

THE EVOLUTION OF Intergovernmental relations AND THE PROMISE OF COOPERATIVE GOVERNANCE

The Intergovernmental Relations Framework Act (the Act) took effect on 15 August 2005. With it came the promise of cooperative governance and a 'seamless' government, through which the constitutional ideals of cooperation in good faith and mutual trust between the spheres of government could be realised. It was hoped that this would result in spheres coordinating their actions and legislation, and assisting, supporting, informing and consulting one another.

In the nearly five years since the Act was promulgated, we have seen relations move from informal arrangements to formalised structures with specific focus areas and objectives as outlined in the policy and legislative framework. We have seen the proliferation of intergovernmental relations (IGR) structures and engagements by all of government. This raises key questions.

- Has the legislative intent really been understood?
- To what degree has the IGR culture developed thus far given effect to that intent?
- How many of these structures are aligned with the vision of the Act?
- What effect has the proliferation of structures had on governance?

If IGR are the oil in the government machinery, then, just as good IGR can help make service delivery efficient and effective, so poor IGR can lead to duplication, inefficiency and competition.

The assumption in both the Constitution and the Act seems to be that spheres of government work together almost spontaneously and organically. However, this article argues that it is precisely the failure of government to work this way that has created the need for a rationalised and more strategic IGR approach. As we march towards 2011 and the third generation of integrated development programmes (IDPs), this article questions the value that the IGR structures have added and asks whether a more strategic approach is possible. It

argues that while achievements have been made in establishing form and laying the foundations required, the substance of IGR engagements leaves much to be desired and a shift in the focus of our IGR structures is required over the medium to long term.

Many roads, one destination: The need for cooperative governance

The concept of wall-to-wall municipalities means that all national and provincial government spending and planning, in addition to that of municipalities, is realised in a particular municipal area. Local government is thus the focal point of delivery of all government services: there is no provincial 'area' or national 'area'. All development consequently takes place at local level.

Almost eight years ago, this realisation led the national Cabinet to endorse the IDP as the intergovernmental planning tool, with the aim of targeting investment by the whole of government to improve service delivery in a municipal area. IDPs were thus expected to be a comprehensive reflection of the investments and programmes of all spheres of government in a particular municipality (or 'IGR impact zone'). Yet separate investment decisions continue to be taken by different spheres of government and stakeholders on the built environment within municipalities. The result can be seen in the clear absence of a shared 'spatial picture' in municipal areas.

Embryonic IGR: Form without substance?

The first term, as one could put it, of formal IGR has been characterised by a plethora of IGR forums and structures, cross-sphere task teams, working groups and the like, all in the name of cooperative governance. There has also been erratic and unfocused participation in coordination structures, with limited or no information shared, particularly around planning, and specifically IDP and provincial planning. A narrow structural approach has also resulted in the collapse of structures as soon as difficulties are experienced, manifested in the number of IGR forums which are periodically dysfunctional where tensions exist.

There has, in general, also been a perpetuation of previous hierarchical or paternalistic relationships between spheres, especially between provincial and local government. This is not helped by the power dynamics manifested by the Act, which favour national and provincial government. The Act assumes that information-sharing and decision-making processes will cascade from the President's Coordinating Council down to the Premier's intergovernmental or coordinating forum (PCF) in each province and finally down to the district intergovernmental or coordinating forums (DCF's). In practice, however, IGR forums often appear to be instruments of the national and provincial government rather than platforms for interaction between the three spheres of government.

In any given province currently, there are a myriad engagements being undertaken by *all* provincial departments with municipalities *all* the time. These multiple engagements are above and beyond the formal mandatory structures which municipalities participate in – none of which necessarily relate to one another. Where and when all of these engagements take place is also often a matter of chance. While the results have been mixed, the general conclusion is that the more structures there are, the less efficient the government machinery appears to be. Where synergy has been achieved, this has often been by chance rather than design. More often than not, there is no visible connection between national and provincial development and action plans and IDPs.

That said, there is, increasingly, recognition of just how daunting a task cooperative governance is in light of the varied roles and resources of the different spheres to invest in the same physical spaces. It is challenging, if not impossible, to completely synchronise the planning and delivery cycles of all departments, as required by the sustainable human settlements approach to infrastructure investment and maintenance. That, however, is not what this argument calls for; complete synergy is highly improbable and therefore unlikely ever to be achieved.

But it does argue that for too long, there has been little or no development planning within the other spheres, which means that when local government plans, there is no, or precious little, engagement by the other spheres to align their programmes with the priorities identified at local level (or even to adapt their programmes to facilitate such alignment). In the absence of a national development strategy, the annual Cabinet lekgotla came up with some programmes (such as Project Consolidate and the focus on identified urban and rural nodes) to attempt to forge alignment between the spheres.

The only coherent attempts were derived from the outcomes of the National Spatial Development Perspective and the subsequent demand that provinces should have provincial growth and development strategies to align with IDPs, while national departments aligned with provinces. These frameworks were not content-driven, however. They were not driven by a vision of where the country as a whole needed to go and of what the role of each public entity was in achieving that vision.

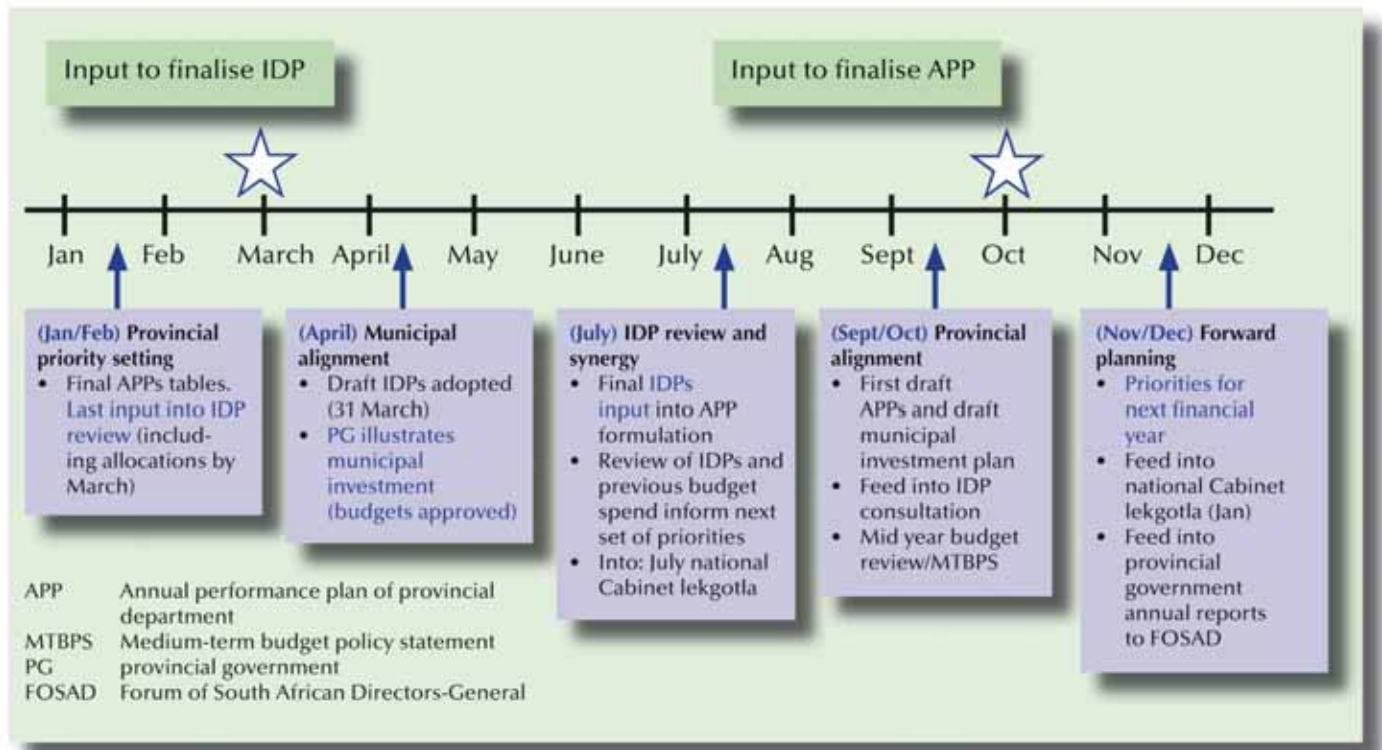
As a process, IGR are not content-driven. In practice, the key driver of IGR has been the government's annually changing programmes, which cause innumerable problems for municipal planning. But development is about content, and should be driven by questions such as: What are we working towards (in education, health, the economy, etc) and how? What are the challenges? Which sectors must do what, and how do we resource them? What enabling mechanisms do we put in place? And so forth.

Evolving IGR engagements: Towards integrated development planning

Is there, then, a simpler and more effective IGR approach to accelerate developmental objectives and ensure coherence in the intergovernmental arena? If so, what should be the focus of IGR structures, such as the PCFs, that link provincial and local government, and how do DCFs feed into those structures in practice? A number of questions have to be considered here.

- What is ideal and what is practical in terms of integrated planning?
- How does a provincial government become a partner in the IDP development process and ensure that all provincial annual performance plans (APPs) are reflected in IDPs and vice versa?
- How do national departments engage local government in the development process, if at all?
- How should IGR engagements be structured so that the strategic agenda guides the functional line discussions?

Figure 1: A more logical approach to inform IGR engagement with provincial and local planning cycles



First, the number of forums and engagements should be rationalised to give effect to the legislative intent and to focus IGR engagements. If the 12 or so departments in every province each engage with 20 to 30 municipalities every quarter, or even just twice a year, this results in at least 500 engagements between provincial and local government per year per province. This is not only extremely costly, but also means that politicians and officials – the latter perhaps more so – have little time to focus on the real business of implementation at the local level, since almost every forum requires reports and action of some kind. Throw in reporting to the national government, and the picture for local government becomes truly bleak.

As a first step, the calendar of engagements for the provincial and local government IGR structures should be informed by the planning and budgeting cycles of both spheres. This resulting timeline should form the basis for the meetings of the various IGR forums. It should provide the thread of alignment and coherence within and between local and provincial government. These issues then provide the strategic direction and catalyst for IGR engagement, rather than spontaneous engagement and equally spontaneous withdrawal. Figure 1 illustrates these cycles.

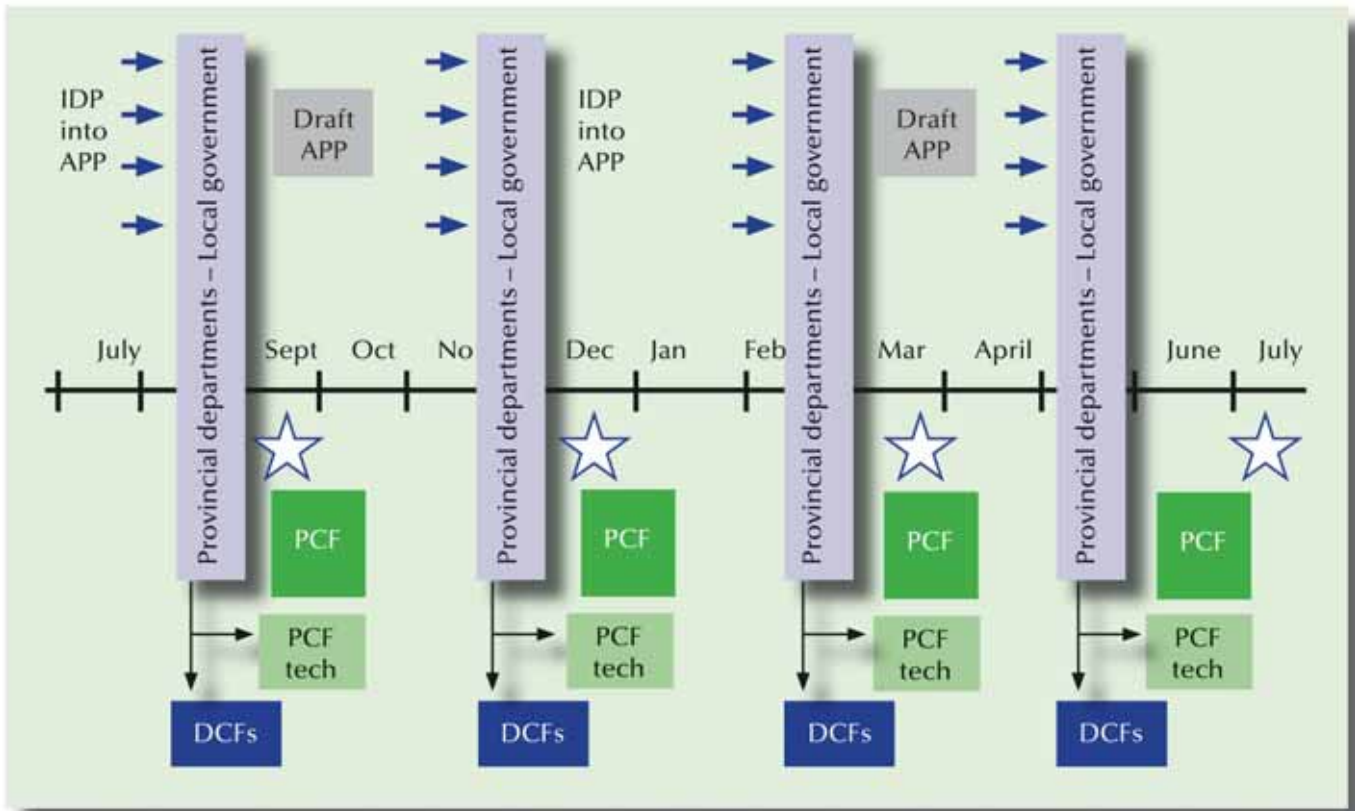
As Figure 1 illustrates, it would be timely for provincial and national government to engage with municipalities on their draft IDP and budgets (as prescribed by the Municipal Finance Management Act) between 31 March and 31 May. Thereafter, it

would be useful to meet between July and September, when national and provincial departments are preparing inputs to their APPs and draft budgets. This engagement is also on IDPs that have been adopted and sanctioned by municipal councils. The period between August and November should then be targeted for engagement between municipalities and provincial sector departments, focused on identifying municipal priority needs and departmental commitments to such needs that can be captured in the draft APPs and budgets of provincial departments.

The number of meetings to be held during a financial year should be predetermined according to these key moments in the calendar. Given the fixed number of meetings, a schedule of meetings should be compiled at the end of the preceding financial year. Moreover, this approach would ensure that meetings of the PCFs and DCFs and the technical structures are synchronised, to ensure that there is sufficient time to go into detail on the strategic issues. This is illustrated in figure 2.

Thus the municipal IDP space should be the central planning arena for both national and provincial functional departments and be utilised to shape ‘sustainable human settlements and a viable local economy’. It should be the tool that spatially brings the three government spheres to ‘act as one entity’. In this way, the IDP would inform the ‘planning agenda’ of intergovernmental engagements through a clear geographic investment plan and spatial logic that guides the long-term

Figure 2: Proposed engagement with local government: 'Capture content into IDP and provincial APP processes'



investment plan of the whole of government in a municipal area, resulting in better coordination of planning and budgeting. IDPs will only then be the focal point of intergovernmental engagement.

This approach, while by no means being a panacea for the lack of planning and alignment between spheres of government, may go a long way towards shaping and guiding the structures, engagements and content of IGR to ensure a more coherent relationship between the spheres of government, its departments and its developmental partners. It could also ensure that our IGR structures are underpinned by a strategic agenda that gives them maximum impact. At the very least, if the ills of duplication and disparate planning and investment can be nursed into a less acute state, we will go some way towards maximising the impact of our limited state resources.

However, this approach does not obviate the need for better long-term planning to inform shorter-term plans, resource allocation, trade-offs and the sequencing of policies. In this regard, the proposed national development strategy or plan to provide that long-term strategic direction proposed in the Green Paper on National Strategic Planning is welcomed. It will certainly provide the strategic content so desperately needed in the IGR arena. (More on this in forthcoming issues of the *Bulletin*.)

Comment

Despite these agonisingly frustrating obstacles, it must be noted that we are the pioneers of this kind of cooperative system. Impressive strides towards giving meaning to our cooperative model of governance have been made in a relatively short time. But our collective dream is still to realise the efficient and effective use of public resources, where a common understanding of roles and responsibilities and genuine interdependence between the spheres is the norm, where unequal capacity between the spheres may still exist but due allowance is made for this by the other spheres, and where IGR structures become the seat of joint planning and budgeting to bring about the hitherto utopian ideal of 'seamless' government. While the dream is alive, the march towards realisation must take a different course.



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