

<p style="text-align: center;"><b>CHAPTER FIVE</b></p> <p style="text-align: center;"><b>ANALYSIS AND FINDINGS OF SELECTED ISSUES WITHIN CASES IN THE NIGERIAN AND SOUTH AFRICAN PUBLIC SERVICE</b></p>
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**Introduction**

The aim of this chapter is to enable the researcher engage robustly with IGR (broadly within the context of country specific policies - SERVICOM in Nigeria and Batho pele in South Africa) as well as explore the issues and cases that have been presented in Chapter 4. This contextualisation providing an opportunity to critically analyse the cases, discuss the emerging trends, present country period-specific findings as well as present cross-country findings that have developed from the selected countries (Nigeria and South Africa). From the above, the lessons presented in this chapter should contribute to an improved understanding of IGR in African federalist and unitary states.

The Nigerian issues and cases exhibit some of the difficulties that several African countries have had to deal with. This relates to managing diversities in a federalist structure and embracing ethnic, cultural and religious tensions. Suberu (1999: 91) note that ‘Nigeria has emerged as the outstanding example in Africa of the federal- local institutions to contain disintegrative tendencies and to promote integrative processes at the national level... however, today, perhaps more than ever...the nature of Nigeria’s federalism has become precarious and contentious’. Nigeria is a power broker in the African region but more so in the sub-Saharan region. As a member of ECOWAS, it is perceived as wielding a lot of power (Ojo: 1999:119). The same argument can be made for South Africa, given that it wields a lot of power in the SADC sub-region and in the African region in general with tensions of race and class management that have emerged as a result of its history. Collectively, the two countries, given

the different government systems adopted, will assist the researcher capture and present a wide range of lessons.

One of the main objectives of any public service entity is to adequately develop its systems in a manner that best serves its citizenry. A number of reforms have characterized the Public service in both countries (Nigeria and South Africa). Ademolekun (1986: 159-160) notes that administrative reforms refer to systematic changes in the administrative system designed to lead to a more efficient and responsive administration. In South Africa and Nigeria, there have been several attempts to reform the Public Service and a lot has been written about these (Levy and Tapscott 2001, Nnoli 2004, Kuye 2006). The researcher, however, focuses on the current initiatives that shape Public service reform with a view to improve service delivery, using IGR. In South Africa, this key reform initiative is known as *Batho Pele* (see Appendix 8) while in Nigeria it is known as *Servicom* (see Appendix 9). This chapter analyses information related to service delivery activities and projects within the framework of the issues and case studies selected from various ministries and departments in Nigeria and South Africa and presented in the last chapter.

The Batho Pele initiative is about putting people first and aims to enhance the quality of services delivered in a manner that improves accessibility, efficiency and accountability to all recipients of public goods and services. And its key principles are: consultation with customers, adherence to set service standards, increased access to services, higher levels of courtesy, access to information about services, openness and transparency, the remedying of mistakes and failures, and the provision of value for money (Department of Public service and Administration, <http://www.info.gov.za/aboutgov/publicadmin/bathopele.htm>. Accessed: 23 May 2006).

According to the Office of the President of the Federal Republic of Nigeria, Servicom demonstrates the Government of Nigeria's service compact with all Nigerians. It is based on the principle that Nigeria can realize full potential if citizens receive prompt and efficient services from the state. It requires a show of commitment and renewal, consideration for all the rights of Nigerians to enjoy economic and social advancement, need to deliver quality services in a dedicated manner that is fair, honest, effective and transparent.

([http://www.servenigeria.com/index.php?option=com\\_content&task=view&id=5&Itemid=6](http://www.servenigeria.com/index.php?option=com_content&task=view&id=5&Itemid=6).

Accessed: 23 May 2006).

The researcher argues that in order to achieve the desired goals as outcomes of the specific country reforms (i.e. SERVICOM and Batho Pele), one of the critical elements that must be strengthened is IGR. This is even more so given that there has been increased interaction amongst and between spheres of government within a particular country, making IGR more complex, and intensive. Wright (1988:467) describes IGR as a 'huge complex building under continual construction and reconstruction. The edifice has no single deliberate overall design or consistent architectural motif. There is a non-stop remodelling and renovation, plus minor and major internal repairs; there is even selective razing and often whole floors and wings are added'. The study is therefore is not in search of an illusive universal model for IGR, rather an attempt has been made to understand the intricacies around the management of IGR, with a view to making interpretations that smooth out complexities and ensures improved coordination of the relationships among governments at different levels. Efforts should continually be geared towards harnessing the successes in the management of IGR and reflecting on some of the challenges as the cases presented in this study.

This inquiry is made against the backdrop that the quality of the Public service continues to assume an important role in any state (federal as in the case of Nigeria and unitary state as in the case of South Africa), especially as the quality of service delivery has implications for the achievement of economic and development targets, and influence the entire growth of the economy. While politically, there is a need for IGR, it is brought into effect administratively through processes like collaboration, cooperation and coordination.

Within that framework, this chapter seeks to analyse the workings in some selected departments and ministries with a view to determine if the value that IGR brings to the achievement of good governance, addressing service backlogs among others, has been fully explored. The study further highlights some of the critical lessons in the management of IGR in both selected countries under discussion, deals with period-specific issues and moves to identify common trends in and across countries.

### **Service delivery imperatives in the selected countries**

The current political administrative system as set out by the 1996 Constitution in South Africa allows for significant control of the national government over the provincial government and of the provincial government over the local governments. Likewise in the Nigeria, the administrative system set out in the 1999 constitution, in addition, is also clear about the responsibilities that these sub-governments have to play with regard to the exclusive, concurrent and residual roles of the various levels of government (Schedule 2 of the Nigerian Constitution, Schedules 4 & 5 of the South African Constitution). These roles that provincial or state and local government authorities have to provide are in general grounded on the principle of subsidiarity which allows for government agency closest to the customers to deliver on a

particular mandate in some instances and in other instances, it is guided by the strategic importance that the government places on a particular function.

In Nigeria, the coordination of departmental activities appears to be of an organic nature while in South Africa, the government has committed to the cluster approach. Regardless of the project and programme emphasis, the aim of any approach that is applied is to manage a very real risk of fragmentation (The Machinery of Government, 2003: 35), to improve coordination and to strengthen implementation of services to the people of the country.

In the case of South Africa, the Constitution advocates that adequate support to be given to sub-governments in order to ensure delivery. The reality may be different and these discrepancies are analysed in relation to the cases presented and it may be argued that these functions continue to be cascaded to the spheres without adequately strengthening or ensuring that there is appropriate capacity as provided in Chapter 3 of the South African Constitution.

### **SERVICE DELIVERY IMPERATIVES: A Nigerian Public service critique**

In understanding the management of intergovernmental relations, it is important to review the activities of public officials and these are inherent in the administrative processes that take place on a daily basis. Nnoli (2000: 44-45) notes that public administration is a pattern of routinised activities, involving decision-making, planning, advising, coordination, conciliation, arbitration, command and data gathering through which government carries out its responsibilities. In this section, the researcher provides an overview of the Nigerian public service, one of the critical contexts for the study, and proceeds to discuss the selected Nigerian IGR cases. Once these cases have been discussed, the researcher then proceeds to carry out an intensive analysis of the emerging trends in Nigeria as well as a periodic analysis of the nature of IGR in the country

Nigeria consists of the federal government, 36 state governments and 774 local governments, with extensive government machinery in all the three tiers of government making its executing agency a large big one with a complex structure. Over the years, several projects and programmes that have been initiated and commissioned have not necessarily been seen through to fruition. And this has brought about a concept called “abandoned projects”. Akobundu (1995: xxxi) notes that as chairperson of the projects monitoring and implementation committee, set up on the 29<sup>th</sup> December 1993, he was amazed by the magnitude of abandoned projects. A number of reasons may be available for the project abandonment. Firstly, there appears to be inconsistency between project planning and project implementation. For instance, the table below demonstrates that governmental spending in the transport sector should have doubled over the years, but the huge differential between the planned estimates and the actual allocation shows that the national plans could hardly be attained as the resources envisaged at planning and those actually allocated for delivery seem to be worlds apart. It could therefore, be argued that the planning exercise actually is futile, given the allocations in the table below.

Table 5.1 Pattern of government sector planning and actual budgetary allocations

Serial No	Plan period	Planning Estimates	Transport sector allocation	%	Land transportation	Air Transportation	Water transportation
1	1962-68	1,586.00	309.00	19.0	212.00	76.50	25.00
2	1970-74	2,051.00	472.40	23.0	360.00	51,30	13.00
3	1975-80	43,315.00	9677.50	22.0	8,025.50	801.30	850.80
4	1981-85	70,500.00	10706.60	15.0	9,092.00	653,10	961.50

Note: Figures are reflected in Billions and in the Nigerian Naira.

Source: Federal Ministry of National Planning, Fourth National Development Plan 1981-85, Vol. 1.

While resource availability might be an issue, a second problem is that of its efficient utilization with regard to the scarce resources allocated. This is because spending does not necessarily translate to project delivery on the ground. The public funds paid out to the relevant contractors do not translate to delivery on the ground, and yet complaints from the public are hardly addressed and issues of probity and accountability are disregarded with no recourse whatsoever for the contractors. The need to improve service delivery as a means to improving the socio-economic conditions of the citizenry is critical as non service delivery invariably translates to wasted resources and deprivation of the programme/project benefits that should accrue to the people. The table below suggests an arguably reckless manner in which government resources are being spent (from a comparative point of view) as it will appear that the general trend is to over-evaluate projects hence, scarce resources are not utilized efficiently.

Table 5.2 Comparative cost of government contracts

Project type	Nigeria	Algeria	Kenya
Residential building	350.00/m	313.00	132.00
Multi-storey office block	450.00	-	207.00
Single carriage-way road ( two lanes)	294.000 per km	149,252 per km	105,353 per km
Dual carriage-road (4 lanes)	800,000- 1,200,000 per km	587,015 per km	278,961 per km

**Note:** All monetary estimates are in Nigerian Naira.

Source: Report of the ministerial commission on the causes of the excessively high cost of government contracts in Nigeria, Government Press Apapa, Lagos 1981, (Table 6.5) p 37.

While the above provides a sketch of the context of Nigerian Public administration, the cases that follow provide specifics and contextual understanding for the analysis of IGR with a view to providing insights in the management of IGR projects/programme implementation.

### **Nature of the selected Nigerian case studies (and inherent issues)**

The Nigerian cases that have been selected for this study cut across the national, provincial and local government spheres. In all the cases presented, the interactions straddles across various sectors as this allows the researcher to present the complexities that are inherent in these activities. The cases (and their inherent issues) to be analysed, are linked to public administration principles and functions and cases studied as presented in chapter 4. The discussions are based on activities from the following Nigerian Ministries. These are:

- Ministry of Steel and Power (PHCN);
- Ministry of Housing and Urban Development;
- Ministry of Water resources; and
- Ministry of Petroleum Resources

### **Discussion of Case study 1: PHCN-Ministry of Steel and Power**

Over the years, the electricity generation capacity of the National Electric Power Authority (NEPA), now known as the Power Holding Company of Nigeria (PHCN), located in the Federal Ministry of Power and Steel, has been an issue of concern for all Nigerians alike. This is primarily because the availability of power (or lack of it) affects the lives of citizens, businesses and the public sector. The PHCN is the executing agency wholly owned by the federal government, with state offices requiring state government input to ensure delivery.

Part 2 (section 4) of the 1999 Constitution of the Federal Government of Nigeria clearly documents electricity provision as a concurrent function, allowing state governments to assist in the establishment, generation, transmission and management of electricity supply. The implementing agency was created by government Decree No. 24 of 1972, from the merger of

the previous Electricity Corporation of Nigeria, (ECN) and Niger Dams Authority (NDA). That Decree gave NEPA (now PHNC) the mandate to ‘maintain and co-ordinate an efficient and economic system of electricity supply for all part of the federation’. PHCN has 18 business units and eight electricity generating stations throughout the country ([www.nigeriabusinessinfo.com/energy htm](http://www.nigeriabusinessinfo.com/energy.htm). Accessed: 7 September 2006).

The level of electricity generation over the years has been less than desirable, with power shortages and blackouts the norm in all parts of Nigeria, especially in the urban areas where ageing infrastructure as well as facility overload, are common. This has made delivery inefficient. In the rural communities, there is little or no access to power supply despite the fact that local government, the state and national governments have committed funds for electricity supply and yet, very little can be shown for it.

This non-delivery in the electricity sector has warranted numerous comments from various scholars, such as Ikoiwak (1979:90) who noted that ‘electricity is not available to all sections of the Nigeria... it is only the very few who can afford generators that enjoy this aspect of modernization... there is no city in Nigeria that can boast of a continuous supply of electricity...’. Sadly, a statement made over twenty six years ago, still remains unimproved and remains an evasive industrialized dream to the Nigerian people as the power generated (as reflected in table below) indicates that the levels of electricity supply need to be significantly improved.

Table 5.3 Pattern of electricity generation and consumption in Nigeria (Million Kilowatt Hours)

Year	1970	1975	1980	1985	1990
*% generated by NEPA	62.9	62.9	37.2	36.2	25.6

Source: Central Bank of Nigeria, Economic /Financial Review, Vol. 16, No. 3. Dec 1998.

% reflected denotes the supply vis-à-vis the demand.

In the 2006 Presidential Budget speech, President Olusegun Obasanjo reflected that while enormous challenges still remain, government has made steady progress, with:

- peak generation power reaching 3,500mw (since August 2005);
- peak daily generation has held steady at over 3,000Mw) ;
- a significant improvement in terms of revenue collection (to an all time high of N7billion by the Power Holding Corporation of Nigeria); and
- providing seven Niger Delta Power Plants with a target to reaching 5,198Mw and by December 2007, 10,806 Mw.

It can be seen that the issue of resolving power-cuts is a national priority and hence it warranted mention in the Presidential budget speech (Budget speech of 6 December 2005) with a promise of improving the basic quality of life of Nigerians through investments in power, water and roads, and noting that in addition to the ministry budgetary votes, a further N15 billion resulting from the gains of crude oil will be invested in power supply. With a clear need to address power cuts with political and resource commitment, this is a move in the right direction. However, other governance elements still need to be introduced and managed to enable delivery. This delivery arrangement must recognize the value of informal and organic structures, as presented by IGR, and should be recognized and tapped into for delivery purposes. By means of intensifying consultation with various States and Local Government Areas (LGA), improving

coordinating mechanisms and enabling systems integration between administrators of various power authorities.

Given that this is a service that is collectively provided by the three tiers of government, a firm commitment on the part of government as reflected in this particular case could have a better chance of success if clearly communicated. The need for coordination (among all levels of government towards a common goal and coalitions with some of the stakeholder, such as the Nigerian Liquefied Natural Gas (NLNG), oil companies and energy generation agencies. This is process that may require inclusive and sound planning principles (as very often, policies are fraught with discrepancies and inevitably fail to achieve the desired results). Furthermore, sound leadership (both political and administrative) remains a serious concern.

What is required, is a leadership that is goal orientated and sincere in its attempt to improve the lot of the people, and can demonstrate this by ensuring that resources are effectively deployed and monitored, as majority of the projects are poorly executed and fail (Akobundu, 1995:4-8). The critical mix for project efficiency must include planning across spheres and levels of government, with commitment to building the necessary coalition, managed through effective communication, improved capacity and resource availability, the researcher argues will help delivery, reverse the perception that the leadership does not recognize the need for service to the citizens, manage misuse and diversion of project funds, as well as high levels of insincerity towards programme/project implementation. A turn around strategy is needed as the current perception is that there are numerous projects and programme that do not exist, but are said to have been budgeted for, with huge amounts of money being spent on these “ghost” projects.

## **Discussion on Case study 2 – Ministry of Housing and Urban Development**

The housing role which is executed by the Federal Ministry of Housing and Urban Development as the principal driver is arguably one of the fundamental needs of any group of people. The 1999 Constitution of the Federal Republic of Nigeria, locates the housing competence as a concurrent function, allowing for concurrent roles with regard to the financing of industrial and commercial developments. And in terms of the housing policy, the UN HABITAT programme (1999: 27-28) notes the housing policy was primarily launched to address the housing needs in the country through restructuring existing institutions, reviewing all existing laws as well as increasing participation.

A fairly comprehensive legislative framework has been developed in this area and includes the Insurance (Amendment) Act 2005, the Federal Mortgage Bank of Nigeria Act 2005, the Investment and Securities (Amendment) Act 2005, the Mortgage Institutions Act 2005, the National Housing Trust Fund Act 2005, the Nigeria Social Insurance Trust Fund (Amendment) Act 2005, and the Trustee Investments (Amendment) Act 2005.

At Present, in all three tiers government, there is government machinery (in terms of ministries and sections) that are dedicated to the improvement of housing delivery, although they largely take their cue from the federal ministry, whose vision is to facilitate the provision of decent, adequate and affordable housing for all Nigerians, in both the urban and rural areas in a secured healthy environment. Its mission is to establish sustainable housing delivery system that will ensure easy access to home ownership by the Nigerian populace in an environment where basic physical and social amenities are available.

([http://www.nigeria.gov.ng/fed\\_min\\_housing\\_urban\\_dev.aspx](http://www.nigeria.gov.ng/fed_min_housing_urban_dev.aspx). Accessed: 7 September, 2006)

It can be argued that all three governmental tiers have gone about meeting their housing mandate in a sole rather than in a coordinated manner. The need for adequate housing has been necessitated by the large population of Nigeria, which is the largest black nation in the world, with a population of over 120 million citizens. This situation is aggravated by the migration trends that make the urban areas and cities extremely dense. Lagos state population, for instance, is currently estimated at over 10 million. This problem is further aggravated in one city states, as they tended to have more serious accommodation crisis due to the migration towards the only city in the state as in the case of Port Harcourt, the only city in Rivers State.

(<http://www.ngex.com/nigeria/places/states/lagos.htm>. Accessed: 7 September 2006).

Given the population pressures, it is evident that the provision of housing to millions of Nigerians will remain a public service challenge in the foreseeable future. However, the need to provide adequate housing has been hampered by the fact that, for so long, Nigeria's lack of reliable data on which relevant decisions can be based have been questioned over time, including the recent census of 2005. Balogun (1993: 123) argues that one of the serious defects in the development plan lies in the paucity of data in Nigeria making it extremely difficult to plan meaningfully. Even primary information relating to the population of the country still remains unclear as there has been no reliable census figure (the most recent attempt is also fraught with irregularities).

The inadequate statistics coupled with a disjointed incremental approach to policy and project implementation may have resulted in several failed projects and the implementation of policies needs to be comprehensively planned and managed, if the Public service is to meet the current challenges that face the nation. The weakness of the incrementalist approach is most

discernible; hence Balogun captioned this state of activities ‘the hit and miss approach’ (1993: 124).

The resultant effect of the inadequate data, required for planning means that facilities become over utilised, stretched and subsequently breakdown. Akobundu (1995:206) notes that regardless of the housing shortages, only 30% of the commissioned housing projects were finalized in Port Harcourt between 1983 and 1994. Despite the efforts by the Komo military administration to rekindle the vision of housing provision in May 1994, little has been achieved and the factors responsible for this low completion include:

- The resources available to government dwindled due to poor revenue within this period;
- The deregulation of the economy due to an increase in the price of petroleum products; stalled the ambitions of the government of the day, as prices of building material jumped astronomically;
- Available resources were concentrated on road projects because of the fast approaching rainy season (Akobundu, 1995:206);
- There was no clear project/programme plan; and
- Clear communication flow among all the relevant stake holders was lacking

While some of the factors above could not be easily resolved. The decentralization of the disbursement funds, which allowed each ministry to pay for projects directly, seems to have been a positive move. Previously payments were centralised through the Ministry of Finance and this provided an opportunity for unscrupulous elements to exploit the contracts prior to payment.

For efficient delivery on the housing mandate, the extent to which the right kind of skill is attracted and retained is vital for success. This includes ensuring that employees within the ministry are fit for their jobs (starting from the planning stages to the implementation stages) as well as ensuring that the private service providers or contractors, who have been partnered with government, have the capacity to execute the jobs satisfactorily. To ensure capacity enhancement of employees, Human Resource maintenance in terms of allowing officials to take responsibility and be accountable for their actions, rather than being rudimentary in their approach, will certainly assist in improving motivation and job satisfaction, all of which will assist in positioning the Nigerian Public service for service delivery. However, this has to be implemented alongside improved condition of service.

The management of other aspects such communications, coordination, administrative and political interface in leadership, project mentoring and evaluation as well as planning influence the outcomes of this case. Given that the Presidential Budget speech of 2006 ‘commits all the gains from debt relief, that is the federal government resources that would have gone to external debt service in 2006, amounting to N100 billion to poverty reducing expenditures including...housing’ (President Olusegun Obasanjo’s 2006 budget speech.), the stage is set. However, it is important to facilitate political and administrative interface as collectively these officials form the leadership that must steer delivery and account to the Nigerian people.

### **Discussion on Case study 3 – Ministry of Water Resources**

In 2006, the President Olusegun Obasanjo (in his presidential budget speech) committed 4.4% of the total budget to the provision of clean water supply to the Nigerian people. The provision of clean water supply is seen as a basic service that is standard in most developed counties and is contained in the UN Millennium Goal (7) addressing the issues of environmental

sustainability. It is hoped that this goal will be met as it is specifically aimed at reducing by half (by the year 2015), the proportion of people without sustainable access to safe drinking water. However, the extent to which this can be achieved within the timeframes needs to be seen and will require government to reinvigorate the delivery mechanisms significantly. According to Akobundu (1995: 218), the water demand in a city like Port Harcourt is estimated at 252 cubic meters while the average water production is currently estimated at 32,208 cubic meters per day, and this means that only about 12% of the daily water needs are being met, hence the acute water shortages that are experienced in Port Harcourt, as with most Nigerian cities.

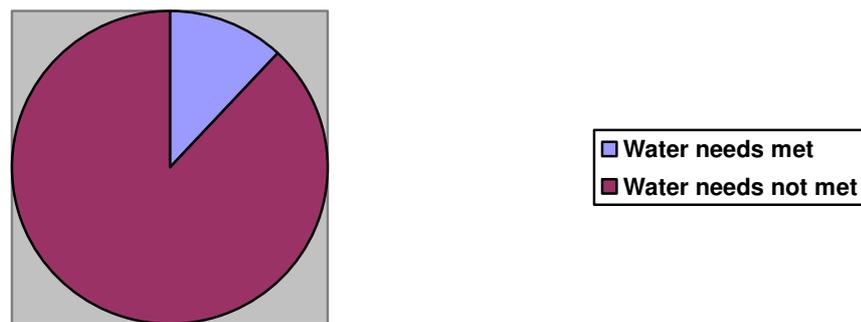


Figure 5.1 - Showing the current water supply in Port Harcourt

(Source -All states Trust bank commissioned report for Africa Development Bank Loan Project 1994)

The above figure represents the case for Port Harcourt city. This has forced individuals to venture into providing the services for themselves by building bore holes since the government has failed to provide acceptable levels of social and essential services, such as water provision as confirmed by the graphic representation below:

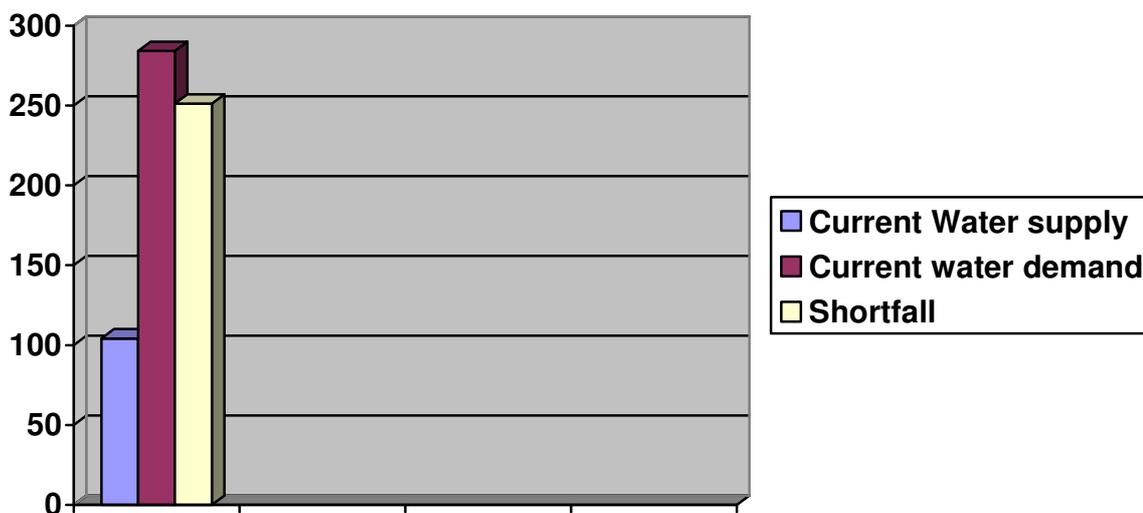


Figure 5.2 – Depicting the per cubic meter shortfall between demand and supply of water provision in Port Harcourt, Nigeria

Table 5.4 – Depicting the per cubic meter shortfall between demand and supply of water provision in Port Harcourt, Nigeria

Current water demands	Current supply	Short fall
284,196m <sup>3</sup> /day	104,160m <sup>3</sup> /day	251,988m <sup>3</sup> /day

(Source All states Trust Bank commissioned report for Africa development Bank loan project 1994)

A number of factors can be identified for the lack of delivery in water provision. The challenges include old infrastructure that is no longer serviceable, as most of the pipes have now worn out and need urgent replacement. According to Akobundu (1995:215-240), other issues include:

- Poor maintenance of serviceable infrastructure, leading to pumps always broken down;
- The culture that government property is no body’s property;
- Insufficient number of water boreholes and poor distribution networks and linkages ;

- Limited resources in terms of financial and man power needs, including the inability to attract and retain skilled personnel;
- A culture of non payment;
- Poor management styles;
- Employee morale at an all-time low; and
- Lack of accountability to the public by the water departments and boards who are supposed to be responsible for this service.

Water is a basic and fundamental need. It affects numerous other sectors including agricultural production and health provision. If not properly managed, it can lead to a complicated IGR challenge due to the impact it has on other sectors. The roles of all the three tiers of government in ensuring that this service is delivered must and should be intensified, and where possible, coalitions could be built with the other departments whose delivery outcomes are significantly affected by the lack of water supply (such as the health sector and the agricultural sector). It would appear that to date, attempts to address this issue collectively are yet to be fully explored.

With regard to coordination and integration, this case suggests that, it is imperative that all relevant stakeholders integrate their activities from the planning stages. Planning and execution in isolation may not assist in achieving ministry objectives, especially if the delivery is affected by other factors. For instance, the outbreak of water borne diseases could be proactively managed by sound leadership (political and administrative) through planning, joint policy formulation/implementation, joint monitoring and coordination, by the Ministries of Water Affairs and Health, thereby seeking ways to assist and facilitate clean water delivery. This may

require pulling the budgets together on specific activities in order to find optimal value for the resources available.

With integration of activities and continuous stakeholder consultation, the culture of accountability and reporting has to be entrenched by all spheres of government as it would appear that the abandonment of projects is a major problem in terms of ensuring service delivery. This abnormality (project abandonment) seems to be acceptable across all the tiers of government. Where government has failed to play its part, it must be held accountable and the senior official(s) involved, who may have played a part through their activity (or inactivity as the case may), must be made to carry the brunt. It cannot be business as usual when government expenditure has been wastefully deployed without the desired outcome. Furthermore, where service providers have fallen short, they should be adequately dealt with and government resources recovered and the contracts concerned should permanently blacklisted. With continuous monitoring among stakeholders and the culture of accountability instilled, reporting becomes non-threatening when required.

Lastly, with regard to the culture of non-payment, from the point of view of the citizen, one could argue that given that the services are really not provided, then charges and rates cannot be paid. The government must take the initiative to correct the practice and gradually the perceptions and culture of payment will be entrenched through acceptable levels of service provision and mass education of the public.

**Discussion on Case study 4 – Ministry of Petroleum Resources (specifically with regards to the Niger Delta Development Corporation projects)**

Since independence, there have been several attempts to put the Niger Delta Region on the path to sustainable development but these have not borne the desired results. As captured succinctly in the Niger Delta Master Plan (<http://www.nddconline.org/nigerDeltaMast>. Accessed: 24 May 2006). ‘The Niger Delta Region (NDR) has witnessed a number of attempts to influence the pace and nature of development in the area and improve the standards of life for its people. For the most part the legacy of these schemes translated into a picture of missed opportunities, low value for money and, not least, enormous disappointment for the communities of the NDR, whose hopes and aspirations have been raised and then repeatedly shattered’.

With offices in only nine oil producing states, namely Rivers state, Cross Rivers State, Abia state, Imo State, Akwa Ibom State, Delta State, Edo State, Ondo State and Bayelsa state and adequate funding, the expectations from the projects of NDDC are justifiably high. This oil rich area, also known as the Niger Delta Region (NDR), represents about 12% of Nigeria’s surface area. If service delivery could be improved in Nigeria, the regions enjoying the capital injection (through the NDDC) could easily be pockets of excellence but if this cannot be sustained in this region despite the resources available, then that spells even more doom for the country given that the region could at this point be termed “privileged”. The demographics of the NDR are captured in the table below:

Table 5: 5 – Demographics of the NDR

<b>State</b>	<b>Land (Sq km)</b>	<b>Population</b>
Abia	4,877	3,230,000
Akwa Ibom	6,806	3,343,000
Bayelsa	11,007	1,710,000
Cross River	21,930	2,736,000
Delta	17,163	3,594,000
Edo	19,698	3,018,000
Imo	5,165	3,342,000
Ondo	15,086	3,025,000
Rivers	10,378	4,858,000
<b>Totals</b>	<b>112,110</b>	<b>28,856,000</b>

Source: GTZ population projection based on the 1991 (Contained in the Niger Delta Master Plan <http://www.nddconline.org/nigerDeltaMast>. Accessed: 24 May 2006)

Following growing agitation in the region, the second republic politicians (1979-1983) set up a presidential task force that was to utilize 1.5% of the oil revenue for the developmental needs of the region. Although a bright idea, this proved to be ineffective and wasteful (<http://www.nddconline.org/nigerDeltaMast>. Accessed: 24 May 2006). With growing discontentment, it was reviewed and increased to 3% and OMPADEC (Oil Mineral Producing Areas Development Commission) was set up to administer the funds. Again this was fruitless as it was riddled with corruption under the Babangida regime, from 1992 – 1999. A review of the failure of this agency showed that it had completed few projects, abandoned numerous others, incurred huge debts, and did not properly document its activities hence information was sketchy, as the organization generally suffered from loss of focus, official profligacy, corruption, excessive political interference, lack of transparency, accountability and high overhead expenditure, it failed dismally (<http://www.nddconline.org/nigerDeltaMast/> Accessed 24 May 2006).

With the advent of the third republic under the leadership of President Olusegun Obasanjo (1999 to date), OMPADEC was replaced by NDDC. The New NDDC was backed by the NDDC Act of 2000, which further increased the funding by 3% to 15% of the federal account. This institution has been properly capacitated in order to avoid the same mistakes as in the past. It is expected to effectively execute its programmes given that what is required is more than a name change.

The functions of the NDDC as provided by Part ii, section 7 of the NDDC Act of 2000, include:

- Formulate policies and guidelines for development in the region;
- Conceive, plan and implement programmes in line with above (including transportations, health, education, employment, industrialization, agriculture, housing and urban development, water supply, electricity supply and telecommunications);
- Promote physical and socio-economic development;
- Identify factors inhibiting the development of the NDR and assist member states with policy formulation, implementation and efficient utilization of resources;
- Assess and report on all its funded programmes; and
- Tackle environmental and ecological impacts and advise the federal government on pollution related issues as well as liaise with Oil companies on related matters

As contained in section 5 (dealing with financial provisions) of the NDDC Act of 2000, the primary financier is the Federal government, which makes a mandatory monthly contribution which will be equivalent to 15% of the federal account, in addition to 3% of annual budget of oil companies operating in the area. Expenditure includes administrative costs and contract/project fees, which must be approved by the legislature. Given the above, it is fair to conclude

that a significant amount of resources has been committed, with the NDDC having received N47 billion (Naira) from 2001 to 2003. It has awarded 700 contracts, with 358 (51%) completed for the same period (NDDC: 2005 <http://www.nddconline.org/nigerDeltaMast>. Accessed: 24 May 2006). And recently, President Olusegun Obasanjo allocated a further N21 million to the NDDC in the 2006 Presidential Budget speech.

The constitution gives all tiers of government rights to ownership and management of the resources in the country, for instance, Section 44(3) of the Constitution of the Federal Republic of Nigeria states that ‘control of all minerals, mineral oils and natural gas in, or under or upon any land in Nigeria or in, under or upon the territorial waters ... shall rest in the government of the federation and shall be managed in such a manner as may be prescribed by the national assembly’. The states are empowered in Section 16-2 (a & b) to ‘ensure that the material resources of the nation are harnessed and distributed as best as possible to serve the common goal’, the Constitution also states that “it shall be the duty of local government council within the state to participate in economic planning and development of the area’. This suggests that all tiers must coordinate and plan jointly in accordance with the planning framework of Nigeria, if the resources are to be optimised.

Central to the NDDC’s success in terms of sustainable development is the need to ensure that stakeholders, particularly the communities (not individuals representing themselves) are part of the broader decisions that affect them directly. Considerable effort should be invested in building deep community participation, ownership and sustainable coalitions. Furthermore, the need to ensure that all tiers of government are part of the realization of the NDR vision is also critical. Hence, the NDP (Niger Delta Plan) is worth applauding, although the extent of

community engagement in finalizing the document remains to be seen in the form of ‘an open and transparent partnership between the NDDC, Federal, State and Local Governments, Private Sector, communities and civil society – a partnership that ensures that all the main actors have a stake in the future development of the region – will also facilitate then synergy amongst all the parties and optimize then use of scarce resources’ (NDR Master Plan, <http://www.nddconline.org/nigerDeltaMast>. Accessed: 24 May 2006).

In order to remedy this situation in Nigeria, the leadership element must be seen to be transparent and wastefulness across the levels must be curbed. Over-inflated contracts in Nigeria seem to be an acceptable practice and could actually be seen as the government’s “way” of redistributing resources to society. The manner in which the derivation fund has been administered over the years seems to buttress this point, with agencies ranging from Directorate for Food, Roads and Rural Infrastructure (DFFRI), to the 1.5% derivation fund committee which later metamorphosed into OMPADEC and now NDDC, with all these agencies spending huge resources and with little or no impact being felt by the oil producing communities, which they claimed to serve. This is arguably linked to the issues of ethics as it appears that political allies (now turned contractors) are rewarded at the expense of the communities. Akobundu (1995: 75) asserts that ‘in the era of party politics, the award of government contracts to top party chieftains is a normal occurrence’. The beneficiaries are usually financial contributors towards the victory of the party. Contract as thus regarded as “thank you notes” without considering the competence and abilities of the beneficiaries, to execute the jobs successfully.

## **A PERIOD-SPECIFIC ANALYSIS OF THE NATURE OF INTERGOVERNMENTAL RELATIONS IN NIGERIA**

The myriad of complex intergovernmental relations related problems undoubtedly does translate into poor performance, in terms of meeting the development goals that the government must and is expected to meet. However, it should be pointed out that delivery, limited or non-delivery of services could be a translation of some underlying tensions, which may be country specific as well as context related. This includes the ability of the centre to relate to the periphery, or the nature of the relationship between the tiers, which could be of a “peer” status or a “parental” status, and could affect the IGR outlook. This outlook (which may be transformatory in approach) is a long term process that seeks to achieve the best results or outcomes through fundamentally different ways of approaching issues and problems, Vil Nkomo (1999: 87). An approach that the researcher is aligned to in this study, is that of Kuye (2006: 175), who captures the value of reflecting on a particular era, in any country, succinctly when he notes that ‘the public service in any country is never static. Rather, Public sector reforms must be seen as a living organism which changes with time and event ... transformation should therefore, be considered within more than one dimension, not merely as an organizational phenomenon’. The section that follows is based on Kuye’s insight above and reflects the Nigerian context in three distinct Eras, namely: Independence, military and post military eras.

### **Independence Era**

The nature of British colonialism in Nigeria differed significantly from South Africa’s. It would appear that the aim of the colonialists in Nigeria as with most of their other colonies Africa, was to siphon off as much resources to the western world as the colonialist (the British) did not have any intention of residing in Nigeria largely because the natural conditions such as the weather

were too harsh for them. This fundamentally guided the manner in which the British governed the country. For instance, at independence, the country had practically no infrastructure, apart from a few railway lines that were primarily there to enable the British transport raw materials to the ports of exit. Furthermore, the British did little or nothing to ensure that a vibrant multi-cultural society emerged. Rather, where it suited them, Nigerians were administered in a divided fashion through the Southern and Northern Nigerian administrations.

A major lapse in the formation of the Nigerian nation state was the lack of unity. The Nigerian state was as a result not a coherent whole and since IGR which relies heavily of the relationship element, this weakness may resulted in the shaky start that has proved hard to stabilise, as most Nigerians tend to have a state or ethnic allegiance before national allegiance. The difficult relationship element was further complicated by the complexity of IGR as it had several levels, which are:

- National-state relations,
- National-state-local government relations,
- National-local government relations,
- Inter-state relations,
- State-local government relations, and
- Inter-local government relations, as identified by Ayoade (1982:13).

The underlying frustrations in these governmental relationships have been ethnically and culturally polarized, saddled by the politics of minority versus majority. The related frustrations have brought about some of the underlying tensions in the political as well as in the administrative terrain. What emerged in terms of IGR, was a system where the relations were

rather weak (*IGr* rather than *IGR*). This highlights the weak emphasis on the R- relationship). The divisive element is further entrenched by the religious divide with the north being largely Moslems and the south largely Christians further polarizing the country. Furthermore, the divides also include the urban/ rural divide, which sets LGAs against their larger urban settlements, especially if they cannot lay claim to the political leadership of the state.

In Nigeria, over the years, these governmental relations have tended to produce competing or conflicting interests, thereby producing minimal intergovernmental relations. This difficulty in harmonising these group/sub-society interests spill into the political system and these in turn erode the public service machinery, resulting in ethnic, minority and majority politics, as can be seen in Nigeria's various attempts at democratisation. It is pertinent to explore it's origins, given that it addresses the evolution of IGR in the Nigerian state. The evolution of IGR in Nigeria can be traced to between 1900 -1914, a nation administered as two separate nations (northern and Southern Nigeria), with each territory coming under the British rule at different times (Ayoade, 1982:18). With the existence of the protectorates, what emerged were distinct cultures, religious, governance systems that were largely distinct (sometimes competitive and conflictual). For instance, the Clifford's constitution of 1922 allowed for the North to be excluded from the membership in the legislature as it continued to be governed by proclamation of the Governor. This divide was further entrenched by the Richards Constitution of 1946 that constitutionally promoted regionalism. Further constitutions such as the Lyttleton Constitution of 1954, allowed for exclusive and concurrent list with subjects not categorised under the jurisdiction of the federal government. The 1957 constitutional conference highlighted the Niger Delta problems further categorizing them as a separate group to be provided for and dividing an already divided nation. A culture of a divided nation had been fully instilled.

This influencing the nature of IGR including Intergovernmental fiscal relations as the nation was saddled with ‘struggle between regions with each attempting to secure benefits for having more important natural resources’ (Ekpo, 2004: 12). As already stated, there were difficulties with regard to the allocation of resources, with regions accusing one other of enhancing census numbers in an attempt to attract more resources.

### **Post - Independence Era**

With more military head of states (Akintola 1985:22) than civil ones (they include General Aguiyi Ironsi, Lt Col. Yakubu Gowon, General Murtala Mohammed, General Olusegun Obasanjo, General Mohamadu Buhari, General Ibrahim Babangida, General Sani Abacha), spanning over 20 years, the advent of military rule which was (supposedly) to get the nation on the path to development has not been without consequences. The impact of the military influences in public administration has brought about vices such as the use of cohesion in governance, abuse of state power and resources (Amuwo 1993:93). These vice have been deeply imbibed and have remained long after the last military regime and contributed to the culture of lack of accountability, lack of extensive stakeholder collaboration and engagement and stifled democratic virtues and values.

During the military era, attempts were made to further decentralise the nation and 12 new states were created from the defunct four regions in 1967. And in 1967, a further seven states were created, with two more in 1987 totalling 21 states in the federal Republic of Nigeria at the time and finally the number of states was increased to 36 in 1996 (excluding the Federal Capital Territory, Abuja). While it may be argued that creation of states has brought the government closer to the people, and reduced domination of one group by another, Gboyega (1999:240-244) notes that it has created a problem best described as “statism” (meaning a strong attachment to

the state as against the nation) adding that the Nigerian federalism has manifested in unnecessary confrontation with, attempts at destabilisation of governments controlled by rival political parties, deliberate obstruction of another level of government in the provision of certain services, unhealthy rivalry, and competition for allegiance of the people and the improper or dubious use of the instruments of security and coercion... thus basically Nigerian leaders have failed to manage intergovernmental relations appropriately or competently.

Other militarized characteristics that spilled into the realm of governance included governing by military provisions in the form of decrees, suspension of the constitution of the federation, changes in the structure and organization of the national planning machinery, and a definite trend towards centralization, with a more dominant role of the central government (Abdulsalami, 1977:81). Furthermore, the coercion that characterized the military regimes, did not quite allow for a healthy intergovernmental culture of debates, negotiations to develop, as policies were largely handed down from the top with no significant opportunity for input from the states or local governments, as invariably, the politically environment was heavily dominated by the centre. This position is easily illustrated by the 1995 annulment of the presidential elections which were widely believed to have been won by Alhaji MKO Abiola. The power of the centre was evidently too much for the collective will of the people (the state and the local governments) that wanted democracy to prevail.

This top down management style affected a range of programmes. The UNDP report contained in Niger Delta Master Plan (<http://www.nddconline.org/nigerDeltaMast/> Accessed: 24 May 2006) notes that

‘The greatest flaw in these poverty alleviation strategies is their top down approach. Then Federal authorities have taken all the initiatives. The state and Local Governments have been reduced to mere implementing agencies. Even here, their areas of manoeuvres

were extremely limited as autonomous institutions manned by people with extremely limited experience were set up. It is needless to add that the involvement of the supposed beneficiaries both in the conception and the implementation of the programmes were conspicuously negligible' (2001).

### **Post military Era**

Ayida (1987: 58) observes that 'it is not easy to explain the collapse of essential services in Nigeria'. This statement is true not only for essential services but for service delivery imperatives in general, especially as it relates to the public service. Further arguing that inadequate water supply in all major urban centres, persistent failure of the electricity supply, breakdown of communication networks (notably roads), rapidly deteriorating social services can be traced to crisis in management at all the levels of government. To a large extent, inefficiencies may be due to poor state relations, which in turn may have been polarized by various factors, the obvious being ethnic and religious elements but beyond that there are the issues of resource control as can be pick up by the relationship that exists between the oil producing state and their non-oil producing states as well as the federal government. This issue of resource control was vital at the restoration of the second republic in 1979, with government quickly moving to promulgate the 1981 Revenue Act, with the distribution as follows: Federal government – 55%, State government – 35%, Local Government 10% (Ekpo, 2004: 21). And further necessitated the renaming of the Planning programme budgetary system which had been adapted in the 2<sup>nd</sup> republic to what was termed the Programme Performance Budgetary System with a clearer emphasis on performance and output (Omolehinwa, 1989:397-398).

Even under the civilian regimes, IGR are still dominated by the centre. Suberu (1990:270) notes that the constitution placed "virtually the whole gamut of public affairs within the exclusive legislative competence of the centre. The Obasanjo regime has demonstrated its recognition of IGR as a mainstream activity of the federal government with its own ministry, a position which

is applaudable if properly managed. This move has uplifted the status of IGR to a fully fledged ministry with a responsible minister in the office of the presidency since 2003. The IGR Ministry's mission 'to provide sustainable framework for integrated planning and collaboration amongst the three tiers of Government for a more transparent, effective and efficient service delivery to the people' (Ministry of Intergovernmental Affairs, Youth Development & Special duties 2006 <[http://www.nigeria.gov.ng/fed\\_min\\_inter\\_gov\\_aspx](http://www.nigeria.gov.ng/fed_min_inter_gov_aspx) Accessed: 25 May 2006) This has triggered the establishment and re-evaluation of similar intergovernmental relation activities within some states with improved zeal and in fact the creation of state level ministries for example Lagos state (<http://www.lagosstae.gov.ng/ministry/ministry.htm>. Accessed: 23 May 2006).

Furthermore, the issue of re-orientating the public service towards a service orientated one requires mention, especially with the launch of the SERVICOM (Service Compact with all Nigeria) with five principles namely; Conviction (Nigeria can only realize its full potential if citizens receive prompt and efficient services from the state), Renewal (commitment to the service of the Nigerian nation), Consideration (the needs and rights of all Nigerians to enjoy social and economic advancement), Avowal (deliver quality services based upon the needs of citizens), and Dedication (provide the basic services to which each citizen is entitled in a timely, fair, honest, effective and transparent manner).

These signal the nation's entry into a critical phase and the initiative is unprecedented in the history of the country, where for the first time, government has taking the lead and educating the masses to stand up and rightfully demand quality service (<http://servenigeria.com/index.php>. Accessed: 23 May 2006) as well as actively seeking and growing intergovernmental relations as with the SLGP (State and Local Government programmes) aimed at enhancing capacity and

effectiveness of the state, local government, and federal levels, especially with regard to the formulation of policies and management of resources in the interest of the poor people (<http://www.splgnigeria.org/default.asp>. Accessed: 20 February 2006). This is a remarkable effort given that the issues of non-delivery, corruption, indiscipline and lack accountability of that has plagued the Nigerian Public service for so long have remained uncurbed because the public servants expected the people to be grateful for services that are due to them.

### **Overview of the South African Public Service**

At the attainment of democracy, South Africa was presented with challenges around transformation (institutional and policy), dealing with the legacy of apartheid as well as shaping new and emerging challenges in line with the democratic and global environment (<http://www.infogov.za/otherdocs/2003/10>. Accessed: 29 May 2006). Since 1994, the South African public service has been responding to these service delivery challenges by exploring and implementing alternative methods of service delivery (Towards a Ten Year Review, 2003). These alternative methods have varied, Naidoo (2004: 218) notes that the use of PPP has been on the increase although it can be said to be in its early stages in South Africa, but more relevant to this study is the promotion of the cluster approach in the delivery of services.

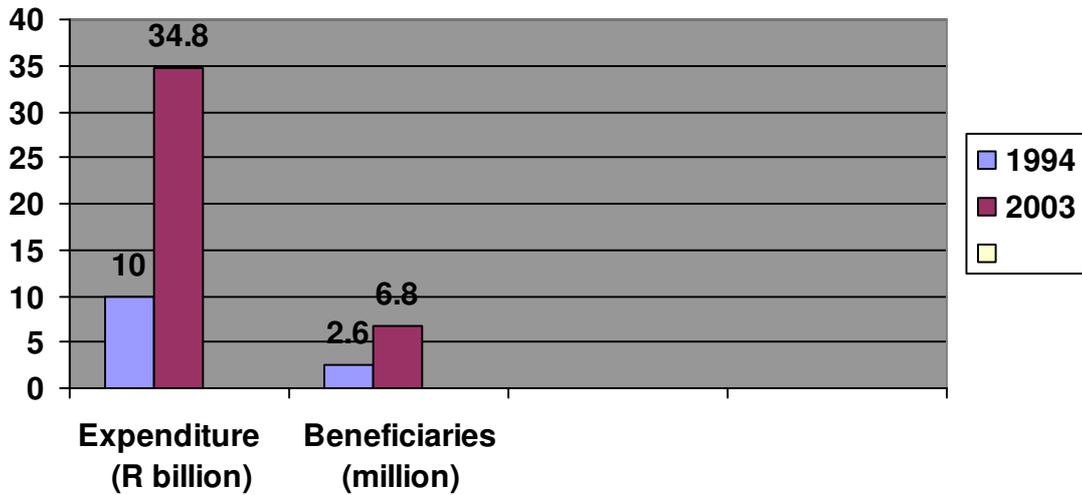
In line with the policy objectives of South Africa, clusters were formed. The objectives include improved communication, coordination, cooperation and improved programme project implementation. These clusters included the Economic and Investment cluster, Government and Administration cluster and the Social cluster. This is a positive development towards responding to community needs by the South African Public Service. These cluster arrangements as well as other relational arrangements are guided by the IGR Framework Act (Act 13 of 2005), in order to give effect to section 41(2) of the Constitution. The Act aims to

facilitate efficient and effectiveness in the IGR system, promote relationships, and promote service delivery and development.

The structure of IGR ranges from national and provincial structures to local forums that seek to create a platform for coordination, communication, allow for monitoring of the performance of various structures while improving synergy efforts by enhancing and promoting cooperative governance. Given the above, it is critical that the relationships be regulated, and one of the ways to ensure delivery is to develop basic standards and norms that can be used as benchmarks during implementation.

These new initiatives are indicative of innovative service delivery initiatives. However, the present study suggests that a clear understanding of the social, political, economic and cultural profile of such a community is necessary to understand its specific characteristics and needs. It is also essential to analyse the resources already available within a country, and to determine how these can best be used to promote service delivery (Naidoo, 2004: 221). The analysis below addresses these issues.

The South African Public service prior to 1994 was one that was aimed at excluding the black race from several of the state provisions. Most of the informal settlements were backs resided were either without or with substandard basic amenities such as housing, water, electricity, roads, clinics, etc. A bold move has been deployed to ensure that all citizens especially those from the previously disadvantaged are systematically catered for. This can be picked up from the expenditure patterns of the government since 1994. The graph below demonstrates government commitment to the pro-poor agenda and invariably an increase in the level of activities in the department concerned.



**Figure 5.3** Graph showing income-poverty alleviation patterns from the Department of Social Development

Source: Adopted from Towards Ten Year Review 2003.

From the information above, it can be derived that owing to the new democratic dispensation of 1994, there have been clear attempts to ensure government is more inclusive and seeks to meet the needs of all South African people regardless of race/class. Governmental spending has increased significantly over the past few years in the social sector and arguably across other sectors given that in 1995, approximately 28% of households and 48% of the population was living below the estimated poverty line (Towards a Ten Year Review, 2003: 17). The government has incrementally and significantly increased expenditure (as reflected in the diagram above) in social grants to alleviate poverty by targeting various needy groups such as the elderly, children, orphans, etc. In addition to increased social grant expenditure there was also an increase in social infrastructure of all types.

This can be further illustrated in the provision of education as reflected in the table below which reflects that there has also been a significant increase on the numbers of children and youth that are accessing these services:

Table 5.6 Department of Education enrolment figures

Education	Period	Enrolment
Enrolment (early childhood development or ECD)	1999-2002	Increased in number from 150 000 – 280 000
Primary school enrolment	1995 – 2001	Increased by 95.5 %
Secondary school enrolment	1992 – 2001	Increased by 85%

Source: Towards a Ten Year Review (2003: 19)

The figure and the table above seem to suggest that the demand for government services has increased. This is in line with the provisions of the Constitution of South Africa, and this means that departments are to ensure that processes are in place to ease the increased delivery pressure as there can be slow delivery if not properly managed. This readiness by the Departments of Social Development and Education is vital in the areas of planning, policy formulation, policy implementation, financial planning, reporting, and managing issues of resource scarcity, amongst others. Over the years, a number of projects have been introduced by several departments and they range from successfully to poorly implemented programmes. Research indicates that public service programmes vary in efficiency (Towards a Ten Year Review, 2003: 19).

In order to regulate the delivery, the new democratic dispensation has developed a number of legislative framework including the Constitution, and Acts notably amongst them is the Public Financial Management Act (PFMA), and the Intergovernmental Relations Framework Act, Public Service Transformation Act, and the National planning framework. The fact that the citizenry has become involved in governance through partnerships that seek to improve their quality of life is highly commendable, an example is the ‘*Vuk’ uzezele*’ programme which has improved the quality of governance as the citizens have become partners in shaping their future rather than waiting for government to deliver what they deem fit.

The goal is to build a model public service that delivers on its mandate. And a number of principles were identified in the State of the Public Service Report 2005. These included the need to promote high ethical standards, efficient utilization of resources, a shift towards a developmental approach in Public Administration, improved service provision, participation in policy making, accountability, transparency, human resource capital maximization and representation of the Public Service. A critical issue is policy making and its implementation, thus, the report notes that ‘the key challenge of the public service posed by the pursuit of this principle is ensuring clear knowledge of who is responsible for what at any stage of policy formulation, implementation and execution and where the buck stops’ (State of the Public Service Report, 2005:30).

### **Nature of the selected South African case studies (and inherent issues)**

The South African cases that have been selected for this study cut across the national, provincial and local government spheres. In all the cases presented, the interactions straddles across various sectors in an effort to showcase some of the intricacies that have enabled the researcher make deductions that assist IGR work better. The issues and cases studied add value to the

subject matter being studied and as outlined in the previous chapter, have been selected from the following South African departments that specifically deal with improving the quality of life of the citizens of this country as well as ensuring sustainable development and livelihood:

- Department of Housing;
- Department of Health;
- Department of Local Government; and
- Department of Agriculture

The value that IGR brings as a facilitator is to enable departments to successfully execute projects and improve service delivery. Hence, Naidoo (2004: 219) notes that there is a significant shift away from the classical public administration in South African public service towards a model that focuses now on collaborative partnerships and alliances to improve service delivery. This view is also endorsed by van Niekerk, *et al.*, (2001: 256) who argue that this collaborative approach is vital as government alone cannot deliver on its extensive mandate but should rather focus on work with relevant partners to ensure that all the expectations that fall within its scope are met.

### **Discussion of Case study 1: Department of Housing**

Housing is a basic need for all human beings and in that regard, the South African Constitution promotes human dignity (Section 10 of Chapter 2- Bill of rights) and further guarantees the right to have access to adequate housing (Section 26 of Chapter 2 on Bill of Rights). In the South African Public Service, the national Department of Housing determines finances, promotes coordination, communicates and monitors the implementation of housing policy and

human settlement (South African Yearbook, 2005/06). Over the years from 1994 to 2006, a number of policies have been put in place to govern the housing delivery in South Africa.

The basic policy that guides the activities of this department includes the 1994 White Paper on Housing and the Housing Act 1997 (Act 107 of 1997). Other significant are the Home loan and Mortgage Disclosure Act 2000 (Act 63 of 2000), the Housing Consumer Protections Act (Act 95 of 1998), the Prevention of Illegal Eviction and Unlawful Occupation of Land Act (Act 19 of 1998). Lastly, the government's comprehensive housing plan for integrated sustainable development is cabinet's approved framework for housing programmes and addresses poverty related issues by improving people's lives. Priority for the Department of Housing still remains the redressing the housing imbalances in the housing sector.

While it is clear that a lot has been done in terms of putting the policy framework together, the test would be the successful implementation of housing projects, given that South Africa seeks to leverage the opportunity that housing presents in terms of job creation, stimulating the economy, combating crime and promoting social cohesion. In order to achieve the targets that the department has set for itself, the Housing White Paper requires collaboration among the three spheres of government, the community and the private sector.

The roles of the National Department of Housing largely concern:

- Planning, resource provision, development, of policy framework, (around land development
- Development of standards, systems, resource mobilization,)

- Monitoring and evaluation, (as delivery responsibilities had to be devolved to both provincial and local authorities) (IDASA, 2004:23-24).

While the provinces have to contend with the issues of:

- Resource regulation
- Managing the delivery
- Coordination

Lastly, while housing is not a municipal function, municipalities still have a critical role to play in the following areas:

- Identification of land for housing projects
- Identification of beneficiaries
- Acting as a developer of the housing projects
- Providing internal infrastructure for the housing projects
- Owning and renting houses for low income households.

The Municipal Systems Act (Act 32 of 2000) requires local government to seek ways to cooperate with the other spheres in terms of ensuring optimal utilization of resources as well as finding solutions to some of the issues (DPLG, 2002). However, the National and provincial governments remains accountable for the goals that are to be met hence Chapter 10 (See Appendix 7 containing Sections 105 and 08) promote clear monitoring arrangements through standard setting which should be established by the relevant minister while the provinces are charged with the responsibility of monitoring the performance of the local authorities. This

allows the province to intervene (Section 139) when it appears that the local government authorities are struggling and cannot cope with or meet the expectations.

The roles as listed above require all spheres of government to be in concert with one another if the goals are to be met. The National Department thus depends on the provinces to assist it by setting provincial targets and setting parameters for delivery and managing the housing budget, while the local government determines their housing needs, and identifies land for housing projects, regulated land use and development within their jurisdiction. This arrangement is in line with Chapter 3, Section 41 of the 1996 Constitution of the Republic of South Africa.

In terms of the practicality of the above principle of interdependence, the Housing Act allocates specific roles to the minister, but it is expected that these roles will be executed in consultation with the provincial minister as well. These roles include determination of broad delivery goals, monitoring performance across all spheres, developing the capacity to deliver as well as manage funding. In 2005, a number of riots broke out across the country as citizens were dissatisfied with the slow pace of service delivery. This meant that there was a need to strengthen IGR to ensure delivery in the housing sector. The key stakeholders in this IGR web included the National and Provincial Departments of Housing, Department of Local Government, Municipalities, Provincial and National government. Thus, it can be argued that if the IGR systems concerned with Housing delivery had been stronger, those riots could have been averted through timeous monitoring, re-focusing and adequate intervention.

The government's agenda of providing basic housing has been promoted, and resources have been increasingly committed over the years to meet the desired goal, but there have been implementation challenges which must be understood as resulting from the apartheid system of

government. Between 1994 and 2003, a total of 1985545 subsidies were approved for an expenditure of R24.22 billion resulting in 6 million citizens having received housing for that period (Towards a ten Year Review 2003: 25). Table 5.2 below, reflects some housing activities from Department of Housing (Pocket guide to South Africa, 2005/2006. <http://www.gcis.gov.za/docs/publications>. Accessed 29 March 2006).

The information contained in Table 5.2 below indicates that between 1994 and June 2005, housing subsidies to the value of R24.22b were approved and a total of 1.7 million houses were provided to more than seven million people. Clearly, some progress has been made in this regard, but the housing riots of 2005 also indicated dissatisfaction among the masses. This could have been due to the fact that the ANC has always used the lack of adequate housing for electioneering purposes; and this has, in turn, put the Public service, but more specifically, the Department of Housing, under immense pressure to deliver on those promises (Second Economic and Social Rights Report, 1998/1999).

Table 5.7 Department of Housing expenditure and service delivery patterns towards elimination of asset capital poverty

▼ Lead programmes: housing and land programmes ▼ Since 1994 these programmes transferred R50billion of assets to poor households		
Housing	Period	Quantity
Subsidies approved	1994 – 2003	1.985m subsidies approved for an expenditure of < R24.22b
Subsidies: women	1994 – 2003	49% of all subsidies
Housing received	1994 – 2003	6m citizens
Transfer of deeds	1994 – 2003	481,373 (Discount Benefit Scheme) with an approximate value R24b

Source: Towards a Ten Year Review (2003: 26)

Over the years, there has been an increase in expenditure that has largely been the result of the government's demand orientated delivery approach as a strategy for poverty alleviation, job creation strategy, increasing access for wealth creation, combating crime, promoting social cohesion, bridging the divide between the first and third world housing patterns (South African Yearbook, 2005/06: 405). Furthermore, access to housing and the provision of secure accommodation is an integral part of the government's commitment to reduce poverty and improve the quality of life for the people of South Africa.

One of the major constraints in housing delivery is the lack of capacity. This includes the need for an efficient workforce and the installation of appropriate technology, equipment and systems for monitoring, evaluation and reporting purposes. The Department of Housing

continues to assist provinces to ensure effective and efficient implementation of the National Housing Programme (SA Year Book, 2005/06: 408).

At the core of delivery in the housing project is the need for a strong commitment by all spheres of government to ensure that delivery takes place. This is so because to the masses, it does not matter that the project is led by the Department of Housing. The issue is that the services have not been delivered as expected. This may require a number of proactive steps. First, it may be important to review the management and delivery systems, including structural and functional arrangements; secondly, efficiently and speedily implement and monitor agreed activities such as the national waiting list data base; thirdly, clarify roles at agreed project intervals; fourthly, continuous policy review and analysis; fifthly, build in a strong reporting system that functions as an early warning mechanism and finally, manage dispute resolution by setting up an appropriate mechanisms and monitor adherence to the code of conduct. As noted in the (Housing MINMEC statement 2005), it is also important to acknowledge that communication is a basic human right, and communicators from all spheres of government must work together to ensure that ordinary citizens (illiterate and literate) are informed of government housing programmes and the various solutions and subsidies that are available.

The impact that emerging elements such as effective structural arrangements, role clarity, policy evaluation, capacity, communication, coordination and effective reporting can have, (if not properly managed) can result in poor service delivery hence. In a joint media statement on the resolution of the Nelson Mandela Council Housing Problems, the Housing Minister, the Eastern Cape Premier, the Eastern Cape MEC for Housing, and the Nelson Mandela Metropole Mayor noted that ‘The parties acknowledge that there was lack of adequate and effective communication among all stakeholders including the affected communities....While the metro

has made considerable strides in building capacity in the area of housing delivery, capacity still remains a challenge. Therefore, the three spheres of government have agreed to work together to address this issue' within the framework of IGR.

(<http://www.housing.gov/content/media%20Desk/Press%20Releases/2005/24%20M>. Accessed : 23 May 2006).

### **Discussion on Case study 2: Department of Health**

The Department of Health is charged with the responsibility of providing quality health care for all South Africans (White Paper for the transformation of Health system in South Africa, 1997). In order to achieve this ideal, there is a crucial need to develop a comprehensive health system that enables access to basic health care. This is a constitutional right (Section 27 of Chapter 2 on the Bill of Rights), and more especially, the access to public primary health services. This is even more important given that a significant percentage of the population lives below the poverty line and depends on the government to meet their health needs. Naidoo (2004:226) notes that the Department of Health is 'committed to reforming their ideals of professionalism, accountability and the provision of acceptable quality services to citizens'. IDASA (2004: 21) argues that 'with the recent promulgation of the National Health Act, the health sector is facing a major transition associated with the views as to how powers and functions should be shared between spheres of government'. One of the tools for achieving the above (comprehensive and integrated health care system) is the Functional Integration (FI) of the department's activities across all spheres of government.

The FI programme was adopted by the Health MINIMEC (Minister and MEC's of all provinces) in July 2002 (National Cabinet Press Release, 2002). Functional integration is a structured cooperation and collaboration between provincial and local health authorities and

seeks to decrease fragmentation and duplication and to increase efficiency and effectiveness in health service delivery. FI consists of alignment of inter-sectoral activities between the Department of Health and other sectors such as the Department of Education and Social development. More importantly, the integration of Primary Health Care (PHC) services across the spheres and within PHC services (Department of Health, 2002) is integral to the FI programme. A number of programmes have been launched but priority programmes have been concerned with improved Primary Health Care, especially for women and children. This includes programmes, such as the immunization programme, which has been successful and has led to the elimination of deaths due to measles and the incidence of polio, the reduction of infant mortality rate, school nutritional needs through the food fortification programme, antenatal, maternal care, and management of HIV/AIDS related illness.

In line with the constitutional mandate, the success of these programmes is based on a system that is alert and responsive to the changing needs and circumstances in South Africa. The FI approach was a response to a health system that appeared fragmented, inefficient, poorly coordinated, overlapping functionality, and manifesting differences in conditions of service between the provincial and local health authorities (Elabor 2006, Discussion)

In an effort to provide adequate health care, municipalities which previously provided services under the provincial exclusive list are now required to enter into service level agreements, especially with regard to Primary Health Care delivery (IDASA, 2004: 21). This arrangement appears to be a reversal of the decentralization process, although there has been some space to allow for a district health system as the provinces execute the monitoring roles. Most services of a primary health care nature are now largely the responsibility of the provincial government and ways have to be sought to realign the functions to meet communal health needs. This is where

FI assists the department to meet its objectives. The value of alignment and the strengthening of the Health care system are even more vital given that the department is facing challenges meeting (among others) the Millennium Development goals (goal 4 is on decreasing infant mortality rates) as contained in the South African millennium Development Goals Country Report 2005 and reflected in the table below.

Table 5.8 Number of registered infant deaths, South Africa, 1997-2003

Year	Males	Females	Un-specified	Sub-Total	*Total	%
2003	14 249	12563	232	27 044	318287	8,5
2002	16 639	14 723	376	31 739	367 689	8,6
2001	15653	14 242	464	30 359	38 902	7,9
2000	15807	14 256	369	30 432	413969	7,4
1999	15955	14 481	3184	30 750	451 936	6,8
1998	19070	17 151	382	36 603	499 268	7,3
1997	97373	8741	2137	186926	2887654	6,5

Source: Statistics SA: Mortality and causes of death in South Africa, 1997-2003.

\* Number includes adult deaths for the periods

From the table above it can be deduced that there was a rise in the percentage of infant deaths (except for 1999), suggesting that Department of Health has to put in appropriate strategies in order to manage this trend. 'As an important step in developing an integrated health service, the fourteen existing health departments were amalgamated into a single health system. Disparities in health services were reduced although not yet eliminated' (Naidoo, 2004: 229). Among other problems, fragmentation, duplication and inequity with regard to the provision of health services may be detected. Furthermore, there are contradictions between the District Health System (DHS) and the Provincial system and what exists in reality is a scenario where there are two power authorities for health services in any district. Municipalities manage and fund the environmental health, while the provinces are responsible for all other primary health care services (IDASA, 2004: 22). Despite the above, it should be noted that provincial governments

cannot deliver this function independently of the municipalities given that the municipalities have a better understanding of the history and context in which such services are delivered.

A host of governance and operational issues can be put forward as some of the IGR blockages that may be hindering health care service delivery from an Intergovernmental relations point of view. There has been a general move to decentralize functions appropriately, but the Department of Health must ensure that the governance structures that in place, such as the hospital boards and the clinic committees, are fully functional. Other systemic issues include issues of budgeting/financial accountability, system readiness for policy implementation, coordination, communication, capacity issues, training, inadequate technical expertise, skills shortages. Furthermore, other ‘challenges have been identified with regard to leadership of the Department. In the Health summit of 2001, the minister indicated that policy implementation issues with regard to slow service delivery are critically affected by leadership decision and leadership commitment’ (Naidoo, 2004: 243).

### **Discussion on Case study 3: Department of Provincial and Local government**

The Department of Provincial and Local Government (DPLG) coordinates and assists local government and provinces to deliver on the assignments that has been devolved or delegated to them. The assignments that are devolved to the municipalities may be “general” in nature, wherein all the functions are transferred to the local governments across the country, or they can be “specific”, wherein only specific municipalities receive the function. The assignments that are of a general nature usually require the passing of legislation while the specific ones are usually through agreements between the role-players (IDASA, 2004: 6-7).

With regard to the legislative framework for operation, it can be stated that the overall policy and regulatory environment of local government as well as those of provincial administration are progressive, sound and comprehensive. At the municipal level, this includes the Municipal Systems Act, Municipal Structures Act, Municipal Public Finance Act while most prominent in the provincial level is the Public Financial Management Act (PFMA). All are supposed to assist managing the challenges, the success at implementation does vary as challenges persist in- at various sites. With regard to assignments of a general nature (such as housing), there have been challenges despite the fact that the Department of Provincial and Local Government (DPLG) developed a framework or mechanism for transferring responsibility between spheres, as reflected in the table below:

Table 5.9 Framework for the transfer responsibility between spheres

Activity	General Assignments	Specific Assignments	Delegation
<b>Legal provision and the medium for the transfer</b>	Section 9 of the Systems Act. Assignment by legislation	Section 10 of the systems' Act. Specific assignment by agreement	Section 238 of the Constitution. Delegation by agreement
<b>Function assigned</b>	Part A functions	Legislative plenary powers and Part A functions	Legislative plenary powers and Part A functions
<b>Method of assignment</b>	Legislation	"Agreement " and proclamation	Agency agreement
<b>Procedure for assignment</b>	Section 9 System Act	Section 10(1)(b) and 10(2)(b) and 99/126	No procedure required
<b>Applicable finance legislation</b>	Division of Revenue Act	Division of Revenue Act	Public Finance Management Act
<b>Examples</b>	Housing Act and South African Police service	No existing cases	Guateng-Sedibeng agency agreement

Source: DPLG (2002)

(Note that plenary functions are functions under the sole control of the national government)

Notable among the challenges that persist is issue of policy implementation, with regard to service delivery, especially as it affects the manner in which spheres collectively and individually contribute to the achievement of national goals, delivery or the non delivery of services. Within that framework, “project consolidate” was launched as a practical programme of engagement and interaction by national, provincial government and local government for the period 2004-2006 (<http://www.projectconsolidate.gov.za/doc>. Accessed: 23 May 06). It is hoped that this consolidation plan will be transformed to a sustainable in this phase (from the year 2006 and beyond).

The success of the consolidated phase should finalise the significant and substantial intergovernmental relations work undertaken prior to the 2004 elections. The governance system needs to be refined and the IGR work must be finalised and operationalised in order to stabilise the IGR system and strengthen unified state action. The coordinated actions of national, provincial and local government must be substantially strengthened and be undertaken differently in key areas of delivery. ‘Local government and provincial governments will thus become direct beneficiaries of a stable and predictable IGR environment’. (<http://www.projectconsolidate.gov.za/doc>. Accessed: 23 May 2006)

The aim of Project Consolidate is to deepen the thrust and impact of policy implementation and deliverables at the local government arena by ensuring that national and provincial governmental, alongside relevant stakeholders support local government delivery objectives. In addition, the approach includes working with provinces in the PGDPs and these in turn will assist with the development of a more coherent Integrated Development Plan (IDP), systematic monitoring and evaluation, attention to policy matters and identifying critical areas need assistance from national and provincial spheres.

The Project Consolidate taps into the Municipal Infrastructure Grant. This grant aims principally to provide basic services to the poor and ensure economic benefits through the infrastructure provided. For the purposes of this study, the specific programme in the department that has been utilised to facilitate an in-depth understanding is the Urban Renewal Project. The special integrated presidential project for urban renewal was identified as one of the first presidential lead projects. It is hoped that the following will accrue from the programme:

- commercial spin-offs as investor confidence grows in some of the neglected townships;
- job creation as a result of the above;
- improved infrastructure will be improved ( upgrading of hostels and building of houses);
- provision of social amenities (community centres, child-care facilities, schools, clinics sports field, libraries, post offices and so on.)

In the Eastern Cape, Mdantsane in the Amatole District (Buffalo City Municipality) has been selected as one of the sites for this programme. The programme is driven by the Buffalo City Municipality with support from the District Municipality, the Eastern Cape Provincial office, the Department of Provincial and Local Government, as well as other departments rendering social services, such as housing, education and health. In practice, a complex IGR web develops and requires sectoral inputs and commitments (which could be locked in the form of Memorandums of Understanding) within the framework of the improved service delivery.

Joint planning for ownership and commitment from all participating spheres of government remains vital. Sound planning is essential to the success of development initiatives if these are to result in the effective provision of services. The constitution identifies “municipal planning”

as a function of the local government. This can be assumed to include the planning for the municipalities' own functions as well as those that may have been assigned or delegated. The Integrated Development Plans (IDP) serve as the strategic document guiding planning and development and the quality of the IDPs have varied from one municipality to another, from one province to another (IDASA, 2004: 12-14).

Also significant in this case are issues about clarity of roles through effective communication, a need for improved leadership and strategic direction through a stronger administrative interface between the politicians (who are the vision crafters) and the administrators (who are the implementers). For DPLG to achieve its goals and especially in the case discussed in this study, there has to be a strategic fit in terms of the vision of the political leadership and that of administrative leadership. The nature of political and administrative interface should be smooth rather than rocky in order to achieve the desired progress. This requires a detailed understanding of the respective roles and clarifications of who does what may be necessary from time to time.

#### **Discussion on Case study 4: Department of Agriculture**

The Freedom Charter crafted on the 26 June 1955 had a number of provisions for a new and democratic South African State and these include the theme of a developmental and caring state that seeks to improve the livelihood of millions of its people, particularly the poor and marginalized. Agriculture is one of the mainstays of the economy and, in this regard, the Department of Agriculture (DoA) is poised to plan and deliver quality veterinary services, communal and agricultural initiatives, land care, soil management and the development of agricultural human resource and these functions are critical across all the spheres of government. The DoA's key objectives are:

- Ensuring access to sufficient safe and nutritious food ;
- Eliminating Skewed participation and inequality in the sector;
- Maximizing growth, empowerment and income in the agricultural resources and ecological systems; and
- Ensuring knowledge and information system.

(<http://www.nda.agric.za/docs/vision.htm>. Accessed: 14 June 2005).

The Legislative framework is fairly well developed and includes the Animal Health Act, Act 7 of 2002, which promotes animal health and control of animal diseases; as well as the importation and exportation of animals and health schemes. Some of the executive authority with regard to the provisions have been signed off to province Other relevant acts include the Animal Improvement Act, Animal Diseases Act and to date, a series of policy documents have been developed in the department to give effect to some of these acts. These documents include Drought Management Plans, Strategic plans, Agriculture Black Economic Empowerment (AgriBEE) framework, Agricultural marketing, Agricultural policy, amongst others (<http://www.nda.agric.za/publications>. Accessed: 14 June 2006).

The importance of veterinary services makes it one of the core strategic programmes in the Eastern Cape DoA as the department seeks to promote animal health so as to safeguard human health and animal welfare, by controlling animal diseases of economic and zoonotic importance, as reflected in the table below.

Table 5.10 Budgetary items in the DoA, Eastern Cape

Programme description	Composition of employees	Goods and services	Transfers and payments	Capital	Total
Administration	R137,653, 000	R 101,674,000	R11,043,000	R1,209,000	R251,579,000
Eginnering servies	R52,147,000	R26,681,000	R3,238,000	R1,166,000	R83,232,000
Resource Plkanning and management	R135,130,000	R128,015,000	R80,510,000	R0	R343,655,000
Verterinary services	R69,115,000	R31,783,000	R243,000	R100,000	R101,241,000
Research and Techn. support	R24, 635,000	R21,526,000	R91,000	R0	R46,252,000
Agricultural economics	R6,479,000	R2,769,000	R21,000	R0	R9,269,000
Structured training	R13,612,000	R7,885,000	R12,861,000	R83,000	R34,441,000
<b>Grand total</b>	<b>R438,771,000</b>	<b>20,333,000</b>	<b>R108,007,000</b>	<b>R2,558,000</b>	<b>R869,669,000</b>

Source: MEC of the EC DoA Policy Speech (2006: 9)

The Eastern Cape is very significant in the South African agricultural commercial sector which is responsible for agricultural produce as well as the communal farmers. The communal farmers are assisted with various veterinary services for which demand is always on the increase. This access to livestock allows the department an opportunity for inspectors to carry out an early detection of diseases that may be too costly to eradicate (EC DoA Strategic Plan Doc, 2006:55).

In the Eastern Cape, some of the programmes aimed at improving the quality of veterinary services includes the dipping tanks and the livestock dams (Eastern Cape DoA, 2005: 29). The DOA also recognizes that intra-departmental planning and coordination of economic and social clusters is essential to achieve the provisions of Schedules 4 & 5 of the Constitution of the Republic of South Africa and in be accordance with Section 104(1) (b) of the Constitution (Eastern Cape DoA Strategic Plan, 2006: 13).

For the purposes of this case study, the foot and mouth breakout provides an interesting case of how governments and effectively work together to address a particular challenge. This IGR web

consisted of the DoA Minister and officials, the KwaZulu Natal Provincial Executive, the Mpumalanga DoA provincial executive, the Eastern Cape provincial executive, The Minister of Trade and Industry, the department of Health officials, the Department of Finance, the South African Defence Force, and a host of other stakeholders. Given that the outbreak was sudden, the leadership had to be decisive and strong with regard to the steps that were most appropriate to be taken.

The success of the management of that outbreak was largely determined by stakeholder consultation and involvement in building the right coalition and commitment among parties as well as joint planning. Furthermore, efforts were put in place to ensure that there was a strong administrative and political interface through the involvement of Premiers and MECs in the affected provinces. The implementation was well coordinated, monitored and evaluated; role clarification and communication strategies concerning the management of the outbreak were efficient and broad as the consequences would have been catastrophic.

## **A PERIOD-SPECIFIC ANALYSIS OF THE NATURE OF INTERGOVERNMENTAL RELATIONS IN SOUTH AFRICA**

In this section, an analysis of the IGR trends is carried out locating emerging issues within a time specific context so that the discussions that follow are not engaged in a vacuum, but take cognizance of the fact that change in governance cannot be objectively presented without the period in question. Three distinct eras have been identified for the purposes of this study and they are the apartheid era, the new democratic era (1994) and the era of democratic consolidation (ten years into the new democracy).

### **The apartheid era**

‘The South African Act, 1909, provided for the establishment of the Union of South Africa. With this Act the former colonies of the Cape of Good Hope, Transvaal, Natal and the Orange Free State were incorporated into a new Union of South Africa, composed of four provinces with their own legislatures. The agreement reached by the National convention of 1908/09 provided for the seat of legislature in Cape Town, the seat of government in Pretoria and the seat of Judiciary in Bloemfontein. The Head of State was the Governor- General, representing the British Monarch. An Executive Council, colloquially known as Cabinet, acted as the government under a Prime Minister’ (Kuye, 2006: 176).

This above governmental setting provided the framework for intergovernmental relationships in the then Union of South Africa and subsequently in the Republic of South Africa from 1961 (effected by Act 32 of 1961 and Act 110 of 1983), all primarily within a unitary styled government allowing for three tiers of government that were segregated on racial grounds. This resulted in the fragmentation of government departments to administer the affairs of the different groups. What evolved was a government that paid attention to the development and facilities of the white race (and their areas of settlement) with a reverse treatment in areas that were occupied for by the black race, effectively creating a nation of two economies.

The challenge for government and a legacy of apartheid has been how to manage these distinct systems, with one section arguable of a first world and the other of a third world nature. Furthermore, it can be argued that the investment on the ground in terms of the apartheid government’s provision of infrastructure was of very high standards as the settlers had no intention of leaving South Africa. This could be seen as positive in the sense that it provided the framework to propel development which most other African countries lacked as the colonizers in those countries had no intension of settling and never saw themselves as settlers and hence had no commitment to propel development. Any infrastructure of development that was put in place was largely to assist them attain their agenda which in most cases, was to redirect the

resources from the African countries to their own country. In real terms, the relationship that the South Africa government had with its territories, differed from the nature of the relationships that it had with the rest of the homelands and this created huge distinctions and divisions in terms of service delivery systems, processes and programmes.

### **The dawn of a new democratic era**

As a result of the fragmentation catering for the different racial groups, the task of synergizing became a huge challenge for the new democratically elected government in 1994, with as many as 53 departments in the central administration and about 60-82 departments in the self governing Bantustans territories (Kuye, 2006: 177). With a range of governance challenges such as resource limitations (human, financial and otherwise), issues of conflicts between race and class leading to mistrust, and other systemic crises such as corruption, policy contradictions and related issues, the new government of the day, had to find a way to reinvent the machinery of government and to provide the desired levels of service to all South Africans.

With delivery challenges in practically all sectors and departments, the South Africa Public Service of 1994 had to move the divided nation forward given that the dawn of democracy provided a window for a new beginning and integration. This translated into the building of a new nation and alongside related challenges emerged. Firstly, this necessitated the further development of a series of governing frameworks through several acts and policies, all of which set the tune for the delivery of services. In fact, the New South African Democratic Government excelled in terms of putting together the Constitution as well as other government and sector specific plans and policies.

Secondly, was the nature and quality of planning was crucial. Over the past few years, there has been an attempt at institutionalising the planning activity with products at the local sphere called the Integrated Development Plan (IDP) and at the provincial level called the Provincial Growth and Development Plan (PGDP). However, the extent to which both the IDP and PGDP strike a balance and coordinate delivery in terms of attaining an Interface between the planning documents still needs to be seen. The IDP and PGDP are plans that contain the strategic goals of the province as well as those of the municipality. Over the years, these plans have taken cognisance of the political pronouncements from the President's state of the nation address as well as the premier's address. These speeches in turn, have borrowed their philosophical stance from the manifesto of their political parties. However, it would appear, the three spheres of government national, have struggled to sustain a shared focus.

This planning problem has also been complicated by the fact that in some instances, deconcentration has been made without an adequate policy framework to support the activity. This warrants more attention. The need for comprehensive planning in South Africa cannot be overemphasized given the fact the South Africa, as already stated, comprises of both first and third world infrastructures. A situation which was brought about by the manner in which authorities systematically orchestrated selective public services machinery, which basically provided for the privileged racial group and completely negated those of the so-called disadvantaged groups.

Thirdly, the lack of a legislative framework to manage IGR interactions post-1994 posed a huge challenge. While the design of legislative framework in various sectors is applaudable, since the masses wanted and needed services to be delivered urgently, government had to implement

simultaneously. It should have also developed an IGR framework and given it the backing provided by Acts of Parliament. Obviously some implementation challenges were encountered for different programmes. For instance, with regard to most social services, people required identity documents to be able to access the available facilities (such as health, housing, child support grant, old age grant and voting rights). This meant that a web of IGR had to evolve as a department's ability to delivery rested on cooperation with other departments. Furthermore, the IGR web was further complicated by the need for cross-border services in provinces, such as the Western Cape Province, to address issues which included cross border theft, service delivery, and competition for resource. Tom (2006) notes that in the Eastern Cape Province, residents of border towns cross to KwaZulu-Natal (KZN) Province to access services such as health and this does impact of the budget of KZN Department of Health as budgeting, which may have taken in the KZN did not factor in this kind of voluntary migration, and this led to IGR challenges that had to be resolved without an appropriate IGR guideline as there was no IGR Act at the time. The best that government could have done was to fast track the need for guidelines to manage IGR in the country.

Fourthly, there are issues concerning the delegation of responsibilities, to ensure that the sphere expected to execute has the appropriate capacity to deliver. For instance, housing is a national competency, but this cannot be delivered directly by the National Department of Housing. So the National Department uses the Provincial department as an agency to deliver and gives them a mandate as well as a conditional grant to deliver on the departmental objective. However, should that not be enough, they must continually monitor progress and see to it that the objective is met this includes capacity building. The provincial agency may have to deal with issues such as who is best able to deliver the project and set the ball in motion and develop appropriate systems to manage the process, but it cannot execute this on its own. It must work

within the municipality with regard to the land that may be available for the current project as well as ensure that the building project is in line with the Municipalities IDP. Hence, the issue of monitoring and providing remedial support to various stakeholders in the process of delivery has been less than satisfactory.

Fifthly, the issue of coordinating and synthesising policies also deserves mention. The department of housing is therefore charged with and must deliver on its responsibility with regard to the development of relevant policies, planning through a process of determination of priority needs, budgeting, project managing, monitoring and setting a sector specific strategic framework. Over the years, the people of South Africa have become increasingly impatient with waiting for services to be delivered to them. And the researcher wonders if IGR could have played a facilitative role in the equation through synchronising the various delivery structures across the spheres and across departments. It may be argued that a weak link in the delivery chain could also have been the issue of non-compliance and adherence to the existing sectoral framework with the visible weakness being the elements of oversight, monitoring and evaluating progress.

Sixthly, the effectiveness of coordinating structures could impact on government delivery. An analysis of the legislative provisions and existing structures of intergovernmental relations from a coordinating point of view suggests that a lot more still needs to be done. The existence of structures especially *ad-hoc* structures that have been constituted by government to iron out some of the delivery issues, is misconstrued as a ploy to witch hunt and are resisted because they seem to warrant suspicion on the part of one of the spheres of government involved in particular activity, usually the provincial or local spheres (Tom: Discussion, 2006). For instance in the case of the Interim Management Team set up to assist the Eastern Cape Provincial

Government in 2003. it appears that senior managers were weary of the intentions of the audit. What is inherent in this trend, is that a lot still needs to be done to build trust among and between the various spheres/tiers of government and that the issues of consultation and communication if not properly addressed within the framework and the management of IGR initiative, will be problematic.

### **Consolidation era (10 years into the new democracy)**

President Thabo Mbeki (State of the Nation report: 2005) noted that ‘The state has made progress in recent year in improving policy coordination both with and across the spheres, but these efforts need to be consolidated with greater attention being focused on implementation...more attention needs to be given to overseeing or managing the delivery process’. The policy framework had been laid for the desired development, notably the *Batho Pele* principles (White Paper of 1997) that fundamentally sought to re-engineer the manner in which services are delivered to one that had a strong customer focus. The principles are consultation of users of services; setting of service standards, increasing access, ensuring courtesy, providing more and better information; increasing openness and transparency; remedying mistakes and failures and getting the best value for money.

These principles underpin the quality of service that is desirable from a government point of view, but the extent to which this has been translated into government programmes still needs to be seen. While, there have been pockets of success, a lot still has to be done in terms of improving delivery to the people in this consolidation era.

### **Cross country analysis**

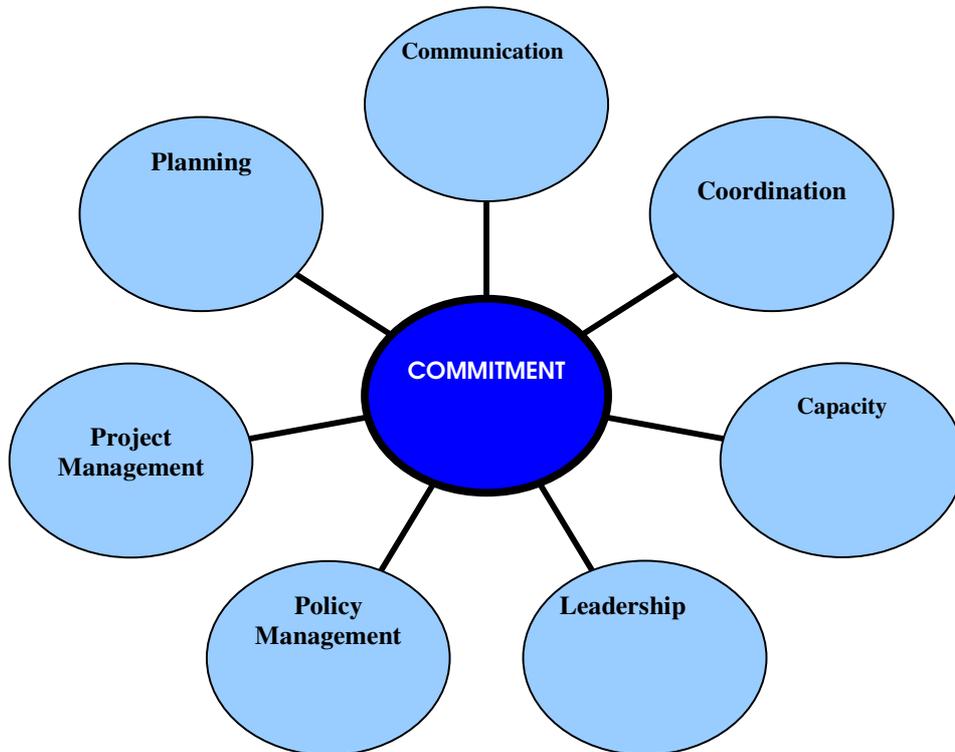
In all forms of government (Unitary, federal, confederal), there will be some form of relationship between the national government (centre) and the regional government (periphery). This relationship could be in the form of deconcentration, decentralization or the devolution of roles as mandated by the constitution of the country. In the selected countries, the relationship between the federal, state or local governments (in the case of Nigeria on one hand) and the relationship between the national, provincial and municipal government (in the case of South Africa, on the other hand) has significantly demonstrated that the nature and management of these governmental relationships can affect service delivery.

With a weak or ineffective IGR mechanism, one level of government may result in government's inability to achieve the ambitious objectives that government is expected to meet given that decentralization or devolution is inevitable. In this regard, Ademolekun (1999: 50-52) argues that the necessity for decentralisation in modern governments accrues from:

- The need for governments to be visible at all levels and be accountable for delivery or non-delivery of services;
- the failure of the centralized state to achieve balanced socio-economic development provides a strong push towards the decentralization option;
- an understanding of the context by local administrators ensures that information available is current and appropriate decision is taken.; and
- understanding the needs of the people in the area.

The analysis of all the eight cases engaged suggest that effective management of IGR requires a mix of critical elements such, as commitment, communication, coordination, capacity, Planning, Policy, project management, leadership. IGR management, as underpinned by the

crucial elements identified are presented in Isioma Ile's (2006) configured figure and formula below:



**Figure 5.4 Emerging trends impacting on the management of IGR in selected cases**

$$\text{Successful management of IGR} = \mathbf{C} + \mathbf{3C} + \mathbf{3P} + \mathbf{L}$$

Where:

**C** = commitment (and a critical element hence it stands alone);

**3C** = communication, coordination, capacity;

**3P** = project management, planning, policy management; and

**L** = leadership.

These elements are discussed in some detail below:

## **1 Commitment**

This relates to the will of the political and administrative class to achieve a common goal. This element provides the springboard from which all other elements must depart. Suberu (1999: 91) succinctly captures Nigeria as ‘a federation of enormous sociological and cultural diversity ... the federations peculiar volatile character derives from its vortex of combustible regional, ethnic and religious cleavages’ which has been categorized along various divides. In addition, the military and civilian divides must be considered as the Nigerian nation, has since independence been governed by several military regimes and fewer democratic regimes. The nature of the centralist structure that has emerged over time has made the centre very attractive and this has further been strengthened by the fragmentation of territories through the creation of several weak states, whose input has generally been minimal.

In the South African scenario, the researcher argues that cooperative government would count for nothing if provinces and local governments are being told what to do. This further reinforces the divides of centre and periphery, making it extremely difficult for players to commit to a common course. What has evolved is a weak relationship between spheres, where level of commitment across all provinces and municipalities cannot be said to be uniform. What has emerged from both countries is that the nature of intergovernmental relations is IGr (with a weak emphasis on relationship) rather than IGR, ultimately, this level of commitment is translated to weak deliverables.

## **2 Communication, Coordination and Capacity**

### **2.1 Communication**

This has to be effective to have the desired impact on service delivery. An effective communication is one that ensures that the message intended is received to by the receiver. In

the public service, the executive and administration must communicate better as this builds trust within the sector Levy and Tapscott (2001: 88), as service delivery is affected by diminished trust among public officials, and plummeting legitimacy in the relations between citizens and the executive (Wright, 1988:43). Within that framework, building social partnerships must be understood as a process of trust production (Boguslaw, 2002: 47-48). The reliance on the effectiveness of communication within and across government levels/spheres could lead to high levels of cooperation in the public service, as national, state, local governments and citizens, collectively form a problem-solving group, bringing about increased trust and refined relationships through communication.

Again, the value of communication is critical given that with all relationships conflict and contentious issues have to be worked through, and in this regard, Rapoo (1995: 25) notes that ‘conflicts between the tiers of government is not necessarily a threat to democratic order; on the contrary, some would see it as a sign of healthy pluralism and as evidence that the system is succeeding in creating the competing centres of power that are essential to democracy’. However, it needs to be proactively managed through open and transparent communication processes, given that IGR has in fact played a facilitative role in the governance arena. Mokgoro (1996: 83) argues that it has ‘succeeded in assisting the process of governance rather than inhibiting it’ and improved communication could increase these gains of IGR.

## **2.2 Coordination**

Coordination has emerged as one of the critical elements that could improve the chances of service delivery success. Given that the delivery in the realm of public service is anchored by the devolution of responsibilities away from the central centralized delivery institutions (Kaul, 2003: 23). Macrae and Pitt (1985: 197-198) note that in order to attain strategic effectiveness in

government activities, the key is in seeking harmonization in the management of bureaucratic or governmental complexities, which can be brought about by sound coordination across the various spheres/tiers through integrated strategies resulting in better efficiency and effectiveness, benefits of economies of scale, resources optimization, striving towards attainment of minimum standards, managing overlaps, ensuring alignment of processes and promoting skills transfer from capacitated entities to weaker entities.

Nnoli (2000: 48) indicates that lateral organisation of government institutions makes coordination of the activities of the various ministries and departments an important part of IGR. Within the activity of coordination, there are other activities, for example, budgeting and development planning that have to be dealt with as mechanisms for inter-ministerial coordination and these can be achieved by the activities and decisions of the cabinet. This implies that the state has to harness the totality of the various networks to ensure the benefits of economies of scale, a position even more important given that the White Paper on Local Government (1998:38) emphasizes the formal and informal character of IGR that must occur.

In South Africa, Chapter 3 of the 1996 Constitution promotes cooperative governance among the spheres of government. However, 'it can be argued that the architecture of the new democratic state is in place, yet in many areas of service delivery, the performance of the public service requires much improvement' (Towards a Ten Year Review, 2003:75). Similarly, Premier of the Eastern Cape Province (<http://www.info.gov.za/speeches/2006/060> /Accessed 29 of March 2006) noted that:

'A lot still has to be done to actualize government vision. In growing the efficiency of government, the thrust has been to strengthen the centre through sustained co-ordination and intention. Particular attention has been focused on harmonizing the three spheres of government towards seamless service delivery. The programmes bundled the Provincial Growth and Development Plan (PGDP) have provided fertile ground for effecting this

form of integrated planning and implementation. Many lessons have been learnt and it is getting easier. However, more work lies ahead to fine tune the provincial model and to make sure that IGR structures are functional and bear tangible fruits. In particular constructing integrated development plans that embrace the delivery plans of all three spheres of government, including public entities must become the new way...'

**2.3 Capacity:** The management of manpower, budgeting and training needs have remained an enormous challenge as a result of the capacity limitations that are faced by both countries. The Nigerian Minister for Internal Affairs (1986: 11) openly admitted that his department was understaffed, resulting in capacity shortages that affected delivery. In the South African situation, the transfer of mandate without a corresponding transfer of funds together with an assessment of the human resource capacity of various spheres to deliver may have led to the government's inability to deliver at times. This situation is such that the blame cannot be laid squarely on one of the spheres, but is one that all spheres must take responsibility for and work together, taking advantage of any IGR opportunities that may be present or even creating them in order to meet the expectations of the people. Furthermore, with regard to human resource capacity, both the IGR audit and the presidential review commission of 1998 recognised the importance of intergovernmental human relations as a political approach towards managing tensions in government (Levy & Tapscott, 2001: 11), as poor IGR coordination is frequently a problem of capacity and management rather than purely one of procedure. What this suggests, is that appropriate capacity has to be developed with regard to recognising the value of the human/individual element in the management of IGR. The skill of managing human relations in IGR is thus critical, alongside capacity to spend funds allocated efficiently and effectively, using strengthened capacity building systems with due regard for issues around ethics and accountability.

### **3 Project management, planning and policy management Planning**

#### **3.1 Project management**

While a lot has been achieved, efforts still need to be intensified to ensure that the huge delivery needs are met in both countries. The delivery challenges hinge on the performance of all levels of governments with a need for operational efficiency and effectiveness. Systems that ensure that resources provided are effectively and efficiently utilized with the aid of project implementation may be critical, so is the development of appropriate monitoring tools. In this context, Akobundu (1995: 8) notes that in Nigeria, ‘we do not appear to have fashioned out a systematic and clearly defined approach towards project implementation, let alone imbibing the culture. All efforts at ensuring effective project-monitoring have generally not yielded any meaningful results’. Furthermore, while it may appear that monitoring and implementation make logical sense to be located within the same agency, (as they complement each other), this may not be the route to go, as separation of the roles could allow for greater levels of probity and accountability of resources deployed. The need for improved project monitoring and evaluation certainly remains one of the challenges that the present governments in Nigeria and South Africa have to grapple with and find solutions or management strategies.

In this regard, it is crucial that project management be strengthened through effective monitoring of implementation especially with regard to developing data base of tried and tested project partners who may be from the private sector. These needs to be monitored in a bid to manage unscrupulous contractors who may defraud government; and systems have to be put in place to ensure that such elements are blacklisted as a deterrent to others.

### 3.2 Planning

In order deliver on promised and expected services, Oshisami and Dean (1999: 88) note that for the system to work there must be adequate contact between those who plan and those who are responsible for both budgeting and implementation. This makes the element of joint planning and consultation with relevant stakeholder a delivery imperative. With three spheres/tiers of government in both countries, the structure makes planning a very complex task, requiring effective communication and coordination. Ayida (1987:30-32) argues that for planning to be successful, the following elements have to be successfully managed:

- The will to plan
- Statistics
- Budget
- Coordination
- Research and development.

The above may not be adequate but should also take into consideration the technical planning apparatus. In Nigeria, planning has been problematic as 'past census were not only exaggerated but claims were made that goats, camels and sheep were counted along with human beings (Ajayi, 1985:9). A position which may have also contributed to a number of failed projects in South Africa due to inaccuracies of data or information and which in turn ultimately affects service delivery.

Planning therefore plays a pivotal role in ensuring the success of intergovernmental relations. In South Africa, the Government has since introduced a National Planning Framework to enhance areas of strategic policy prioritisation and to improve the policy decisions of government

(Towards a Ten Year Review, 2003:13). At provincial level the Provincial Growth and Development Plan has sought to drill down some of the governmental goals which, in turn, give direction to the Integrated Development Plans (IDP) but the question arises: is this enough given that there may be value in a bottom up approach as the system is still struggling to find integration which would have been an outcome of joint planning?

**3.3 Policy management:** The development of a policy framework and its management is important. In South Africa, the IGR Act only came into being in 2005; this meant that most of the interactions (although broadly promoted by the constitution) did not have the appropriate guidelines and muscle to make things happen. Macrae and Pitt (1985: 197-198) note that in order to attain strategic effectiveness in government activities, alignment in the management of bureaucratic or governmental complexities, which can be brought about by a sound policy framework and implementation strategies, is vital.

In the Nigerian case, (given that Nigeria had been under military rule for over 22 years) the style that has emerged is one that stifles democratic elements, such as participation on the part of officials and citizenry, a culture of inclusivity, and lack of equity. With the struggle for state power by the different polarised units, Udoji (1975: 157-166) argues that ‘there is a growing desire for participation at all levels and that local government has an important role in fostering rapid economic growth. Participation will thus, decongest the centre and thereby free national leaders from the onerous details as well as bring management close to the site of operation’. He adds that the problems are how best to reconcile central government’s responsibility for policy direction, manage the tensions and to ensure effective performance amidst participation from all relevant stakeholders in order to reach a consensus that is acceptable and that the people can lay claim of ownership to.

It is argued by Amond et al (1996: 44) that the system propensities approach, which determines a government's legitimacy rating by citizens is more likely to be more effective in making and implementing policies and in overcoming hardships and reversals in most modern societies. This includes the extent to which the political and administrative systems are open, and participation is high in public debates that shape the future. This leads to clear policy directions that serve the public good and promotes accountability. Instead of leaving politicians with little reason to hold back their own interests, given that elections take place periodically and are not able to sufficiently restrict politician's selfish behaviour, the institutional conditions have to be designed so that stronger incentives are imposed on politicians and governments to fulfil citizen preferences.

**4. Leadership:** The weak relationship among the various tiers or spheres of government needs strategic leadership across the political and administrative domain. This issue of striking a seamless interface between the political and administrative domains still remains an area of challenge for both Nigeria and South Africa. In the Federal Republic of Nigeria, leadership across the tiers of government are expected to play complementary roles. (Ayida, 1987: 40-42) notes that 'role played by the federal government civil service in nation-building is essentially the role played by the state in the state civil service in the overall development of their respective states and the local government civil service in their respective areas'. In the South African case, it appears that the Mbeki leadership seems clear on its vision but there seems to be a dislocation between that top level of leadership and the middle/administrative leadership. Consequently, there remains several challenges with policy implementation and frustrations over the pace of delivery that President Mbeki has pointed out two years in a row in his state of the nation address (for 2004 and 2005).

Other elements related to leadership such as corruption by senior officials suggest the need to uphold ethical standards. If left unchecked, corruption will spread and become entrenched, a situation which is usually difficult to reverse. This is a complex problem that nevertheless has to be tackled as attitudes and values of both political leaders and appointed officials at the different levels of government has influence the substance and style of IGR (Adamolekun, 1999: 104).

Within the framework of the governance principles, public officials must be publicly accountable and responsible for their activities. Both countries require accountable and responsible leadership that is committed to rooting out bribery and corruption in high and mighty places as indicated by David-West (1985:9), a former Nigerian petroleum minister who noted that ‘one heard about illicit oil, people making millions in oil, but a lot of the unethical behaviour were from people who were privileged to be in the corridors of power or who were linked to the seat of power. The attitudes and value of some public servants is disturbing with allegations of corruption and accountability queries almost becoming the order of the day with several cases, including the sacking of the Deputy President and a range of non-delivery issues such as the housing dissatisfaction that led to several country wide riots in 2005. In Business Report of 15/06/06, SCOPA (Standing Committee on Public Accounts) is reported to have slammed the manner in which the housing grant was administered. The parliamentary financial watchdog – SCOPA noted that about R2.5 billion has been handed out as subsidies since 1994 from which the Auditor General’s investigation identified R323 million as having been spent on irregular applications. This included monies that were granted to employees who were earning salaries well above the subsidy assisted group, to people who had died, to people with invalid ID documents, duplicate payments, applicants under the age of 21. These inefficiencies were largely due to a weak system, as administrators could easily override any objections that the

system had put forward. ‘These overrides talk to the heart of the matter, it is not a problem of capacity, it is a problem of system, it is an attitude, it is designed for corruption’ (Dreyer, 2006: 1).

The nature of the leadership is also critical. For instance, it is clear that Nigeria has endured more military than democratic rulership since independence. This history has suffocated democratic and good governance principles such as accountability and responsiveness to the needs of the population. Ethical principles have been replaced with values that are autocratic in nature such as curtailment of constitutional rights and guarantees and massive corruption, and others. In essence, the country’s leadership has exploited the resources of the country (effectively playing the exact role of the colonisers) for their own advantage and at the expense of the ruled. Given the deep-rooted unspoken leadership philosophy (of governments serving the ruled), it is little wonder that the general perception is that the public service in Nigeria is not there to serve but to be served.

### **Chapter Summary**

Clearly, there may be different benefits and challenges in the management of IGR in various countries; however, some critical elements that underpin the success of such management have been identified and discussed as these will strengthen systems and enable the achievement of the desired goals, minimize overlaps, create synergy and higher levels of harmony among sub-systems, bring about the effective and efficient utilization of resources, improved coordination and integration.

This chapter outlined the trends that have emerged from the cases presented and discussed the

findings within the context and the different era's in each country. With the aid of a section on across-country analysis the findings were synthesised, with the critical variables for the management of intergovernmental relations (across unitary and federal states) being presented.