. (DA Job Description, Whips Motions, Questions, PDMS. Personal communication).

In some instances co-operation takes place between whips across party lines, but such co-operation is determined by the strength of the relationship between the

political parties often dictated by the personalities involved. When this co-operation takes place it is undertaken through a Whips Committee comprising members of the various parties represented in the legislature.

## **7.2 The selection of whips in South Africa**

As is the case with the British parliamentary system, there are generally in South Africa two methods of appointing whips, either by appointment by a party leadership or hierarchy, or by election through party structures such as a caucus. In some legislatures a combination of appointment and election may be applied where for example the chief whip is appointed and the remainder of the whip component is elected. Whips are generally not popular within political parties as they have to enforce discipline and often take controversial or contested managerial or administrative decisions affecting fellow party and caucus members.

Office bearers in caucuses, such as leaders, chairpersons and others, are generally elected by the members of those caucuses. Whips may also be included in this process and generally are elected in proportion to the number of representatives that each party holds in the respective legislature. Such office bearers may be elected for varying periods and their re-election is subject to the will of the caucus electors and internal party rules. Both majority and minority party whips receive remuneration in addition to their parliamentary income.

Since whips are probably the least popular of office bearers in a caucus, the question arises as to whether they should be shielded from a popular vote by their caucus colleagues as they are likely to adopt a populist stance to ensure their re-election. Further, the question may be asked whether populism is desirable for good management and discipline within a caucus. An alternative approach is to appoint a whip for a predetermined period so that the incumbent does not have to bow to populist pressures and make perhaps unpopular but necessary decisions. All parties have factions within their membership base which very often vie for their own interests and candidate preferences. The appointment of whips is a method of removing them from factionalist or populist pressures so as to pursue their duties effectively. The counter-argument is that all office bearers may make unpopular decisions and therefore whips should not be treated differently and should also be subject to a popular vote.

## **7.3 The South African Parliament and whips**

According to a South African parliamentary whip, the role of the modern-day whip has evolved to encompass participation in programme management in the respective legislature guided by internal rules and political party decisions. In general, the role of whips in South African Parliament, which includes the National Assembly (NA)

and National Council of Provinces (NCOP), includes attending periodic multi-party whips meetings, programming committee meetings and rules committee meetings. Other administrative duties include the enforcement of disciplinary procedures and attention to travelling, accommodation and seating arrangements. The whips then have to co-ordinate these decisions with the respective party leaderships and caucuses. In the NCOP, the role of the whip is extended to include coordination beyond parliamentary leadership to leadership in the nine provinces, since legislation passed by parliament must also be passed by the NCOP, which includes representatives from each of the provinces. (Personal communication from a South African parliamentary whip – 4 February 2013). In the South African parliamentary establishment, whips communicate information within their portfolio clusters and communicate information to party members in those clusters and in turn to the leadership of the party.

Whips in the South African Parliament tend to be selected in accordance with leadership and party needs. The governing ANC has in 2014 its 11th Chief Whip in office over a period of twenty years. The public reason given for the most recent change of Chief Whip was that as a result of an internal rule, the incumbent should be a member of the ANC National Executive Committee (NEC) (*Beeld* 9 July 2013). The previous holder of the office was not, although it is speculated that other reasons came into play including competency and being out manoeuvred by the opposition. The opposition Democratic Alliance (DA) similarly had a change of Chief Whip in 2012 when the parliamentary leadership changed hands and the new incumbent leader followed her party rules in making her own selection of Chief Whip.

In post-apartheid South Africa, the appointment of whips in the ruling ANC is done by way of appointment and not popular election. The current Chief Whip of the ANC, Mr Stone Sizani, was “informed” by the ANC deployment committee that he will take the position. Sizani was reluctant to take the position, but in his own words “in the ANC you go where you are told” (Joubert 2013:17).

#### **7.4 Whips on the local government level**

Legislation and in particular the *Local Government Municipal Structures Act, 1998*, Schedule 3, pertaining to the election of office bearers, is silent on the election of whips. For example, according to the minutes of the first council meeting of the City of Tshwane Metropolitan Municipality held on 26 May 2011 following the 2011 local government elections, a Chief Whip of Council was elected in terms of this Schedule. Schedule 3 only explicitly provides for the election of a Speaker, an Executive Mayor and a Deputy Executive Mayor or a Deputy Mayor. The Chief Whip of council was formalised through internal procedures, according to the incumbent of the office, a formal status and remuneration. In the profile of the

Chief Whip of the City of Tshwane (Caucus Bulletin, November 2012:2), a section is included which refers to the role of chief whips and which summarises the duties of the position within the modern context in a concise format. According to the information booklet (2012:9), the position of Chief Whip was instituted in terms of Gazette 23964, dated 18 October 2002 and describes the role of the Chief Whip to:

“...organise the work of councillors in party caucuses; ensure that councillors attend Council and committee meetings; ensure that committee meetings quorate; decide which councillor will speak during a debate; decide the allocation of party councillors to various committees and ensure that new members of committees are familiar with the standing rules”.

According to an opposition former Chief Whip in the Tshwane council, whips have five functions. While party divisions are clear, there are occasions when political parties must interact. Whips, therefore, perform this function of interacting with other parties when it comes to issues of obtaining agreement on, for example, a legislative or policy amendment. Moreover, whips share an administrative load in communicating internal communications to members; they also negotiate and plan the order of agenda items for meetings. Whips also initiate and monitor training programmes for legislators and ensure that members are dealt with fairly with regard to service and remuneration benefits (Interview with a Chief Whip, 3 May 2013).

Whips also are involved in assessing councillors’ performance of their party-determined duties both within and outside the council. They monitor attendance and speaking turns in the council. They also call for points of order and information on policy and legislative proposals. Political parties, in turn, formulate their own internal rules for the election of whips. Generally, whips are appointed in proportion to the number of representatives in the particular legislature. The City of Tshwane Rules and Orders, for example, refers to the “Chief Whip of Council” (*City of Tshwane: Rules and Orders by-laws* 2012:15) as referring to a full-time councillor appointed in terms of the *Remuneration of Public Office bearers Act*, 1998.

## 8. CONCLUSION

The conclusion is that the role of whips is a neglected area of study and also an underrated position in the functioning of modern-day political parties and legislatures. Whips perform important functions as noted above, mostly not visible to the public, but do, to a large extent, set the tone for the optimal performance of political parties. Whips generally require personal strengths, including negotiating, organisational and administrative attributes necessary to cope with the pressures of office.

It is pointed out that the position of a whip is a very special one and that they are potentially powerful members of legislatures. Whips operate in the private sphere – that is, in the political party and caucus sphere out of public

view and therefore their role is not well understood, researched or written about. Over time, their roles have become more formalised in legislatures and political party structures.

Increasing legal recognition, particularly in the South African context, is being given to the existence and role of whips in political parties. As political parties have become larger and more diverse, in line with demographic changes, so whips are likely to play increasingly significant roles in managing disciplinary, administrative and operational processes within their respective political parties. Indeed, if political parties are to function optimally in a constitutional democracy, they require internal organisation – and the role for the whip has become a parliamentary necessity.

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