

THE PRACTICE OF Premier's intergovernmental forums

The Intergovernmental Relations Framework Act, which came into effect on 15 August 2005, requires that all provinces must have established Premier's Intergovernmental Forums (PIFs) within one year of coming into operation. That year has come and gone. Have the PIFs been established? Are they functioning as envisaged by the Act?

Establishment

A plethora of provincial intergovernmental forums had been established in the country prior to the introduction of the Intergovernmental Relations Framework Act (IRFA) on 15 August 2005. Some provinces, such as the Western Cape, the Eastern Cape and KwaZulu-Natal, were proactive and established their PIFs in anticipation of the Bill becoming law. Others, including Limpopo and the Free State, were more reactive and waited for the promulgation of the Act before aligning their intergovernmental structures with it. The intergovernmental forums in the North West and Mpumalanga, on the other hand, have continued to operate as they did prior to the Act. Gauteng, in adopting the Premier's Forum, also continued with its previous Intergovernmental Forum, which had a broad membership.

Composition

A common feature of most provincial structures is that they included more members than those listed in the Act, for example other MECs besides the MEC for local government and housing. In some cases, these were MECs in charge of strategic portfolios or chairpersons of cabinet committees, while in others, forum membership embraced the province's entire executive council. The same practice occurred with regard to municipalities. While the Act only requires the mayors of district municipalities to be members, a number of

provinces included local mayors as well. In Mpumalanga, the North West and Limpopo, the representation of municipalities in the provincial structure was extended to include executive mayors and mayors of all local municipalities in the province. The Western Cape has been innovative by including local municipalities in the first phase of each meeting and excusing them as the meetings become more focused.

The combination of politicians and officials

The PIF is a gathering of politicians. Officials are not members, except by invitation. However, the structures in Limpopo and Mpumalanga combine the premier and mayors with heads of provincial departments and municipal managers in the same forum. In the North West, on the other hand, municipal managers are only invited to participate as technical support in all meetings. The structures in Gauteng, the Eastern Cape and KwaZulu-Natal present a clear separation of politicians and officials as they include provincial and municipal officials only by invitation.

Other stakeholders

Also included, mostly by invitation, are private corporations and non-governmental organisations. Some provincial structures invite private corporations and non-governmental organisations to attend meetings, the most common being

service providers like Eskom in Mpumalanga and Limpopo. The North West's membership includes all 20 members of the Economic Advisory Council and the chairperson of the North West Youth Commission.

Large intergovernmental structures

The size of most provincial structures is hardly as compact as contemplated by the Act. The "mean and lean" provincial structures are the exception, while "broad and inclusive" ones are more common. The largest provincial structures are in the North West and Limpopo, where meetings are attended by more than 70 and 108 delegates – politicians and officials – respectively.

Functioning

Most provincial forums have been functioning well to some extent, as most of them have been meeting and interacting. The premier's coordinating forum (PCF) in the Eastern Cape has met three times in the current year, with the attendance improving markedly as compared with the previous structures, which existed on paper only. In the PCFs in the Western Cape, Mpumalanga, the Free State, the North West and Gauteng, attendance has also been very good. Although it was supposed to meet quarterly, the PIF in Limpopo has so far met only once in the current year. The next meeting is scheduled for November 2006. On the other hand, the PCF in KwaZulu-Natal has met twice since its inaugural meeting in April 2005, but not once this year.

Preliminary assessment

Quite unlike the track record that provincial intergovernmental structures established in the pre-IRFA period, most provincial forums have been meeting and interacting. A few general observations are in order.

Executive intergovernmental structures: composition and size

Unlike the pre-IRFA structures, none of the current structures include members of provincial legislatures or

- Some provinces were proactive and established their provincial intergovernmental forums in anticipation of the Intergovernmental Relations Framework Bill becoming law. Others were more reactive and waited for the promulgation of the Act before aligning their intergovernmental structures with the Act.
- The size of most provincial structures is not as compact as contemplated by the Act. The "mean and lean" provincial structures are the exception, with "broad and inclusive" intergovernmental structures being more common.
- Most provincial forums have been functioning reasonably well, as most of them have been meeting and interacting.
- However, a key challenge for most of the forums is to evolve beyond information exchange and to serve as agents of development.

traditional leaders. Insofar as the representation of the provincial and local spheres of government is concerned, a key issue that emerges is the inclusion of local municipalities in the PIFs. The IRFA provides for the inclusion of district municipalities and metros only. However, most provincial structures have included local municipalities as well. The assumption behind the exclusion of local municipalities from the PIFs was that communication to the local municipalities could be facilitated via the district municipalities and the district intergovernmental forums (DIFs).

However, this assumption does not always hold true, as the level of communication between district and local municipalities is not always what it ought to be. There is also no guarantee that the DIFs can serve as effective conduits of communication between the province and local municipalities. In some cases, the capacity and economic position of the local municipalities are so central to provincial development that their exclusion from the PIF appears irregular.

These and other reasons might necessitate the reconsideration of a place for local municipalities in the PIF.

Beyond informative discussion?

Most of the discussions in the intergovernmental structures are informative. This observation is not intended to downplay the practical effectiveness of the structures, as information sharing is an important objective of intergovernmental relations. The practice of sharing information has the benefit of facilitating support and assistance among member units of the forum.

Provincial forums have also gone beyond information sharing and served as a platform for the two spheres of government to interact on a range of developmental issues. Most forums have, for example, included integrated development planning (IDP) in their agendas, which has an important intergovernmental relations component as it involves vertical integration between the different spheres of government. The same can be said of Project Consolidate and other sectoral issues.

However, forums that work on developmental initiatives which are grounded in a specific impact zone are not common. Most of them focus on general discussion of developmental issues such as IDP and Project Consolidate, without engaging in the initiation, coordination and implementation of specific developmental projects.

A “negotiated, non-hierarchic” relationship?

PIFs are not supposed to be instruments at the disposal of premiers, but rather forums where equal partners in government come together to consult on matters of common interest in mutual respect. However, the practice of intergovernmental relations does not always reflect this principle of “negotiated, non-hierarchic” interaction, as most forums are dominated by provincial officials. Most are used as platforms where provincial governments and their officials present their policies, without an equal level of involvement on the part of municipalities.

Comment

An institutionalised intergovernmental forum primarily moves intergovernmental relations from the informal domain of interaction – through telephones, letters and informal meetings – into a more formal arena. It involves the creation of a particular structure with certain organisational features, and it introduces regular meetings with a procedure for adopting resolutions and ensuring their implementation. Although it might be too early to confidently determine the impact of institutionalisation on the provincial intergovernmental structures, many of them are functioning well.

Yet there is ample room for improvement in terms of implementing the Act and institutionalising intergovernmental relations. A challenge for most of the forums is to go beyond information exchange and serve as agents of development. Procedures for adopting resolutions that reflect the developmental priorities of the province and ensure their implementation must be put in place. Unless provincial forums facilitate development and ensure the implementation of their decisions, they run the risk of becoming talk shops.



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