

# PRESENTATION TO THE WORKSHOP OF THE NATIONAL COUNCIL OF PROVINCES

**WORKSHOP THEME: *Taking a lead in  
advancing cooperative governance and  
intergovernmental relations***

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## Outline

- Session topic
- Setting the scene: why do we need government?
- Principles of Cooperative Governance and IGR
- Perennial Challenges: human-made or natural?
- Why Developmental State
- Perpetual examples of the failure of Cooperative Governance and IGR
- Effects of failure of Cooperative Governance and IGR
- Is there hope? Coordination is the King



## SESSION TOPIC

- ❑ The Principles, Meaning and Application underpinning Cooperative Governance and Intergovernmental Relations in South Africa
- ❑ Sobering focus of this presentation: Cooperative Governance and Intergovernmental Relations – prospects for resuscitation of a stillborn developmental state



## Setting the scene: the justification for the existence of government as an institution

- “Government is a problematising activity: it poses the obligations of rulers in terms of the problems they seek to address. The ideals of government are intrinsically linked to the problems around which it circulates, the failings it seeks to rectify, the ills it seeks to cure. Indeed, the history of government might well be written as a history of problematisations, in which politicians, intellectuals, philosophers, medics, military men, feminists and philanthropists have measured the real against the ideal and found it wanting.” (Rose and Miller, 2010)



## ...continued

- ❑ From the perspective of policy sciences, the quality of decision is assessed not on the degree to which it conforms to or uses theory or specific methodologies, but on the degree to which it actually helps citizens or meets specific goals. (Moharir, 2002) [**Legitimacy of the state**]
- ❑ Theories must serve us, not imprison us (Fine, 2014). The analysis and search for efficiencies in Cooperative Governance and improvements in IGR Coordination must not be so much about dogmas, but they must be about the improvement “of the quality of life of all citizens and free the potential of each person” (Preamble of the Constitution, 1996).
- ❑ The National Development Plan underscores the capabilities that will free the potential of each person. “**Indivisibility of freedom**” to quote Mandela?



# Principles of Cooperative Governance and IGR

- ❑ **SECTION 40** of the Constitution *establishes the three spheres of government that are “distinctive, interdependent and interrelated”*
- ❑ Sections 41 and 154 embellish the principles. Intergovernmental Relations Act (2005) institutionalized the framework for the deepening of cooperative governance and promotion of intergovernmental relations.
- ❑ In this context, Sections 100 and 139 constitute “severe inroad” in the institutional integrity of provinces and municipalities respectively and must be applied with the principle of equality and distinctiveness of each sphere in mind.
- ❑ **Meaning?** There is no sphere of government that can succeed on its own (NDP, 2012). Build **coordination capacity** as the key attribute of a developmental state.



# Perennial Challenges: human-made or natural?

- ❑ Maphai Commission diagnoses serious weaknesses in Cooperative Governance and IGR (1996)
- ❑ DPLG publishes a review report that notes that **informal factors** such as politics, trust, leadership and the quality of relations do affect the practice of cooperative governance.
- ❑ LGTAS finds that Cooperative Governance and IGR are behind the parlous state of distress in municipalities (2009)
- ❑ “Move intergovernmental relations onto a more constructive plain” (Diagnostic Report)
- ❑ “There is disconnection between the national planning function from key developmental priorities of provinces and municipalities” (Presidency, 2015)





## Why Developmental State?

- Bizarre self-declaration (Fine, 2010; 2013)
- No developmental state, no development? (Evans, 2014)
- The current administration committed to building a capable state.
- In what appears like a grand plan, the ANC (2007; 2012) proposes how to pursue this complex task; the first attribute of the envisaged developmental state is an approach premised on people-driven and people-centred change for achievement of socio-economic inclusion; the second attribute is the capacity to define the common national agenda and build the social compact around it by mobilising all sectors of society; **the third attribute is the organisational capacity of the state to achieve the national objectives – this includes the important notions of cooperative governance and IGR**; and finally, the state needs to have technical capacity to translate broad objectives into programmes and projects for implementation.



## Perpetual examples of the failure of Cooperative Governance and IGR

- Section 139 interventions – the recent court ruling in favour of the City of Tshwane
- Continuing disregard for IDP fora by national and provincial spheres
- The continued passing of unfunded budgets by Councils despite the presupposed oversight and support functions by provincial structures (Cogta, Treasury and Office of the Premier)
- Local government policy overload; strangulation
- Juniorisation of local government caused hierarchy of political parties

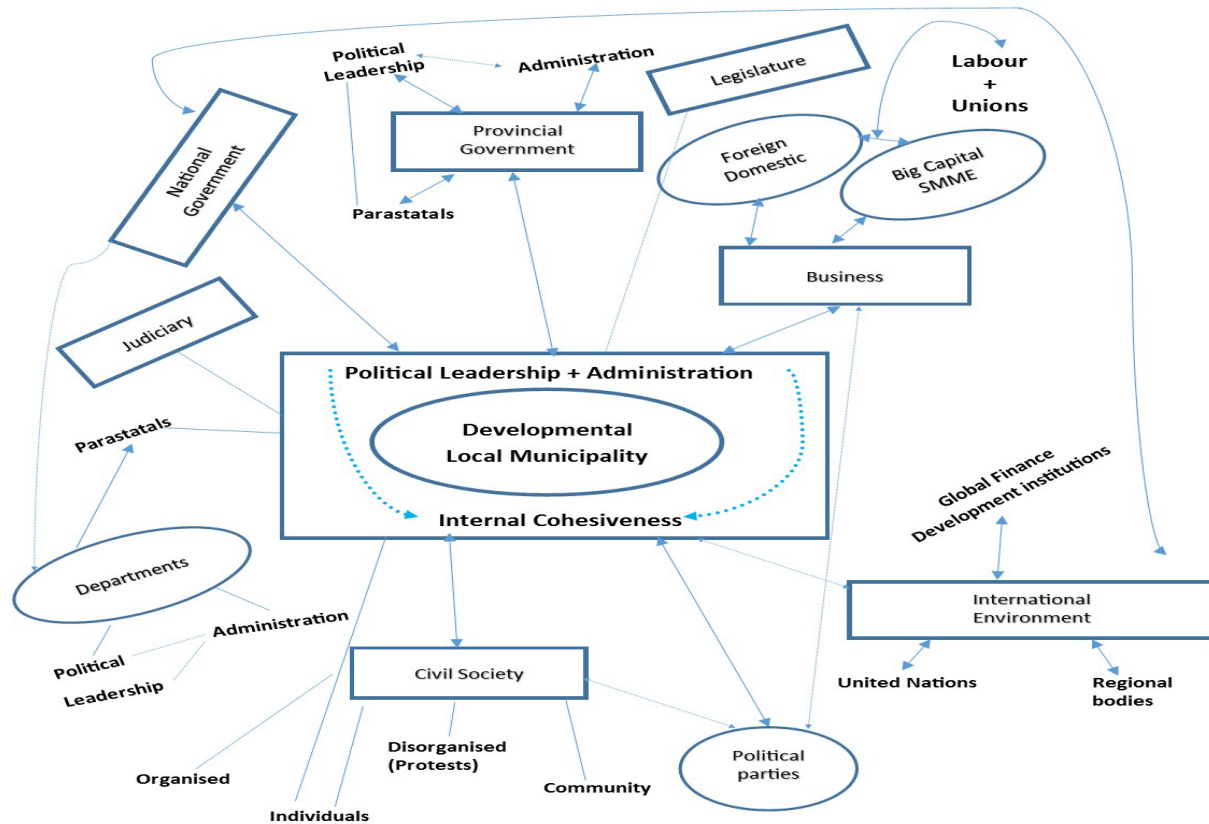


## Effects of failure of Cooperative Governance and IGR

- The failure of the state to “Heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights”
- Skewed planning and development; wastage of resources as we fail to leverage the economies of scale
- Delegitimization of the state and trust deficit
- Continued economic exclusion that breeds social instability
- Possibility of a failed state!!



# Is there hope? Coordination is the King



THANK YOU

