

**A CRITICAL ANALYSIS OF THE DYNAMICS OF INTERGOVERNMENTAL
RELATIONS IN ZIMBABWE**

BY

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APPROVAL PAGE

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APPROVAL FORM

The undersigned certify that they have read and recommend to the **University of Fort Hare** for acceptance of a Thesis entitled: **A CRITICAL ANALYSIS OF THE DYNAMICS OF INTERGOVERNMENTAL RELATIONS IN ZIMBABWE**, submitted by Vincent Chakunda in fulfilment of the requirements for the degree of **DOCTOR OF PHILOSOPHY IN PUBLIC ADMINISTRATION**.

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DEDICATION

This thesis is dedicated to my late father, Mr Francis Pepukayi Chakunda. I wish you were here to witness the successes of your own son and share great moments together. May the Lord of Grace, Jesus Christ rest your soul in eternal peace.

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All praises are due to our Lord Jesus Christ. I am extremely indebted to my supervisors Professors O. Nzewi and E. Ijeoma for their invaluable and immeasurable intellectual guidance and support. Special mention goes to my main supervisor, Professor O. Nzewi. Thank you so much for the inspiration and guidance throughout the course of my studies. May the Lord bless you in abundance.

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It would be folly on my part to leave out the people who sacrificed their time and work commitments to sit for hours to respond to the questions during data collection.

EXPLANATION OF KEY TERMS

This study has used the following key terms as explained below:

Intergovernmental relations

It refers to vertical and horizontal relations between different levels of government or a variety of activities and interactions that take place between or among the different levels of government within a country

Cooperative government

It refers to a form of government, which espouses political flexibility, negotiation, compromise and less reliance on the rigid distribution of powers between the different levels of government. The emphasis is on synthesizing, synergizing, synchronization and coordination of the functions and operations of different tiers of government to achieve universal government goals.

Decentralization

It is the transfer of power and responsibility from the centre to sub national levels. Three forms of decentralization discussed here are deconcentration, delegation and devolution. Deconcentration is the geographical dispersion or decongestion of the functions of central government ministries to regional and district offices. Delegation refers to the transfer of managerial responsibility from the central government to parastatals and quasi -national institutions such as ZESA Holdings, ZINARA, ZIMRA,

ZBC, NRZ etc. Finally, devolution refers to the statutory granting of powers and responsibilities from the centre to democratically elected bodies at the local level.

ABSTRACT

The field of intergovernmental relations (IGR), both from a conceptual and practical perspective presents a contested order in Zimbabwe's political and public administration discourse, with a fairly long and complex historical and institutional context. The advent of colonialism in Zimbabwe (then Rhodesia) gave birth to a dualised form of government with a separatist development agenda. The dualistic model of government was anchored on a segregationist centralist ideology that advanced a white supremacist agenda while entrenching underdevelopment in native areas. This was attained through the use of draconic and ingrained racially discriminatory laws, ordinances and policy enactments, inter alia, the 1910 High Commissioner's Proclamation, the Native Councils Act, the African Councils Act, and the District Councils Act which supported the overriding philosophy of colonialist hegemony. The direct rule policy was used and in practice, administrative, political, judicial and legislative powers were under the purview of the whites. Under this political dispensation, the nature of IGR was typically a master-servant relationship as African institutions had limited policy latitude under the tentacles of race-driven white control over the socio-economic and political space with an exploitative and subservient underpinning.

The demise of colonialism and the birth of independent Zimbabwe in 1980 ushered a new political dispensation. The post-independence government embarked on a number of reforms aimed at dismantling the racist undertones of government. These reforms include the expanded decentralization frameworks supported by legislative

instruments and policies such as the 1984 Prime Minister's Directive and the 1996 thirteen principles of decentralization. Other key reforms are the 1996 Urban Councils Act, Chapter 29:15 and the 1988 Rural District Councils Act, Chapter 29:13. However, it is important to note that despite this plethora of legislation and reforms purportedly meant to dismantle racist backed institutional differentiation, the new national government did not depose its excessive control on sub-national governments. It is therefore an insoluble contradiction that the legislation and institutions created in post-independence Zimbabwe promoted the autonomy of sub-national governments while broadening democracy and citizen participation. This era rather presents an aporetic discourse epitomized by the national government's perfection of colonial dominance approaches through creating legislation and institutions to retain wide and extensive control of sub-national governments.

The Global Political Agreement of 2009 culminated into the promulgation of the Constitution of Zimbabwe Amendment Number 20 of 2013 with provisions for devolution of power, Provincial and Metropolitan Councils and the enshrinement of Local Government as a tier of government with constitutionally guaranteed autonomy. However, despite these reforms with far reaching implications on the configuration of IGR, the ZANUPF led national government is lethargic in implementing them. This has sparked controversy as these constitutional reforms and their potential to promote an integrated and efficient system of governance may turn out to be a pyrrhic victory. This is so because the necessary legislation anchoring the constitutional reforms may not be created in the foreseeable future as

the current national government views devolution, for instance, as tantamount to surrendering political power to sub-national institutions.

The purpose of the study was to critically examine the dynamics of intergovernmental relations in Zimbabwe. The overlapping authority model of IGR and the theory of networked governance underpinned the study. A comparative study of IGR was conducted focusing on two federal nations (United States of America) and Nigeria) and two unitary nations (United Kingdom and South Africa). A qualitative phenomenological methodology was used and the sample size was 20 respondents selected using the purposive sampling technique. Data was collected using in-depth interviews and analyzed using thematic analysis and critical discourse analysis. Key findings of the study reflected on the conception and relevance of IGR in unitary nations in contrast to classical perspectives that restricted the field as a discourse of federalism. The study established that the unitary system of Zimbabwe is anchored on a strong centralist ideology that suffocates the autonomy of sub-national institutions. In the same context, there is absence of political will on the part of the ZANUPF led government to implement crucial constitutional reforms that have a bearing on the configuration of IGR. The study also revealed that political party incongruence is a threat to intergovernmental coordination, integrated planning and collaborative development.

Various recommendations were made from the study and these include that national government should expedite the implementation of the Constitution, codification of

IGR by way of legislation and rationalization of fiscal transfers and intergovernmental fiscal equalization.

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ACRONYMS AND ABBREVIATIONS

BIC	British Irish Council
CDA	Critical Discourse Analysis
COPAC	Constitutional and Parliamentary Affairs Committee
CSIS	Centre for Strategic and International Studies
EU	European Union
IGR	Intergovernmental Relations
JMC	Joint Ministerial Committee
JSC	Judicial Service Commission
MDC	Movement for Democratic Change
MLG	Ministry of Local Government
MOU	Memorandum of Understanding
MP	Member of Parliament
MSPA	Minister of State for Provincial Affairs
MSU	Midlands State University
NCOP	National Council of Provinces
NIIR	National Council on Intergovernmental Relations

NEC	National Economic Council
NGO	Non-Governmental Organization
NRZ	National Railways of Zimbabwe
OECD	Organization for Economic Co-operation and Development
PC	Provincial Council
PDC	Provincial Development Committee
RDC	Rural District Council
RDDC	Rural District Development Committee
SNP	Scottish National Party
UDI	Unilateral Declaration of Independence
UK	United Kingdom
UNDP	United Nations Development Program
UN HABITAT	United Nations Human Settlements Programme
US	United States of America
VIDCO	Village Development Committee
WADCO	Ward Development Committee
WDR	World Development Report

ZANUPF	Zimbabwe African National Union Patriotic Front
ZEC	Zimbabwe Electoral Commission
ZESA	Zimbabwe Electricity Supply Authority
ZINARA	Zimbabwe National Roads Administration
ZINWA	Zimbabwe National Water Authority
ZOU	Zimbabwe Open University

Chapter One

Introduction to the Study

1.0 Introduction

According to the Constitution (Amendment No. 20) of 2013, Zimbabwe is politically and constitutionally a unitary, democratic and sovereign state with a three tier governmental structure: national government; provincial and metropolitan councils, and local government. The country got independence from Britain in 1980 after 90 years of colonial rule. The current national population is estimated at 14 million people (Census Report, 2012).

The study of inter-government relations (IGR) and cooperative government in Zimbabwe presents a contested and dynamic discourse with a complex political and constitutional history. This discourse occurs in the context of different political and administrative systems with diverse political and ideological orientations. In Zimbabwe, IGR has undergone different phases of transformation affecting the role and functions of different tiers of government. From the colonial to the post-independence era, the different governments have vacillated from centralism to decentralism, overregulation and protectionism. In the process, this has affected the intergovernmental balance of power in varying degrees. Southern Rhodesia (colonial name for Zimbabwe) was characterized by racial prejudice and discrimination anchored on a very strong constitutional basis that provided for the establishment of

dual government structures and entities designed specifically to give separate and preferential treatment to whites over blacks (Kurebwa, 2014). With this historical context, post-independence national governments had and still have the difficult task of attempting to redress these past inequities and reorient the body politic and laws towards intergovernmental balance of power without alienating the white population. This study is a critical examination of the dynamics of the IGR discourse in Zimbabwe dwelling on its historical legacies, constitutional foundations, ideological orientation and institutional frameworks. The endeavor is to establish the nature and scope of the relationship between different tiers of government as shaped by the governing legislation and enforced through the established institutions. This chapter establishes the background and context of the study and streamlines the research problem. Other sections of the chapter are research objectives and questions, justification of the study and ethical considerations, limitations, delimitation and an outline of chapters.

1.1 Background and context of the Study

1.1.1 Historical background in relation to the IGR political system

The area of IGR, conveniently studied as centre-local relations in most unitary nations has been viewed by Nyikadzino and Nhema (2015, 149) as a 'contemporary and topical debate in Zimbabwe.' The evolution of IGR in Zimbabwe is an expression of diverse historical developments reflecting changes in the political regimes and constitutional contexts from the colonial era to date. The advent of colonialism in

Southern Rhodesia (now Zimbabwe) in 1890 dismantled and attenuated African political and governmental systems replacing them with colonial legislation, systems and institutions lucrative for a profitable colonial enterprise. The desire to establish a viable colonial economy resulted in the establishment of institutions both at national, regional and local levels with clearly marked codes of racist extremism designed to give preferential treatment to whites over blacks. A dualistic model of government was introduced with separate government structures for Europeans and Africans. The dualistic governance model applied in Southern Rhodesia, Mills (2012) argues, was the equivalence of the British policy of differentiation in the Natal, South Africa. The policy of differentiation as was with dualism implied that there were separate legal and political systems for whites and the black people. Other scholars used different terms to refer to dualism with Muchadenyika (2014, 1366) calling it the 'binary system' while Chigwata (2014) refers to it as 'the system of separatist development of races.'

According to Madhekeni and Zhou (2012), dualistic colonial structures, modelled along racial lines, were the bedrock of a highly centralised government system anchored on white supremacist policies and the imposition of centrally defined substandard programmes on Native Councils and nourishment of African self-government. They further argued that the colonial system of Southern Rhodesia demonstrated central government supremacy on sub national governments through ingrained draconian and tribal, legal and institutional frameworks. Masunungure (1996, 1) concurred with the above argument adding that 'from its inception, the

overriding imperative was the consolidation of the colonialist hegemony and its attendant infrastructures of control.'

The Southern Rhodesia Order in Council of 1898 widely perceived to be the first Constitution of the country (Chakaipa, 2010) and the 1898 Southern Rhodesia Native Regulations introduced a policy of direct rule which was implemented throughout African areas. The Resident Administrator was appointed to administer the new colony and spearhead the direct rule policy assisted by a number of Native Commissioners, later District Commissioners, responsible for native affairs in the newly established districts. The direct rule policy was administered by the Native Affairs Department. In theory, the chain of command ran from the British government, through the Rhodesian administration to the traditional leadership and on to the African people but in practice Native Commissioners had vast discretionary authority. They combined administrative, judicial and legislative functions and no aspect of African life failed to come under their purview. This is supported by Nyikadzino and Nhema (2015) who submit that major policies and important decisions of government in areas such as land distribution and other services were mainly introduced and superintend by whites without any meaningful participation of the local residents especially in those localities dominated by the blacks.

A plethora of racially concocted legislation was promulgated to enhance white colonial control of government. For instance, Ordinance 2 that entrenched the expropriation of African lands and its further consolidation through the Land

Apportionment Act of 1930 drew most of its provisions from the 1925 Morris Carter Commission, demarcated land for blacks and whites, and decreed that 'no native shall hold or occupy land in European areas'. The Matabeleland Order in Council that created Gwaai and Shangaani reserves was passed in 1895 while the 1920 Order in Council proffered the delineation of native reserves and their subsequent inclusion in the 1923 Constitution. Subsequent Native Councils were formed and premised on advising government on black majority aspirations (Muchadenyika, 2014). It is vital to observe that most colonial institutional and legislative developments took place in rural areas compared to their urban counterparts, primarily because the colonial system endeavored to manage the African areas which were hotbeds of revolutionary nationalism and political mobilization. In urban centres, housing in African townships was strictly controlled and restricted for purposes of managing urban African population in correlation with the limited services and amenities in African areas.

In a nutshell, the 1923 Constitution of the Responsible Government heralded the institutionalization of rural local government through the Native Councils Act that created Native Councils for the first time in African areas. To Helmsing et al (1994), the Native Councils with jurisdiction over communal lands were subjected to excessive central government controls with Native Commissioners superintending them. This was followed by the 1957 African Councils Act, which broadened powers of African Councils to include making by-laws, levying rates and taxes, and

exercising powers comparable to those of a town council. In the context of the above, Chatiza (2010) strongly argues that the legitimacy of native local government institutions was questionable and lacked autonomy as they were directly accountable to white commissioners. Generally, the colonial system established strong controls of all the levels of government; national, regional and local levels with IGR dominated by the central government and local governments playing a subservient role in what Nyikadzino and Nhema (2015, 151) characteristically classified as a 'master-servant relationship.' It is important to note that government structures were constituted at the central and local level save 1973, which was during the liberation struggle when the colonial system established regional authorities with chiefs as vice presidents in order to stem the tide of rising nationalism.

Wekwete (2006) asserts that in urban areas, the Salisbury Sanitary Board instituted in 1891 gave birth to urban local government, followed by the Municipal Ordinance of 1987 which conferred municipal status to present day Harare (then known as Salisbury) and Bulawayo. The Municipal Act of 1930 and Urban Councils Act of 1973 provided the framework for urban local authorities. Nyikadzino (2014) argues that town planning services and most facets of urban governance were categorized along racial lines, with limited services afforded to African townships compared to European areas. Jonga (2014) notes that between 1890 and 1980, relations between the central government and urban councils were that of centre-periphery. In the same context, it is vital to note that the economic dimension of Africans was

trivialized and considered secondary relative to the white citizens. Fundamentally, it is evident that white control over the socio-economic and political space was underpinned in the race and land questions and their quest to retain power and authority over African dominated areas in both urban and rural local government. Jonga (2014) further notes that Urban Councils of various types were elected and administered by whites and had wide ranging authority with extensive capacity and sufficient capitalization to provide reasonable services to whites. In summation, Chigwata (2010, 24) argues that local government for both urban and rural was 'racist, exploitative and subservient in character'.

In 1953, Southern Rhodesia entered a federation (Central African Federation) with Northern Rhodesia (now Zambia) and Nyasaland (Malawi) despite resistance from the African population. It is however important to note that the federation had little impact on the internal political dynamics of the country and hence very marginal influence on the IGR system of the three individual colonies. Bowman in Machingauta (2010)'s comprehensive analysis of Rhodesian society and politics challenged the widely held view that there existed during the 1950s and early 1960s a viable possibility of serious interracial cooperation leading to a multiracial government. His conclusion was that the white system was solidly entrenched and anchored on the philosophy of persistent growth of white political hegemony and white facilitated underdevelopment of African systems and institutions through a

heavily biased intergovernmental arrangement that frustrated every possibility to institutionalise cooperative governance mechanisms.

The collapse of the Central African Federation in 1963 and the advent of the Unilateral Declaration of Independence (UDI) led by Ian Smith ushered a new era of radical white Rhodesia racist extremism epitomised by legislation that suffocated the development of the African body politic and criminalised African associations. It collapsed the possibility of cooperation between the body politic, administration systems and institutions for whites and blacks. The UDI introduced a harsh legislative framework with a penchant obsession to create distinct boundaries between government ministries, departments and institutions to service whites and blacks. At the local government level, for instance, a racially based model of governance that served the interests of white Europeans and segregated white from black Africans was institutionalized. On one hand, heavily capitalized urban and rural councils were elected by white settlers and enjoyed considerable autonomy. On the other side, African Councils (later District Councils), which oversaw communal lands, were highly fragmented and subjected to strong and authoritarian control by centrally appointed commissioners and centrally imposed rules.

The unfettered colonial government dominance of the intergovernmental discourse through racial and draconian legislative frameworks and institutions was later condemned through organised contradiction by natives via the liberation struggle. The collapse of colonialism ushered in a new dispensation in the governance

discourse epitomised by new legal and institutional frameworks and Zimbabwe African National Union Patriotic Front (ZANU PF)'s policy interventions, establishing the impetus for manipulation of government systems through political party ideologies (Madhekeni and Zhou, 2012). Jonga (2014) argues that it was both logical and justifiable for the government at independence to immediately introduce reforms to correct the racially based model of governance. During the first decade of independence, successive efforts to end this dual system led to the amalgamation reform of 1988. At independence more than 220 African councils were amalgamated to form 55 District Councils. Later, the Rural District Councils (RDC) Act, Chapter 29:13 passed in 1988 unified the old Rural Councils and District Councils into the single system of rural administration, though implementation was such that its impact was not really seen until the early 1990s.

The demise of colonialism and the advent of independence in 1980, through the Lancaster House Constitution, heralded an all expected era of participatory democratic governance in Zimbabwe. A three tier government structure was inherited from the colonial system (central government, provincial and local government, though the provincial level was acutely weak) and the policy of decentralisation was developed. However, it is critical to observe that only central government was enshrined in the Lancaster House Constitution with provincial and local government levels established through Acts of parliament at the whims of central government. This compromised the position of sub national governments in intergovernmental bargaining as central government under ZANU PF party anchored

on a robust patronage system, amended legislation regulating sub national governments with the intentions of limiting powers of the latter. Thus while the ethos of cooperative governance and IGR require different levels of government to be distinct, interrelated and interdependent to achieve intergovernmental balance of power as is the case with South Africa, this could not be achieved under this 1980-2013 Constitutional and legislative dispensation. Marume (2013) observes that the major deficit of efforts towards IGR balance of power in Zimbabwe has been failure to institutionalise IGR through forums that cut across all tiers of government for example, in South Africa such structures are established by the Intergovernmental Relations Framework Act (No 13 of 2005) which acknowledges that sustained intergovernmental cooperation can lead to an integrated and coordinated system of government which can deliver services effectively while meeting the needs of the citizens and ultimately promoting sustainable socio-economic development (Haurovi, 2012)

Madhekeni and Zhou (2012, 20) stress that inspite of independence from the colonial regime; Zimbabwe's new legal and institutional framework did not depose the centre's excessive control on sub national governments. Central government perfected its dominance by fostering control through crafting legal and institutional frameworks to retain unlimited powers and discretion whilst the institutional framework anchoring the necessary levers to execute the powerful legal provisions were developed. Whilst the need for checks and balances on sub national governments need not be overemphasized, the dynamics of post-independence

Zimbabwe are slowly turning into a *déjà vu* as the machinations of colonial period harsh ordinances and directives appear to start haunting contemporary IGR.

As noted above, in spite of independence, central government's grip on sub national government was not deposed. The post-independence era has been characterized by what Olowu (2001) refers to as expansion of centralism disguised in decentralism where principles of decentralization and the purported transfer of functions and authority to sub national governments is largely a rhetoric. Machingauta (2010) seems to concur with the above argument and added that functionally, the central government should provide a facilitative framework for sub national government to operate. In practice, however, the centre has played a manipulative, control and directive roles especially after the advent of the Movement for Democratic Change (MDC). According to the RTI International (2010), from 2000 the MDC, a powerful opposition political party to the Robert Mugabe led government and ruling party, ZANU-PF, dominated urban councils in elections and gained seats in Rural District Councils as well. In 2008, MDC won almost half of the Rural District Councils. Marume (2013) points out that, the MDC's local government electoral dominance, especially in the major urban councils, gave rise to the operative intergovernmental political dynamics in Zimbabwe. As the ruling party, ZANU PF controls the Ministry of Local Government (MLG) and levers of local power at the national level while MDC controls most of the councils. This level of political party incongruence has culminated into massive political conflict, including controversial suspension and

dismissal of MDC mayors by the MLG, claiming to be acting in the interest of effective administration.

A new Constitution was adopted in July 2013 (Constitution of Zimbabwe Amendment Number 20 of 2013), replacing the 1979 Lancaster House Constitution. The Constitution of Zimbabwe Amendment Number 20 established government as constituted by three tiers (central government, provincial and metropolitan councils and local government). One of the founding provisions of the 2013 Constitution of Zimbabwe is that of the superlative position of the Constitution (Section 2), it declares that the Constitution is the supreme law of Zimbabwe and any law, practice, custom or conduct inconsistent with it is invalid to the extent of its inconsistency. Additionally, the 2013 Constitution provides broad parameters for IGR in terms of section 265 (3) which provides for an Act of Parliament to provide mechanisms and procedures to facilitate coordination between different levels of government. However, the current government is lethargic to implement these key provisions of the Constitution considering the slow pace at which new institutions and structures and alignment of legislation with the Constitution is taking place. The absence of an Act of parliament to regulate IGR has created a legislative vacuum in synchronising government and promoting cooperation among the three tiers of government. At the same time, whilst the 2013 Constitution entails devolution in the preamble of chapter 14 and section 264 (a major achievement commensurate with key tenets of democracy), there is nonetheless concern that government under ZANU PF is

deliberately not enforcing this key constitutional position through developing the necessary legislation and institutions.

This section gave a brief overview of IGR origins in Zimbabwe from the colonial era to present. As presented in the section, the development of IGR in Zimbabwe can be divided into two distinct but related phases which are the colonial era (1890-1980) and the post-independence era (1980-date). The next section examines reforms in decentralization since independence of the country in 1980

1.1.2 Decentralization reforms and IGR in Zimbabwe (1980-2017)

This section analyses decentralization policies in Zimbabwe from independence in 1980 to 2017. The purpose is to give a comprehensive context within which decentralization policy was enacted and implemented. This is fundamental as IGR are usually manifested between a national government and decentralized sub national governments in unitary nations. The study therefore placed particular emphasis in trying to explain and understand how IGR shape the decentralization and effectiveness of public service delivery in Zimbabwe

There is abundant literature which is strongly in support of the commitment of the government of Zimbabwe to decentralization through legislative and institutional arrangements. According to Kurebwa (2014) the post-independence system of sub national government in Zimbabwe should be examined and understood in the context of decentralization. Seen as a strategic policy grid of government,

decentralization started in 1980 with the purpose of redressing inherited colonial inequities; improve people participation in governance and transfer powers and functions from central government to sub national levels. At the same time, the government sought to introduce a myriad of reforms to replace the dualised colonial government system and remove the racist sub national government contexts characteristic of the colonial system. These reforms ranged from removal of race based restrictions; creating a new electoral system with equal voting rights to whites and blacks and the redistribution of resources. Nyikadzino and Nhema (2015) argue that the advent of independence saw the new government introducing aggressive strategies to counter white domination of sub national government. The new decentralised structures and configurations were designed to cater for the majority of the people that had been disenfranchised before independence in 1980. Tanyanyiwa (2015) justifies decentralisation in Zimbabwe as a reaction to the dysfunctional national government which was bureaucratic and the need for a growing commitment to more socially just and equitable sub national government at independence.

According to Conyers (2003) decentralisation has defined the Government of Zimbabwe policy objectives since independence but its objectives and nature have changed over time. Tanyanyiwa (2015) argues that decentralisation has three fundamental elements which are: accountability, discretion and security while Chigwenya (2010) stresses that decentralisation brings dimensions of good

governance, accountability and transparency by easy coordination which cannot be attained under centralised systems. In the same context, three broad categories of interest to this study and which have either been operational or debated in Zimbabwe can be identified. These are political decentralisation, administrative decentralisation and fiscal decentralisation. In the 1980s, the thrust was to streamline and coordinate various agencies to accelerate local development, and hence decentralisation of functions to provincial, district and local development committees comprised of elected and appointed officials. In the early 1990s, decentralisation was largely viewed as a vehicle for deepening democracy and rationalising the public sector (Conyers, 2003). However, it is important to note that there is a gap between rhetoric and reality as little effective power was decentralised in practice for a myriad of reasons but largely expressive of the unwillingness of central government institutions to relinquish power. The situation was further compounded by the post-2000 political tensions, which resulted in a new wave of recentralisation. The declining economic situation weakened central government's fiscal commitments to decentralised institutions particularly local authorities leading to a number of unfunded mandates, for example, government's failure to disburse the health and education grant since 1997.

In the facet of institutional development, the advent of independence in 1980 heralded the creation of a single local government Ministry and the amalgamation of African Councils into District Councils. At the same time the Prime Minister's

Directive on Decentralisation of 1984 captured the new political dispensation by establishing sub district organisational structures to implement decentralisation. This saw the birth of Village Development Committees (VIDCOs) and Ward Development Committees (WADCOs) through which rural communities were networked into the district local governance system. The VIDCOs and WADCOs were conduits for grassroots participation in governance and laid the basis for the coordination of government institutions and participation in rural development. In 1985, the Provincial Councils and Administration Act Chapter 29:11 was enacted. The Act provided for the establishment of a Provincial Council (PC) for every province chaired by a Governor of the Province (now Minister of State for Provincial Affairs) was passed to spearhead and coordinate planning and development of provinces. Adjunct to the PC was the Provincial Development Committee (PDC) to provide technical expertise to the latter. At the district level, the Rural District Development Committee (RDDC) was established to coordinate the development of the district.

The above institutional framework was supported by the thirteen principles of decentralisation gazetted in 1996. This created a clear intergovernmental network from the local level to the provincial level for promoting development within provinces. Nyikadzino and Nhema (2015) however concluded that this institutional and legislative framework did not completely restrict central government interference and meddling with the affairs of local government as the Urban Councils Act (Chapter 29:15) and RDC Act (Chapter 29:13) subjected local government to too

much central government strictures through unfettered ministerial discretion in local affairs. Machingauta (2010) supports this view, remarking that there is simply too much 'shall' concept in the above Acts citing over 250 instances in the RDC (Chapter 29:13) where the Minister of Local Government can exercise control over local authorities. Equally, in their study of centre-local relations in Chitungwiza, Nyikadzino and Nhema (2015) note that the relations are highly centralised and the balance of power is largely tilted in favour of the Ministry of Local Government. Olowu (2009) concluded that centralisation is not peculiar to Zimbabwe alone but is operational in most African countries as central government politicians are skeptical of decentralisation fearing that it represents a zero sum game especially considering the level of political party incongruence in Zimbabwe. Botswana presents classic cases of centralism and an IGR system dominated by the central government. In Botswana local government is simply an appendage of the national government exercising delegated powers. The nature of IGR in Botswana therefore subject local government to torturous control and strictures by the national government to the detriment of efficient service delivery (Dipholo and Gumede, 2013).

The Constitution of Zimbabwe Amendment Number 20 of 2013 broadened the scope of decentralisation in Zimbabwe through Chapter 14 section 264 on devolution. The chapter clearly provides for the devolution of governmental powers to sub national institutions. The inclusion of devolution in the Constitution (in principle) has transfigured the power matrix in Zimbabwe. However, devolution both as a concept

and a practice has always been a centre of controversy in Zimbabwe as is the case with most unitary nations. Mapuva (2015) argue that as opposed to federal nations where political configurations allow for such a dispensation, devolution in unitary nations comes with different ramifications. Nevertheless, despite a number of actual and potential setbacks, the concept of devolution has gained traction in the Zimbabwean political narrative. The major issues raised by central government politicians against devolution are that it limits the former's oversight role over sub-national government in IGR terms and increase interregional conflict in areas such as resources allocation hence promoting separatism. Most of the anti-devolution politicians felt that devolution has divisive effects on the socio-political disposition of the country and therefore represents an erroneous and defective clause in the Constitution. Various government officials have been quoted in the public arena attacking devolution as a secessionist principle of decentralisation and public administration morphed into the Constitution carrying the baggage of federalism which the ruling ZANU PF is strongly opposed to. However, protagonists of devolution, especially opposition political parties argued that devolution should never be confused either with secessionism, separatism and tribalism as earlier argued but is a solution to challenges of asymmetric development and an IGR system skewed in favour of central government in Zimbabwe (Nyikadzino and Nhema, 2015 and Tanyanyiwa, 2015).

Considering the opposing and contrasting views of politicians and technocrats who should drive the process, it is abundantly clear that implementation of devolution in the letter and spirit of the Constitution is likely to take longer, if ever, as currently there are dissenting voices intending to amend the Constitution and delete the whole chapter on devolution. Perhaps further worsening the confusion is a thin line distinguishing devolution from federalism. This confusion has been sustained by the view that devolution as a concept sounds highly erudite and the only political architecture to achieve it is federalism. This strongly contrasts with both the ruling ZANUPF government and the Constitution that seeks to promote the indivisibility of Zimbabwe by maintaining a strong unitary system. But is devolution synonymous with federalism? There are strong arguments in literature to the effect that these are two different constructs both in theory and praxis (refer to chapter 2 of the study).

In relation to the above, Conyers (2009) argues that the impact of devolution on cooperation between different tiers of government, development and IGR is not guaranteed. The argument is that if sub national governments are given the power to utilise the revenue from resources in their regions and there are major variations in resources endowments between regions, devolution will therefore benefit resource rich regions only and ultimately create regional inequalities. Simultaneously, if provincial and local governments lack the requisite technical and management skills to manage devolved functions, problems may arise. However, Conyers concluded that these diverse perspectives should not shatter the implementation of devolution

as it is best practice. Zimbabwe should rather design a model that best fits devolution into the fundamental socio-economic, regional, ethnical and political realities of the country. Generally, devolution has an overarching bearing on IGR as it will create autonomous sub national governments with significant control of local resources, shifting away power from the central government institutions thereby seriously reconfiguring the intergovernmental balance of power in favour of sub national governments

Fiscal IGR is at the heart of the success of decentralised activities and this has seriously hampered the decentralisation efforts of Zimbabwe through unfunded mandates. The tendency has been to decentralise functions without adequate financial resources. For example, development planning was decentralised in the 1980s, but the allocation of development funds remained centralised. Consequently, the main impact of decentralisation is frustration at a sub-national level. At the same time, while there are notable problems in relation to the consistent disbursement of fiscal resources from the central government, a study conducted by Conyers (2003) in Binga RDC concluded that certain fundamental problems within the council compromised the capacity for proper utilisation of the resources and these include, lack of planning and management skills, political conflicts among councillors and officials and alleged abuses of power. Section 301 of the Constitution provides for 5% of all revenues collected by the national treasury to be decentralised to provincial and metropolitan councils and local authorities. However, an Act of Parliament for

the implementation of this clause as required by the Constitution is yet to be created. Such an intergovernmental fiscal arrangement will have far reaching implications if implemented as it will help salvage sub-national governments against a subdued fiscal space ubiquitously dominated by the central government. The next section focuses on inroads made through the Constitution of Zimbabwe Amendment Number 20 of 2013 in reconfiguring the intergovernmental discourse.

1.1.3 The Constitution of Zimbabwe Amendment Number 20 of 2013 and IGR

In 2013, the Constitution of Zimbabwe Amendment Number 20 was passed after a referendum. The Constitution ushered a number of fundamental clauses with far reaching implications on IGR. These include among others; the enshrinement of Provincial and Metropolitan Councils and Local Government in the Constitution as second and third tiers, respectively. This is a departure from the previous arrangements where the two tiers mentioned were creatures of statutes with no constitutional recognition of their existence. The Constitution also contains provisions relating to devolution of powers in terms of section 264 and intergovernmental fiscal equalisation in terms of section 301. However, most fundamental is section 265 (3) which provides for the codification of IGR through an Act of Parliament, explicitly stating that, 'An Act of Parliament must provide for mechanisms and procedures to facilitate the coordination between central government, provincial and metropolitan councils.' A number of scholars have argued that sustainable IGR systems are codified and such cases include South Africa, U.S, and Nigeria. De Villiers (2012,

673) submits that in almost all decentralised countries, unitary or federal, the IGR arena have 'developed into a unique, albeit complex and confusing art-form of interaction between governments with extensive policies, institutions, protocols, conventions and practices' in contrast to previous arrangements which were largely informal and ad hoc driven by pragmatism rather than a philosophical plan or scheme.

However, the current central government has been lethargic in implementing all the key constitutional provisions necessary for improved IGR thereby provoking questions of whether there is political will or not. At the time of writing, for instance, the Provincial and Metropolitan Councils bill is yet to be finalised, three years after the promulgation of the Constitution. This means government is effectively functioning at two levels (the national government and local government) against the provisions of section 5 of the Constitution. This delayed implementation of the Constitution has been condemned as expressive of centralist tendencies of the current ZANU PF government which has been strongly advocating against devolution citing it as the equivalence of federating the nation. In relation to this, the study examined the level of political will on the part of central government to implement the Constitution and reconfigure IGR. This is critical as the provisions of the Constitution relating to IGR are likely to reconfigure the state of the relations between different levels of government if fully implemented. In the same vein, the study examined the extent to which the Constitution induced reconfiguration of IGR which threatens the interests of national level politicians and bureaucrats. In relation

to the last dimension of the constitutional discourse on IGR underpinning the study, Moyo and Ncube (2014) question whether the anti-devolutionist ZANU-PF dominated government has the political will to fully implement devolution or whether devolution of power will remain a symbolic constitutional provision while the deconcentration status quo remains.

The above sections presented the background and context of the study hinged on the historical background of the political system of IGR, decentralisation and IGR in post-independence Zimbabwe and the configuration of IGR under Constitution of Zimbabwe Amendment Number of 2013. The next section outlines the statement of the problem.

1.2 Statement of the Problem

Based on the background as presented, it is clear that although the Constitution of Zimbabwe clearly establishes a three tier government system with distinct constitutional mandates, the IGR discourse is paradoxically marred by the flawed implementation of the Constitution. This flawed implementation is characterised by delayed establishment and operation of the second tier of government (Provincial and Metropolitan councils) (Mapuva, 2014 and Marume, 2015), non-implementation of devolution provisions in the spirit of the Constitution (Nyikadzino and Nhema, 2015) and failure to codify IGR through legislation in terms of section 265 (3) of the Constitution (Jonga, 2014 and Nyikadzino and Nhema, 2015). This has raised fundamental questions over contesting ideologies between a highly centralised ruling

ZANU PF on one hand and pro-devolution opposition parties, civil society, development partners and citizens who overwhelmingly supported and voted for the inclusion of Provincial and Metropolitan Councils and enshrinement of Local Government in the Constitution in the referendum (Muchadenyika, 2014, Chigwata, 2014).

In the absence of clear legislation codifying IGR in terms of section 265 (3) stated above, for instance, the relations are ad hoc and highly informal. Central to this, there is strong literature empirically positioning sustainable IGR, integrated development and cooperation of the various tiers of government as largely attainable where such relations are codified through legislation (De Villiers, 2012). In the absence of a clearly codified legal framework regulating IGR, the relationship is mired in confusion; ambivalences and vagueness leaving the centre with predatory authority that have often been hijacked to advance parochial political and personal interests and thereby negatively affecting not only the discretion of sub national tiers of government but their administrative efficiency as well (Marume, 2013). In a nutshell, the constitutional and legislative guarantees for IGR in Zimbabwe are weak, leaving sub-national policy making susceptible to shifts in allocation of power as it gives central government too much discretionary power over sub-national governments policy making domain.

In the same context, political incongruence inspired by the presence of different political parties at different levels of government and the perceived subjectivity to

particular political party philosophies in Zimbabwe have led to a subjective and speculative perception over the objectivity of central government intervention in provincial and local government affairs on the one hand and the capability of these sub national governments to manage their affairs effectively with minimal central government supervision on the other hand (Machingauta, 2010). These legislative, structural and political concerns have culminated in intergovernmental tensions and conflict between sub national governments and central government with central government intervention approaches in sub national governments' affairs (though legally entrenched) hampering the intended benefits of decentralization.

1.3 Purpose of the study

Given the key problems with IGR as identified, the purpose of this study was to critically analyse the dynamics of IGR in Zimbabwe.

1.4 Research Objectives

The objectives underlying this study are:

- (1) To explore the constitutional, institutional and historical contexts of IGR in Zimbabwe.
- (2) To determine the influence of political systems on IGR.
- (3) To examine the impact of political party incongruence on IGR.
- (4) To identify and analyse the challenges and problems of IGR in Zimbabwe.
- (5) To recommend ways and means to improve IGR in Zimbabwe.

1.5 Research Questions

The study seeks to answer the following questions:

- (1) To what extent is the system of IGR in Zimbabwe mandated by historical, Constitutional and legislative antecedents?
- (2) To what extent is the institutional framework for IGR governed by formal procedures and systematic decision making processes?
- (3) How do political systems, particularly the unitary system of government in Zimbabwe, influence IGR?
- (4) What is the impact of political party incongruence (the presence of different political parties at different level of government) on IGR?
- (5) What are the major problems and challenges of IGR in Zimbabwe?
- (6) What are the ways and mechanisms of improving the system of IGR in Zimbabwe?

1.6 Justification of the Study

Over the past decades, governments have confronted problems transcending their boundaries. In the same context, governments increasingly interact across different spheres of authority affecting a multitude of policy fields. Paradoxically, the puzzle of institutional choice in which intergovernmental cooperation takes place inside individual countries, Zimbabwe included, remains surprisingly under-explored. Much of the recent literature on the nature of policy making and policy change has focused on the relationships between different institutions and actors in various policy

communities. The key issues arising from this literature revolve around the fragmentation and conflict within and between different levels of government. In this regard, the interdependencies between different institutions and actors including policy making and implementation agencies, specialized bureaucracies and different levels of government becomes fundamental (Rodriguez-Acosta 2016).

Agranoff (2015) emphasizes bargaining and dynamic exchanges between actors within structured political contexts. In the Zimbabwean context, this emphasis on bargaining has recently been seen in the debate about the synergies in policy networks in which agents interact with and change, yet are constrained by their structural context. This thesis locates that in the context of different political parties in power at different levels of government in Zimbabwe, there is likely to be pressure on the constitutional, institutional and financial arrangements for devolution to sub national tiers. Furthermore, the division of power means that there is much overlap between the centre activity and the powers of the devolved administrations. The central questions underpinning this study then is: how does the relationship between both levels of government work and what is the net implication on the autonomy of individual tiers? While fundamental debate has been invested on institutional development and devolution in Zimbabwe, it seems there was very little discussion of how relationships between the different tiers of government would work in practice and little acknowledgment of the degree of co-dependence that would exist after decentralization. In relation to the above view, De Villiers (2012) concluded that the experience of multi-tiered systems show that much energy goes towards drafting

new constitutional arrangements while insufficient attention is given to how, in practice, the different levels of government would cooperate, coordinate and integrate in executing their mandates.

There is abundant literature indicating that IGR in federal systems is a relatively explored discourse. Much of the studies of IGR in federal nations are a product of the perceived challenges of integration and coordination in federal systems due to socio-political, cultural and other geo-physical factors influencing federalism (Ile, 2007). Additionally, theorists and academics have also focused on the diffusion of power and functional responsibility among the three spheres (federal, state and local government) usually characteristic of federal regimes. Federal governments have also established and funded commissions and researches on IGR in their quest to find models on how best they can harness federal diversity to promote policy and administrative efficiency while maintaining political, social and economic stability. The US government, for example established, among others, the Advisory Commission on IGR in 1955 (Kincaid, 2011). The commission made critical recommendations on the need for a clear relational framework, underpinned by legislation, between the federal government, states and local government.

The general pattern of research on IGR as illustrated, provide a prima facie misconception that IGR complexities are only typical of federal systems of government. Yet, IGR by its very nature exists where ever there is more than one level of government (Agranoff, 2012). This has resulted in very limited research

being invested towards understanding complexities of IGR in other systems of government, particularly in unitary systems. Storing (1981) attempted to demystify the misplaced oversimplification of identifying IGR complications with federal regimes arguing that, IGR is not confined to relations between federal governments and states but between different levels of government both horizontally and vertically in any government system.

Whilst there is theoretical agreement on the centrality of IGR and cooperative government in unitary systems, particularly in Zimbabwe, there is lack of comprehensive policy commitment to developing regulatory frameworks, safeguards, agreements and other mechanisms both structural and non-structural for a more effective diffusion of authority to enhance not only autonomy of different levels of government but also limit jurisdictional overlapping and promote administrative efficiency (Chatiza, 2010, Mukonza, 2014). This is despite notable problems such as how central government, local government and strategic actors and institutional arrangements interact. Thus local government, in fulfilling its communities' desire for voice and autonomy, has found itself in confrontation with central government. The latter is often ambivalent as to whether the former present an opportunity or threat.

This research also serves as a pioneer thesis on IGR in Zimbabwe after the promulgation of the Constitution [Amendment No. 20] of 2013 which enshrined provincial councils, metropolitan councils and local government which were not provided in the previous Constitution. Additionally, the Constitution made extensive

provisions for devolution of governmental powers and specific requirements for the codification of IGR through legislation and hence cross examining these new constitutional developments in the context of IGR and public administration is a critical area for scientific and academic exploration.

1.7 Delimitation of the Study

The study of IGR has two distinct connotations: (1) it may be applied to refer to relations between two or more sovereign governments; (2) it may be applied to refer to relations among different levels of government within a single governmental system. This research is centred on the latter and focused on exploring the diffusion of power and authority across the three tiers of government (central, provincial and metropolitan councils and local government) in Zimbabwe.

1.8 Limitations of the Study

The major limitation of the study was a consequence of the existence of the Official Secrecy Act which restricts members of organisations, especially government from divulging certain fundamental information to the public or non-organisational members and censors such information. Officers of government, on assumption of duty, take oath on secrecy and loyalty to government. This among other issues binds the official to regard censored government information obtained during service in confidence. Any divulging of such information, either during or after government service amounts to breach of contract on the part of the official or such former government official. This can result in litigation by the affected organisation or

government or other relevant disciplinary action as defined either in the code of conduct or other law. Respondents therefore withdrew such information from interviews, some of which was critical for the study. This is in line with ethics of good practice and conduct in government service.

1.9 Research ethics

According to Richards and Schwartz (2002), Stevens (2013), Fouka and Mantzourou (2011), qualitative research aims at an in-depth understanding of an issue, including an exploration of the reasons and context for participants' beliefs and actions, so is often designed to be probing in nature. Interviews, the commonest qualitative method in social and political research, used in this study, are particularly well suited to the collection of data on sensitive topics. Therefore, fundamental adherence to ethical guidelines is critical.

There are several reasons why it is important for any research (this study included) to adhere to ethical standards. First, adherence to ethical standards promotes the aims of research (Stevens, 2013). Second, since the study will involve a great deal of cooperation and coordination among many different people in different disciplines and institutions, ethical standards promote the values that are essential to collaborative work, such as trust, accountability, mutual respect, and fairness (Fouka and Mantzourou, 2011). This research thus attached high regard to research ethical standards as the basis of maximizing possible benefits and minimising possible harms.

This study was cleared by the University of Fort Hare's Research Ethics Committee and a certificate was issued on the 7th of March 2016, reference number NZE141SCHA01. Outlined in the certificate are strict requirements for adherence with set ethical standards and use of approved research instruments. Any additional instruments therefore required a separate approval. It is also stated that the committee in particular and the university in general retains the right to withdraw the certificate and cancel the clearance where standards are violated. The following critical ethical dimensions underpin the study:

- respect for respondents and confidentiality- the researcher treated views of respondents, their identities or their contributions confidential including a non disclosure clause without their prior written approval
- Honesty- the researcher honestly reported data, results, methods and procedures, and publication status and avoided fabrication, falsification, and misrepresentation of data or any other related act of deception.
- Objectivity- emphasis was on avoiding bias in data analysis, data interpretation, and other aspects of research where objectivity is expected or required.
- Integrity- the researcher acted with sincerity; striving for consistency of thought and action.
- Carefulness- the study avoided careless errors and negligence through careful and critical examination of work and acknowledging the existing body of knowledge. The researcher kept good records of research activities, such

as data collection, research design, and correspondence with agencies or journals.

- Respect for intellectual property- the researcher honoured patents, copyrights, and other forms of intellectual property and giving credit where it is due.
- Legality- all the process and conduct of the researcher gave high regard to relevant laws and institutional and governmental policies on research and scholarship such as the requirements of the University of Fort Hare's Research Ethics Committee.

1.10 Outline of the Study

The following is the layout of chapters as organised in the thesis:

1.10.1 Chapter 1: Introduction of the Study

Chapter 1 established the context of the study giving both historical and conceptual perspectives and located the research problem within that particular context. The chapter also gave a comprehensive justification of the study stating the indispensability of the research and why the study should be conducted. Other areas of the chapter are the objectives and research questions, scope of the study, limitations and delimitations.

1.10.2 Chapter 2: Conceptual and Theoretical Frameworks

The chapter was focused on the conceptual and theoretical paradigms of the study. Key concepts of this study are: IGR, cooperative governance, decentralisation and its various forms. In the same context, theories that underpinned the study are

networked governance and Deil Wright's models of IGR, particularly the overlapping authority model

1.10.3 Chapter 3: Intergovernmental Relations in Context

This chapter focused on the comparative analysis of IGR in two unitary nations (United Kingdom and South Africa) and two federal nations (U.S.A and Nigeria). The purpose of the comparative analysis was to develop an analytical framework for comparative IGR studies. The study examined the historical contexts and development perspectives of IGR, constitutional frameworks for IGR and the formal institutional arrangements and their operation in practice in the different case studies. Other areas of comparison were the influence of political systems on IGR and the challenges and problems of IGR in the selected countries.

1.10.4 Chapter 4: Research Methodology

The study was a qualitative phenomenological research using in depth interviews from the targeted 20 key informants. The population of the study comprised mainly government politicians and bureaucrats selected at each level of government on the basis of experience and key contributions to the government service delivery system. The purposive sampling technique was used and data was tested for validity using respondent validation and the use of comparison. The confidentiality of respondents was considered a cardinal ethical point among other considerations such as honesty, objectivity and integrity.

1.10.5 Chapter 5: A critical analysis of intergovernmental relations in Zimbabwe

The chapter was focused on the presentation and analysis of data. Data was presented using thematic analysis and critical discourse analysis techniques. Key areas of thematic analysis for the study were the free line-by-line coding of the findings of primary studies, the organisation of these codes into related areas to construct descriptive themes, and the development of analytical themes. CDA was preferred here because it focuses primarily on social problems and political issues, reconciled with current paradigms and fashions. At the same time, it provides empirically adequate critical analysis of political and public administration discourse which is usually multidisciplinary.

1.10.6 Chapter 6: Summary, Conclusions and Recommendations

The last chapter comprehensively summarised the study, drew conclusions and made recommendations. Recommendations were focused on areas of further academic research and particular ways of improving the intergovernmental system of Zimbabwe basing either on the views of experts and researched experiences of other countries.

1.11 Conclusion

The chapter developed the context of the study and outlined the research problem. An extensive analysis of the political history of IGR from the colonial era to date was useful in defining key legislative and institutional developments that underpinned the context of the relations among different levels of government. Research objectives

and research questions established the broader focus and direction of the study while a justification of the study demonstrated the value and new knowledge to be added by the study to the existing body of literature. Other components of the chapter are limitations and delimitation of the study, ethical considerations and the outline of chapters. The next chapter focuses on the conceptual and theoretical frameworks of the study.

Chapter Two

Conceptual and Theoretical Frameworks

2.0 Introduction

The purpose of this chapter is to present the conceptual and theoretical frameworks of the study. Generally, although several studies use these two terms as conceptually synonyms and interchangeably, in this study these are regarded as different constructs. According to Lacey (2010) a conceptual framework defines the researcher's world-view through delineating assumptions and pre-conceptions of the area under study. To Jarabeen (2009) a conceptual framework captures epistemological, methodological and ontological assumptions of the study. Every concept in a framework has an ontological and epistemological role. At the same time, a theoretical framework defines the philosophical basis upon which the study is grounded to link theoretical issues and practical aspects of the research by way of providing a perspective to be used to examine a topic.

The use of conceptual and theoretical framework to this study is multifaceted and has a diverse significance, including justifying and making scientific findings generalisable, helping in summarising existing knowledge systems and stimulation of new research paradigms by providing both direction and impetus. In a broader context, the thrust of qualitative studies is to describe and explain patterns and

relationships. This can only be achieved within a context of conceptually defined and specified categories. Key concepts of this study are: intergovernmental relations, cooperative government and decentralisation. In the same context, the theoretical framework is made up of related body of theories. These are Wright's (1978) models of intergovernmental relations (IGR): the coordinate authority model, the inclusive authority model and the overlapping authority model of IGR. Networked governance and the overlapping authority model of IGR are used as central uniting theories that bring the theoretical framework together.

2.1 An overview of Public Administration principles and functions that govern IGR

An efficient and effective public administration system forms the basis of sound democratic governance. As the foundation of the functioning of the state, it determines the ability of government to deliver services and promote the country's comparative advantage, competitiveness and growth. It also play fundamental roles in the IGR integration and coordination process by enabling the implementation of crucial reforms and organising efficient accession dialogue within a government system, whether unitary or federal. According to the Municipal Association of South Carolina (2013) collaboration has gained prominent application in government as a way to averting problems related to competition for scarce resources and diminishing funding. This means that government leaders should broaden engagement in IGR bargaining with a variety of other agencies and players. To Sunday (2014), IGR is a necessary and indispensable political tool for mutual relations among the levels of

government for the realization and facilitation of government goals and objectives. Hence, this study recognises and emphasises the need for governments in general and Zimbabwe in particular, to build a national public administration system with the capacity to pursue principles of good administration and effectively transpose and implement government policy framework in a cooperative manner.

According to Ile (2007) the determination of the degree and nature of the arrangement of public administration machinery is important in achieving a sound IGR system. The management of IGR present positive or negative consequences on the Public Administration discourse. Milakovich and Gordon (2009, 150) argue that a stark reality of IGR is 'bureaucratic and inter bureaucratic' controls which raise questions about public accountability. To the Municipal Association of South Carolina (2013) intergovernmental collaboration give public administrators the latitude to build relationships that help influence administrative policies. Sunday (2014) further notes that IGR is an indispensable political synergy for the implementation and actualization of government policies and programme. The study will reflect on the implications of IGR on administrative systems for effective service delivery. The centrality of this arises from the fact that a viable IGR system, rooted in public administration values and principles has a competitive advantage in easing the tensions and complexities related to the execution of governmental activities (Ile, 2007). An appropriate model is therefore determined on the ability to entail key

aspects such as integral planning, strong coordination and a context appropriate to indigenous government systems that complements modern trends.

According to Peters and Pierre (2009, 591) IGR and Public Administration, has multiple dimensions, inter alia the splitting or division of mandates among different levels of government, 'the administrative and political relations between levels and between the units of sub national government, and the interstitial activities, relationships and organizations that arise between levels and units'. These diverse discourses have been studied from various disciplinary perspectives which include among others, political and administrative, constitutional/ legal, fiscal and sociological. The growth and complexities in governments in the 20th century provoked the scholarly interest of Public Administration researchers in this field as it was apparent that the theoretical and practical complexities of public policy issues for instance, the interdependence and interconnectedness of problems and sectors, with their externalities be extensively articulated in order to provide sustainable IGR.

Public Administration provides capacity for the attainment of the expectations and mandates of government and society (Ile, 2007). These activities of government across different levels affect the governance system in general. The nature and complexity of IGR are usually portrayed by the organization of public administration. Public Administration has horizontal and vertical dimensions. In the horizontal dimension, government establishes departments or functional and line ministries with specific mandates and operational frameworks. To effectively coordinate the

activities of the departments and ministries, forums are created for ministries to interact, share information, supervise and monitor officials who are dealing with the implementation of government policy. Conversely, there are some government functions that are concurrent and overlapping. This suggests there need to create frameworks for coordination across different spheres or levels of government making coordination a critical task from an intergovernmental relations perspective (Nnoli, 2000, Ile 2007, Milakovich and Gordon, 2009). Nnoli (2000, 49) declares that 'effective coordination of various arms of public administration is the wheel around which its efficiency and effectiveness revolve'.

The centrality and indispensability of an efficient and effective IGR system for any country cannot be disputed. Some authors, especially the classical school have related IGR to federal nations where relations among the different spheres of government are formally defined in a Constitution (De Villiers, 2012). In relation to this, a fundamental question has been raised by a number of scholars to determine whether IGR are a discourse of federalism with little relevance to unitary nations (Ile, 2007). This is critical as nations, whether unitary or federal, deals with the varied relationships between organs of government in order to achieve governmental goals. In the same context, a number of countries have both unitary and federal characteristics. A typical example is South Africa where Malan (2005) identified 50 provisions in the Constitution that resembles a Federal nation.

The necessity for effectively managing IGR is motivated by a variety of factors ranging from constitutional ambiguities, fiscal limitations, spill-overs in public policy implementation, infrastructure management, policing and security, and the sharing of other scarce resources (Poirier and Saunders, 2008 and Agranoff and Radin, 2014). Partisan and competition for political power and control and competing perspectives on approaches to achieve national and regional goals affect the modalities of interaction between intergovernmental partners.

Some Constitutions such as Constitution of the Republic of South Africa (Act 108 of 1996) has provisions governing IGR. Additionally, there are legislative instruments detailing the nature of this relationship such as the Intergovernmental Relations Framework Act (No 13 of 2005) and the Division of Revenue Act (No 3 of 2016). However, there are informal and partisan issues (such as the conduct of IGR through internal party machinery) which commonly play a crucial task in the application of IGR principles successfully. On the contrary, while the Constitution of Zimbabwe section 265 (3) also provide for an Act of Parliament (typical of the Intergovernmental Relations Framework Act, No 13 of 2005 of South Africa stated above) to establish mechanisms and procedures to facilitate coordination between central government and sub national governments, it appears there is a lack of political will to create such an Act of Parliament since the promulgation of the Constitution of Zimbabwe Amendment Act Number 20 of 2013. This has compromised cooperative governance as central government seems to dominate sub national tiers.

Poirier and Saunders (2008) added that through IGR, different levels of government pursue a variety of objectives ranging from sharing information to coordination of policy, from the expansion of joint ventures to coordinated treaties or law making, from the establishment of joint bodies to the development of systems and mechanisms for resolving disputes and. If IGR are regarded as a crucial aspect of any government system, federal or unitary, they take various forms and shapes dependent on a plethora of nation-specific factors, among them, historical, political, structural and social issues.

It can be argued that IGR may involve such communications as phone calls between public service employees. Some approaches and techniques are highly formal and structured with clearly defined institutional contexts while others have a constitutional or legal basis. Others are subjected to judicial analysis and review whereas some are informal but important for the even functionality of a government as a coordinated and unified system with distinct but often interrelated and overlapping mandates in line with the dictates of reality. In addition, some are purely horizontal while others take place between units and national government authorities. McEwen (2015) cemented this view arguing that some nations have highly institutionalised IGR systems, with a very strong bureaucracy and a minister in each administration, a variety of binding intergovernmental agreements, and programmed, regular meetings between senior ministers and officials. However, this does not eliminate the

importance of informal interactions in all the cases). The next section (2.2) focuses on the examination of the conceptual framework of the study.

2.2 Conceptual framework

The current application of the term conceptual framework is often indistinct, vague and imprecise. However, this study takes Jarabeen's (2009) view of a conceptual framework as a network or a system of interlinked and interrelated concepts that collectively present a comprehensive appreciation of a given phenomena. The concepts constituting a conceptual framework should therefore compliment one another, define their particular phenomena, and develop a framework-based philosophy. In a nutshell, a conceptual framework is a logical instrument with numerous variations and contexts used to build conceptual distinctions or simply a collection of concepts which are extensively defined and methodically structured to present a focus, a rationale and a means for integration, analysis and interpretation of information. The concepts that form the conceptual framework of this study as noted above are intergovernmental relations and cooperative government, decentralisation and its various forms, which are deconcentration, delegation and devolution and privatisation.

2.2.1 Intergovernmental Relations

According to Wright (1978, 1), 'in comet-like fashion', the concept IGR has entered the scope of general political discourse and enjoys wide usage among scholars and policy-makers of various types and persuasion. Wight (1978, 2) related the earliest

use of IGR to a 1937 article by Professor Clyde F. Snider on county and township government in the U.S. Wright's engagements with Professor Snider with reference to the history and usage of the term IGR elicited the following comment from the latter: 'I doubt very much that I was the first to use the term but have no notion from whom or from what I borrowed it'.

McEwen et al (2015, 323) argue that IGR are indispensable to virtually all political systems with a multi-level form of government 'given the necessity of governmental interaction to address the disputes, interdependencies and spill-over effects resulting from constitutional overlaps', as well as the 'need to confront policy problems that defy competence divisions'. This is the case in both unitary and federal nations because Bohne (2014) found multi-level governance to be an indispensable and fundamental characteristic of the modern state. However, there are contestations over the history and conceptions of IGR due to a multiplicity of factors. To Mathebula (2011, 834) the relationship and connections among different government jurisdictions, mostly pertaining to the exercise and undertaking of 'defined' power and functions has elevated the crucial role IGR play in contemporary governments and politics. The magnitude of interest has culminated in a scholarly conceptual race that provokes the centrality of reopening the inquest. Ongaro, Massey, Holzer and Wayenberg (2011) added that the exploration of IGR and multi-level governance has historical, conceptual and contextual dimensions which can better be resolved through providing a contextual complement to the conceptual perspectives. Over the years, many authors have attempted to define the conceptual boundary of IGR.

However, there seems to be a general agreement with Rosenthal's (1980, 5) that 'drawing conceptual boundaries around the structures of IGR is not only difficult, but also problematic in terms of understanding the processes associated with IGR'. Thus, even while some effort has gone in to describing cooperative patterns of behaviour, much remains to be done in identifying the various factors which either promotes cooperation or conflict.

According to Mathebula (2011) the conceptual breadth and diversity related to the term IGR, its multi-applicability and usage to refer to different things to people of diverse orientations has provoked various conceptual perceptions among scholars and practitioners of myriad academic disciplines and backgrounds. To add to the conceptual fuzziness of IGR, Howitt (1984) and Bello (2014) concurred that the majority of students of American politics assumes that the politics of federalism and intergovernmental management are inextricably intertwined. Mathebula (2011) added that distinguishing between the conceptual meaning and application of IGR and the philosophical footprints of federalism, in particular reference to pursuing shared goals by sub-national government, creates a grey area between IGR and federalism. This stems from confusion in conceptually distinguishing federalism and IGR. For instance, on one hand, many American students and scholars view the two concepts as equivalent and on the other hand find IGR to be a feature only in nations with a federal system of government (Anderson, 1960, Wright, 1978, Elazar, 1987, Finifter, 1993, Peters and Poirier, 2001, Ospekin, 2001, George, 2008, Anton, 2014).

Indeed, key to this conceptual examination is whether IGR is only a feature of federal nations and whether one can legitimately argue that IGR exists in the same form in unitary nations as it does in federal ones. To this research, these issues are critical chiefly because of the confusion created by classical scholars, (including Deil Wright who made significant contributions to IGR). The major lesson to be learnt is that IGR is present in both unitary and federal nations and the paradigm that IGR is only related to federal systems should be strictly dismissed. The Livingstonian conception of federalism cited in Bello (2014, 66) supported the above view, noting that:

Federalism is not an absolute but a relative term; there is no identifiable point at which a society ceases to be unified and becomes diversified. All communities fall somewhere in a spectrum, this runs from what we may call a theoretically wholly integrated society at one extreme to a theoretically wholly diversified society at the other.

Thus to Graves (1984, 443), IGR studies present the unraveling of a 'venerable text on the subject'...as relations between central and sub-national governments are 'inevitably of a varying nature, demonstrating elements of control, cooperation conflict, negotiation, passivity, and so on'.

The confusion, restriction and general misunderstanding of IGR by students and scholars of the fields of politics, public administration and governance have led to various conceptual implications. As explained above, this represents the extensive conceptual diversity of the term. Mathebula (2011) observes that while this wideness of interpretation presents an advantage to IGR, it is at the same time a theoretical

liability, principally as a subject of reasoned discourse. Some scholars, for instance, have tended to understand IGR as the relationship between two governments in two sovereign nations pursuing issues of national political and economic interest. Whereas this conceptualisation may not be completely distorted especially presented in relation to the global analysis of governments in international relations matters, it is restricted, dwarfs both the elasticity and magnitude of the IGR discourse, and creates the impression that IGR has to do with purely foreign policy. It is therefore important to unpack the two distinct connotations of IGR and clarify its dimensions in this thesis. As noted above, IGR can refer to relations between two sovereign governments and hence a reflection of national governments' foreign policies. However, the concept can refer to horizontal and vertical diffusion of power and authority between different levels of government within a nation government. The latter is the focus of this study.

McEwen (2015) equally articulated the multiple dimensions of IGR, which have the potential to trigger conceptual 'wars'. To McEwen (2015, 6) 'IGR can be bilateral or multi-lateral, involving two or more governments, vertical, between the central or federal level and one or more constituent units, or horizontal, between governments at the regional or sub-state level'. While Bello (2014, 67) notes that '...usually, the concept is associated with states having a federal administrative system, this, however, does not in any way suggest that intergovernmental relations do not take place in a unitary system'. Bello (2014) and Jonga and Chirisa (2013) add that in a unitary nation, IGR (conveniently studied as centre-local relations) would refer to

connections between the different tiers of government. However, the constitutional sharing of governmental responsibilities among federal and state governments in a federal system is absent in unitary nations. It is the central/ national government, in a unitary nation, that determines which functions should be allocated or given to regional or other forms of sub-national governments. The central government can also decide to reallocate or modify the functional and responsibility allocations of sub-national governments without consulting the latter. Furthermore, the central government as a national authority in a unitary state often retains supreme authority and can unilaterally decide both the style and substance of intergovernmental interactions. Rabin et al (2007)'s concept of coercive IGR would squarely articulate the relations in unitary nations often epitomised by central government preemptions, unfunded mandates, grant conditions etc.

De Villiers (2012: 677) aptly sums up the critical need for IGR to transcend 'beyond the dogmatic debate about 'federal' and 'unitary' forms of state so as to focus on practical challenges of cooperative government' as intergovernmental relations is a 'neutral" word in constitutional debates, whereas 'federal' and 'unitary' were stigmatised by historic experiences.' This view therefore implies that studies on systems of government and IGR are distinct though related.

According to Wright (1982) and Denhardt and Denhardt (2009) the importance of intergovernmental relations as a topic for academic reflection and research is quite straightforward. After all, every level/ sphere/ tier of government has relations with

other levels of government in the process of exercising their mandates. The field of IGR thus covers all types of relations between and among governmental bodies in a single national political system. Intergovernmental relations are therefore dynamic in nature and have an impact in terms of both governance and management (Sindane, 2011). Hence, the relevance of improving our knowledge of intergovernmental relations as the basis upon which sustainable intergovernmental cooperation can be anchored should never be disputed. For instance, in 1955 The U.S Commission on IGR, recommended the need to clearly define the relational framework, between different levels of government, 'to the end that these relations may be clearly defined and the functions concerned may be allocated to their proper jurisdiction' (Agranoff 2012, 80).

William Anderson, regarded by Wright (1978, 2) as 'one of the intellectual parents of the intergovernmental relations field' defined IGR as a term intended 'to designate an important body of activities or interactions occurring between governmental units of all types and levels within the [United States] federal system'. There are two fundamental dichotomies to this conception. The first is that intergovernmental activities occur across different levels and units of government in a political system which can be unitary or federal. The second is that such activities are diverse and span different fields, reflecting the diverse dimensions of IGR, which can be political, social, economic etc. While different scholars (Wright 1978, Crook 2001, Agranoff 2012 etc.) have converged on the possibilities of using this definition as a gateway to elaborating on the concept of IGR, it is equally important to acknowledge the

shortcomings of this conceptualisation of the field of IGR. The perspective of Anderson gives a wrong impression that IGR is concerned only about the diffusion of power and functional responsibility in federal nations particularly the US. Anderson in Wright (1978, 2) further classified IGR as 'a term indigenous to the United States of a relatively recent origin and still not widely used and understood.' In the same context, Opeskin (2001, 129) also perceived IGR as 'all mechanisms through which governments within a federation are brought into relation with each other'. Bias towards this school explains why IGR in federal systems of government is an increasingly explored topic relative to unitary nations. This is a product of the perceived challenges of integration and coordination in federal systems due to socio-political, cultural and other geo-physical factors influencing federalism.

Many scholars also weighed in with different conceptions of IGR. According to Edwards (2008) IGR are a vehicle for promoting and facilitating cooperative governance and integrated development by promoting policies, programs and activities across different spheres of government that encourage effective service provision to satisfy the needs of society in a sustainable way. McEwen (2015, 5) defines IGR simply as 'relations between governments' and to Sunday (2014) IGR concern the links between different levels of government in a decentralized system that is, the centre, province and district. In other words, IGR refers to a network of interactions and relationships in the execution of governmental activities. The thrust is to achieve common goals through mutual relationships between and across vertical and horizontal governmental arrangements, alignment and cohesion across

all levels of government. In addition, IGR seeks to promote governmental activities through synergies for efficiency and effectiveness in order to sustain democracy and strengthen delivery capacity across all levels of government for the common good.

A summation of the conceptual elasticity of IGR reflects that it is concerned with interactions and relations of various levels of government, influenced largely by the macro political system, socio-economic and geo-political diversities and how these can be harnessed to promote cooperation and integration without compromising the autonomy of either level of government. It is therefore not desired at promoting secessionism or divisionism or the parochial interests of any individual level of government but to entrench democracy, good and transparent government by fostering synergies and synchronising the operations of different levels of government in the execution of their functions. Thus to Baatjies (2009, 11) 'If IGR are the oil in the government machinery, then, just as good IGR can help make service delivery efficient and effective, so poor IGR can lead to duplication, inefficiency and competition'.

The study of IGR is therefore a field in which research is focused on how different levels of government interact with one another, and attempt to define how they should interact with one another in the context of a Constitution. IGR are thus a system of numerous compounded processes (formal or informal), channels, structures and institutional arrangements for bilateral and multilateral interaction within and between levels of government.

For the purposes of this study, IGR is regarded as both a political principle and a mechanism of governance with distinctive political and constitutional implications. The purposes of IGR are multifaceted but primarily, it is considered to be a vehicle for resolving intergovernmental conflicts, dealing with overlaps and externalities, harmonisation of policies and responding to new policy challenges. This study thus defines IGR as encompassing all the complex and interdependent relationships among different levels of government as they seek to develop and implement public programs. The study drew a distinction between unitary and federal nations on the basis of the degree of centralism or decentralism and argued that IGR in the former are plagued by heavy centralist tendencies which obscures the role of sub national entities in the process tilting intergovernmental balance of power to the favor of the centre. On the contrary, federal nations involve division of powers between states and the federal government. In the case of the U.S, for instance, powers of federal government include foreign policy and regulation of interstate commerce while state governments are responsible for elections and establishment of local governments among other functions. Both the federal and state levels also have powers to tax, borrow money and make laws.

This study advances the view that a system of intergovernmental relations should have the following strategic purposes:

- To advance and ease cooperative decision-making;

- To synchronize and harmonise budgets, priorities, policies and activities across interconnected activities and sectors;
- To achieve an ease sharing of information horizontally within a level of government, and vertically between governments at different levels and communities, with the objective of enhancing policy implementation and programming;
- The avoidance and/ or resolution of conflicts.

2.1.1.1 Conceptual approaches to the study of IGR

There are various approaches that can be utilised in the study of IGR. For the purposes of this study, four distinctive approaches identified by Hattingh (1998) which are: the constitutional/legal approach, the democratic approach, the normative approach and the financial approach are discussed.

The constitutional/ legal approach

The constitutional/-legal approach views the Constitution and other forms of legislation as the entry point to the study of IGR. By virtue of their superlative positions in the hierarchy of laws of any nation, Constitutions establish different levels of government and other key government organs and assigns functions to them. According to Voets (2005) the study of IGR through the lenses of this approach therefore focuses mainly on issues and areas of the formal and legal arrangement of the intergovernmental field, such as the division or splitting of

resources and competences, approaches to supervision, fiscal relations etc. Muchadenyika (2014) justified the rationality of this approach arguing that the general landscape of IGR is usually defined in context by a particular constitutional discourse or legal framework. Hattingh (1998) cited in Zulu (2014, 28) concurs with the above and added that 'relations between governmental bodies exist exclusively within the framework of clauses permitting such relations'. With this approach, public administration can thus be considered an aspect of the study of law and the thrust is on formal legal structures and organisation of public bodies and entities. Roux (1997) in Ile (2007) traced the history of this approach to the federalist movement in the US during the 17th and 18th centuries which accepted the established hierarchy of government as a constitutional reality only amendable by subsequent legislation and also accepted that relations between government bodies are a mere function of provisions of the law.

Section 2 of the Constitution of Zimbabwe establishes the superlative position of the Constitution, (refer to the extract below):

2 Supremacy of Constitution

(1) This Constitution is the supreme law of Zimbabwe and any law, practice, custom or conduct inconsistent with it is invalid to the extent of the inconsistency.

(2) The obligations imposed by this Constitution are binding on every person, natural or juristic, including the State and all executive, legislative and judicial institutions and agencies of government at every level, and must be fulfilled by them.

Source: Constitution of Zimbabwe Amendment Act Number 20 of 2013

The major deficiency of this approach is that it assumes documented constitutional law and legislation as the only determinants of IGR. This assumption negates other influential factors, such as relations of office bearers, which should be determined and debated as they also bear a significant influence on the character of IGR. Voets (2005) observes that in light of the weaknesses of such a structural approach to IGR, it is logically sound that interest increasingly moves towards behavioral and process-oriented tracks. This led to the development of a network approach to studying IGR with the following five components: power, dependencies in terms of resources, multiple actors, policy process and management. The constitutional/ legalistic approach is however useful in the establishment of the different levels of government and other bodies as established by the Constitution of Zimbabwe and the powers and functions of office bearers.

The democratic approach

The democratic approach emphasises the autonomy of provincial and local government and their right to self-determination. According to Zulu (2014), supporters of this approach are strongly opposed to centralism and advocate for extensive devolution of governmental authority to sub national government authorities. The approach, as viewed by Haurovi (2012) emphasise regional uniqueness and diversities at the expense of institutional requirements and national values. This approach therefore ignores fundamental issues such as the centrality of national cohesion, the possibility of secessionism and the probability of provincial

parochialism if followed to its conclusion. It is also important when applying this approach to understand the politics of the African continent, which is less than 60 years after independence and experiencing wide-ranging civil wars mainly sustained by ethno-tribal conflicts and regional differences. This study finds this approach antagonistic to the ideals of unity as it breeds the ideology of separatism disguised in democracy and hence less applicable to Zimbabwe, which is a unitary state. The preamble to chapter 14 of the Constitution of Zimbabwe though unequivocally clear that governmental power shall be devolved to provincial and metropolitan council and local government, emphasises the importance of handling devolution in a manner that promotes national sovereignty and deletes the potential of secessionism as laid out in section 264 (2) (b) (refer to extract below)

264 Devolution of governmental powers and responsibilities

(1) Whenever appropriate, governmental powers and responsibilities must be devolved to provincial and metropolitan councils and local authorities which are competent to carry out those responsibilities efficiently and effectively.

(2) The objectives of the devolution of governmental powers and responsibilities to provincial and metropolitan councils and local authorities are—

- (a) to give powers of local governance to the people and enhance their participation in the exercise of the powers of the State and in making decisions affecting them;
- (b) to promote democratic, effective, transparent, accountable and coherent government in Zimbabwe as a whole;
- (c) to preserve and foster the peace, national unity and indivisibility of Zimbabwe;
- (d) to recognise the right of communities to manage their own affairs and to further their development;
- (e) to ensure the equitable sharing of local and national resources; and
- (f) to transfer responsibilities and resources from the national government in order to establish a sound financial base for each provincial and metropolitan council and local authority.

The normative approach

The interacting and transacting nature of governmental relations is a function of human activity and therefore, subject to the prevailing norms and standards of a nation. This emanates from the fact that IGR is accomplished in a public administration environment which subscribe to a set of norms and values. According to Hattingh (1998), the normative approach therefore examines the centrality of considering all the prevailing norms and values and analysing the total operational realities of IGR without an individual aspect of government being overemphasised than the other. Such norms should direct the conduct of public officials in government service. The Constitution of Zimbabwe provides a set of norms and values of public officials in the discharge of the duties and therefore the normative approach may be regarded as an aspect of the constitutional/ legal approach. Section 194 (refer to extract below) presents values and principles to guide public officials in the exercise of their duties. These values and principles are intended to achieve highly efficient public administration machinery anchored on a clear framework to achieve the mandates of government.

194 Basic values and principles governing public administration

(1) Public administration in all tiers of government, including institutions and agencies of the State, and government-controlled entities and other public enterprises, must be governed by the democratic values and principles enshrined in this Constitution, including the following principles—

- (a) a high standard of professional ethics must be promoted and maintained;
- (b) efficient and economical use of resources must be promoted;
- (c) public administration must be development-oriented;
- (d) services must be provided impartially, fairly, equitably and without bias;
- (e) people's needs must be responded to within a reasonable time, and the public must be encouraged to participate in policy-making;
- (f) public administration must be accountable to Parliament and to the people;
- (g) institutions and agencies of government at all levels must co-operate with each other;
- (h) transparency must be fostered by providing the public with timely, accessible and accurate information;
- (i) good human-resource management and career-development practices, to maximise human potential, must be cultivated;
- (j) public administration must be broadly representative of the diverse communities of Zimbabwe;
- (k) employment, training and advancement practices must be based on merit, ability, objectivity, fairness, the equality of men and women and the inclusion of persons with disabilities;

and the State must take measures, including legislative measures, to promote these values and principles.

(2) Appointments to offices in all tiers of government, including government institutions and agencies and government-controlled entities and other public enterprises, must be made primarily on the basis of merit.

Source: Constitution of Zimbabwe Amendment Act Number 20 of 2013

The financial approach

The financial approach to IGR or simply fiscal intergovernmental relations advocates for the equitable distribution of fiscal resources among the different levels of government (Zulu, 2014). According to Broadway and Shah (2007) fiscal IGR are a vehicle of ensuring that revenue approximately equal the expenditure requirements of different sub national governments while promoting national, regional, and local development objectives, inter alia justice, equity and equality, and to build a shared

economic union. The nature and arrangement of the transfers builds incentives for the different levels of government that shape financial management, stability of the macro-economy, allocative efficiency, and service delivery in the public sector. Schroeder and Smoke (2002, 21) identified several reasons to justify fiscal IGR and listed among others:

- (i) to equalize vertically (improve revenue adequacy); (ii) to equalize horizontally (inter-jurisdictional redistribution); (iii) to correct for inter-jurisdictional spill-overs (externalities); and (iv) to correct for major administrative weaknesses and streamline bureaucracy.

Fundamentally, the financial approach views devolution without fiscal decentralisation as fallacious and therefore proposes that any decentralisation of functions from the centre to sub national levels should be accompanied by the decentralisation of the requisite fiscal resources to support the functions. The Constitution of Zimbabwe provides that central government, through the national treasury must transfer not less than five percent of the total treasury collections to sub national governments [refer to extract below, section 301 (1) (a) and subsection (3)]. Therefore, fiscal IGR in Zimbabwe may be considered an aspect the constitutional/ legal approach to IGR. This is because fiscal IGR elements are guaranteed by the Constitution to make them binding. Any failure to meet such fiscal IGR obligations is therefore deemed unconstitutional and ultra vires and may attract litigation from concerned or intended beneficiary government levels or the affected citizens.

301 Allocation of revenues between provincial and local tiers of government

- (1) An Act of Parliament must provide for—
 - (a) the equitable allocation of capital grants between provincial and metropolitan councils and local authorities; and
 - (b) any other allocations to provinces and local authorities, and any conditions on which those allocations may be made.
- (2) The Act referred to in subsection (1) must take into account, amongst other factors—
 - (a) the national interest;
 - (b) any provision that must be made in respect of the national debt and other national obligations;
 - (c) the needs and interests of the central government, determined by objective criteria;
 - (d) the need to provide basic services, including educational and health facilities, water, roads, social amenities and electricity to marginalised areas;
 - (e) the fiscal capacity and efficiency of provincial and metropolitan councils and local authorities;
 - (f) developmental and other needs of provincial and metropolitan councils and local authorities; and
 - (g) economic disparities within and between provinces.
- (3) Not less than five per cent of the national revenues raised in any financial year must be allocated to the provinces and local authorities as their share in that year.

Source: Constitution of Zimbabwe Amendment Act Number 20 of 2013

The four analytical approaches offer distinctive conceptions of IGR which largely influence the manner in which such relations are structured in different jurisdictions. Zulu (2014) argues that these approaches may best explain the nature and character of IGR as practiced by any government in any particular country being studied. In Zimbabwe, for instance, Muchadenyika (2014) argues that IGR are 'confrontational and contested due to divergences in local autonomy and central control' and while the functions of different levels are clearly defined at law, they are however subject

to central government variation and reassignment to other state agencies. Contrary to the above, in the UK IGR are highly informal and less guided by law but more subject to normative factors (Birrel, 2012 and McEwen, 2015). Nevertheless, it can be summed up that the study of IGR in any jurisdiction is not exclusively influenced by one factor but a combination of approaches reflecting the diversity and multi-dimensional orientation of the discourse.

The application of the approaches is largely due to the political dynamics of the country being studied. In view of this, different intergovernmental systems have been studied using different analytical perspectives. This is reflective of the constitutional and legislative regime and the policy context of a nation under study. However, in most cases it is difficult to apply a single analytical approach as intergovernmental relations are diverse, multifaceted and multidimensional. Hence most scholars have often triangulated the different approaches to provide a holistic study of any particular IGR system. The next section focuses on the factors that shape the structure of IGR

2.1.1.2 Factors that shape the structure of IGR

Relations among different levels of government in any political system, whether federal or unitary, take their distinctive shape due to a variety of factors. Cameron (2001, 121) identified a number of factors, which can be categorised as follows:

- Social and cultural factors
- The constitutional and institutional regime.

- The demographic and geographic factors
- Political factors
- Historical factors

Social and cultural factors

According to Cameron (2001), the sum total of sociological and cultural variables frequently expressed in race, religion, language and cultural organisation of a country usually sets the terms and define the context of IGR bargaining and define the relevance of certain institutional forms and practices. Cameron (2001) further added that countries such as Belgium and Malaysia have multi-lingual and multi-cultural societies. They distinguish from homogeneous federal systems of Australia, the United States, and Germany etc. A shared national language simplifies intergovernmental dealing while the presence of multiple official languages renders IGR communication complex. More defined socio-cultural diversities in a country often promote mutual ignorance and uncertainties that restrain effectual IGR. The presence of a major, concentrated cultural minority usually encourages a higher level of formality in the IGR system.

The Constitutional and institutional regime

According to Cameron (2001), the prevalence and comparative size of the units of a country, the level of asymmetry between them, the type of legal system, that is whether a country applies civil law system or Roman-Dutch law and whether the

country uses presidential or parliamentary system are among key factors in determining the nature of IGR structures and processes. Okafor (2002) adds that the constitutional control set out the relationship between the stakeholders and the various levels of government in such a way that neither level of government dictates the decisions of the other. To Ademolekun (1999), constitutionalism in federal or unitary regimes implies that both levels of government have specifically constitutionally guaranteed competences for which they have to take responsibilities. In essence, it means that different levels of government have legally defined activities over which they retain finality on decision making, thus no level of government, takes supreme control of others except within the prior view of the Constitution. Thus, different constitutional and legal systems presume the degree of formalisation of governments, and consequently this effectively affects the character of IGR. A parliamentary system, with power concentrated in the executive, in most cases the president, as is the case with Zimbabwe, and a congressional system, where power is dispersed among a plethora of actors, produce patterns of IGR that are different. The IGR systems will either be dominated by the executive or spread among the legislative branches of the country.

Historical factors

The combination of tradition and political experience affects the ability of a nation to sustain its IGR system. Cameron (2001) argues that the norms, values and practices of IGR in the federal nations of Canada and the US are anchored in the context of

traditional practice and behaviour. Zimbabwe's IGR system is also largely influenced by the British colonial legacy where the colonial government maintained a highly centralised government system with little regard of divergent African political opinion. However, according to Madhekeni and Zhou (2012), despite the attainment of independence from the British colonial system, Zimbabwe's legal and institutional regimes did not loosen the centre's stranglehold and tight strictures on sub national governments. Post-independence IGR in Zimbabwe is thus characteristically defined by what Olowu (2001) classified as expanded centralization through decentralization where central government only decentralize power to sub national governments whilst retaining decision making authority in practice. There is simply a mismatch between decentralisation in theory on one end and practice on the other end. Machingauta (2010) concurred with the argument above, adding that functionally, the central government should provide a facilitative framework within which sub national government operates. In practice, the opposite is the case, as the central government is increasingly playing a direct role, in the ensuing, putting pressure on sub-national government space and hence mutilating all potential for a mutually beneficial IGR system and cooperative governance.

Demographic and geographical factors

The geographical size of a nation and the population distribution may also affect the organisation and processes of IGR. Nations therefore establish IGR mechanisms consistent with their demographic and geographical characteristics. A small country, for instance, may have less need for sub national governments and this may

promote tendencies towards centralism. Cameron (2001) argues that the federal experiences of Russia differs from Switzerland, for instance, as the former has the largest territorial space in the world, while the latter is a small country in Europe. Additionally, India, which has a population of around a billion people, concentrated in the sub-continent operates its affairs different from the Republic of Comoros. The latter has three islands and less than 600,000 people. According to Thornhill (2002) the geographical space of Namibia, for example, is 825 418 km² and a population distribution of 2,1people/ km² whereas South Africa is 1219 912 km² in total area and a population distribution of over 80 people/ km². Mauritius has 1860 km² and 634 people/ km². The above geographical and population factors give credence to the system of government, decentralisation processes and IGR. In the same context, demographic factors such as homogeneity and diversity have a significant impact in influencing the IGR landscape. Nigeria, for instance, with a population of 182 million (according to the National Population Commission of Nigeria, 2015) and diverse regional and ethnic groups is more likely to have a complex intergovernmental system compared to Zimbabwe with a population of 14 million people of which two dominant ethnic groups (Shona and Ndebele) constitute over 90 percent. A nation's IGR system is therefore indicative of these configurations but subscription to regionalisation principles of asymmetry and subsidiarity neutralise possibilities of fractured relations.

Political factors

According to Okafor (2001), any given political system, (federal or unitary), derives its existence from the Constitution which is the supreme law of a nation. Constitutions define and determine the process of government and regulate the conduct of various levels of government in relation to citizens. Cameron (2001) opines that the type of electoral system affects, not only the stability of a government, but also the ability of a national government to represent the interests of minority groups and promote cohesion of the entire system of government. Whereas, for instance, the first-past-the-post electoral system often foster stability, in many governments it has tended to undermine minority opinion and under represent their interest.

Cameron (2001) observes that nations such as Australia, with an assorted form of proportional representation, get a relatively accurate expression of the distribution of votes but have a propensity to promote multiparty systems and coalition governments. Such assorted electoral systems and processes add to the configuration of party based political systems, at various levels of government. The nature and type of party systems in federations, for example, shapes a country's IGR. Federations, possessing systems that integrate political parties at regional and national levels have relative capacity for coherence compared to federations that are constituted differently. In nations with integrated party systems, IGR is an expression of relations of politicians from similar political formations. Conversely, countries with

distinctive party systems at federal and provincial level, such as Canada, must consider other avenues in conducting the affairs of the federation.

The extent of decentralisation or centralization is also an important factor in shaping IGR. Centralised nations, typical of unitary governments tend to concentrate power on the national government which in turn decides the level of discretion of sub national governments. Frequently, the effects of changing historical circumstances and political issues, besides formal constitutional provisions, the extent of decentralisation or the degree of centralism influences the power dynamics between the different levels of government and hence the conduct of the major players and their relations with one another.

In view of the above discussion, it is important to note that IGR structures are products of different factors in different nations. Some nations have strong historical contexts, whereas some possess diverse demographic and ethnic dimensions. In the same view, while some countries may have strong political ideologies, some may possess complex social and cultural dynamics. All these factors combined or individually determine the configuration of the structures of IGR. However, rarely are such structures influenced by a single factor. For instance, where historical factors have largely influenced the structures, prevailing political ideologies may also have an impact in the configuration of such structures.

2.1.1.3 The implications of systems of government on IGR

The understanding of systems of government in both conceptual and practical terms presents a fertile ground upon which the influence of a system of government on IGR can be examined. There are two basic systems of government which are unitary and federal but perhaps classifying a nation as either unitary or federal is a difficult task as nations may possess both unitary and federal characteristics (Mdliva, 2012). Gerring et al (2007, 4) dismissed the unitary/ federal distinctions as least important and argued that an 'existing unitary state could be federalized and these federal units could be of any shape, size, and number'. At the same time, existing states of a federal nation could be brought into one unitary Constitution.

Arguing in the context of nation building in German, Constanz (2007, 1) concurs with the above view but added that most nations, German included, have often vacillated along two rival discourses in the course of nation building, that is 'federative nationalism' on the one hand and 'federal unitarism' on the other. However, this study maintains that nations can be clearly distinguished as either unitary or federal on the strength of constitutional provisions or particular normative attributes. To cement this view, the Department of Provincial and Local Government of the Republic of South Africa (2007) argue that co-operative governance and IGR are burdened concepts which should be explained within the context of a particular system of governance.

As explained earlier most scholars confuse IGR and federalism as conceptual synonyms. However, these are two distinct constructs in both concept and application. In the same context, Mathebula (2004) observes that in multi-tiered unitary systems, there is a tendency towards equating IGR with decentralisation or a system of allocating certain powers to sub-national government units. Gerring et al (2007) added that generally, there is vast theory on the putative virtues and vices of unitary and federal governments but little practical and empirical testing of the influence of these systems on the structure and texture of governance has been conducted. Although the issue under discussion here is IGR, it is important therefore, to unbundle the different systems of government and explore their value in configuring relations between different levels of government. For example while South Africa is generally considered to be a unitary nation, Malan (2005) identified 50 features of the Constitution of South Africa (Act 108 of 1996) that resembles a federal nation.

Federalism

According to Bello (2014), federalism can simply be understood to describe a system of government in which national (often referred to as federal government) and state governments (which are regional authorities) share power and authority. In his conception of federalism, Parker (2015, 1) notes that while the study of the rationale and dynamics of federalism is rich, ongoing and busily debatable, 'it can be taken for granted that at their heart, the defining histories of federations mean they are based

on some form of *foedus*¹ or compact between different political communities and territories'. Scholars concur that conflicting myths have evolved about federalism (Parker, 2014, Bello, 2014, Wright, 1978, Cameron, 2001, Inyang, 2014). One school points to monopolisation by the national government. This national government dominance, according to the myth, has disempowered state governments. But a competing myth which seeks to correct perceived weakening of the national government argues for the allocation of more powers and authority to the federal government as a means of solving great national problems and achieving the general public good.

A fundamental question to ask then is: have national governments expropriated control of key government functions in most federal nations? Those subscribing to this perspective imagine that government in federal nations especially the US is now remote and all-powerful. According to Bartley et al (2006), this school therefore impresses that only the federal government possesses the resources and the fairness to govern. This section unlocks an extensive analysis of the facts beyond the stated myths of federal government authority and a wider understanding of the context of the federal systems in relation to IGR.

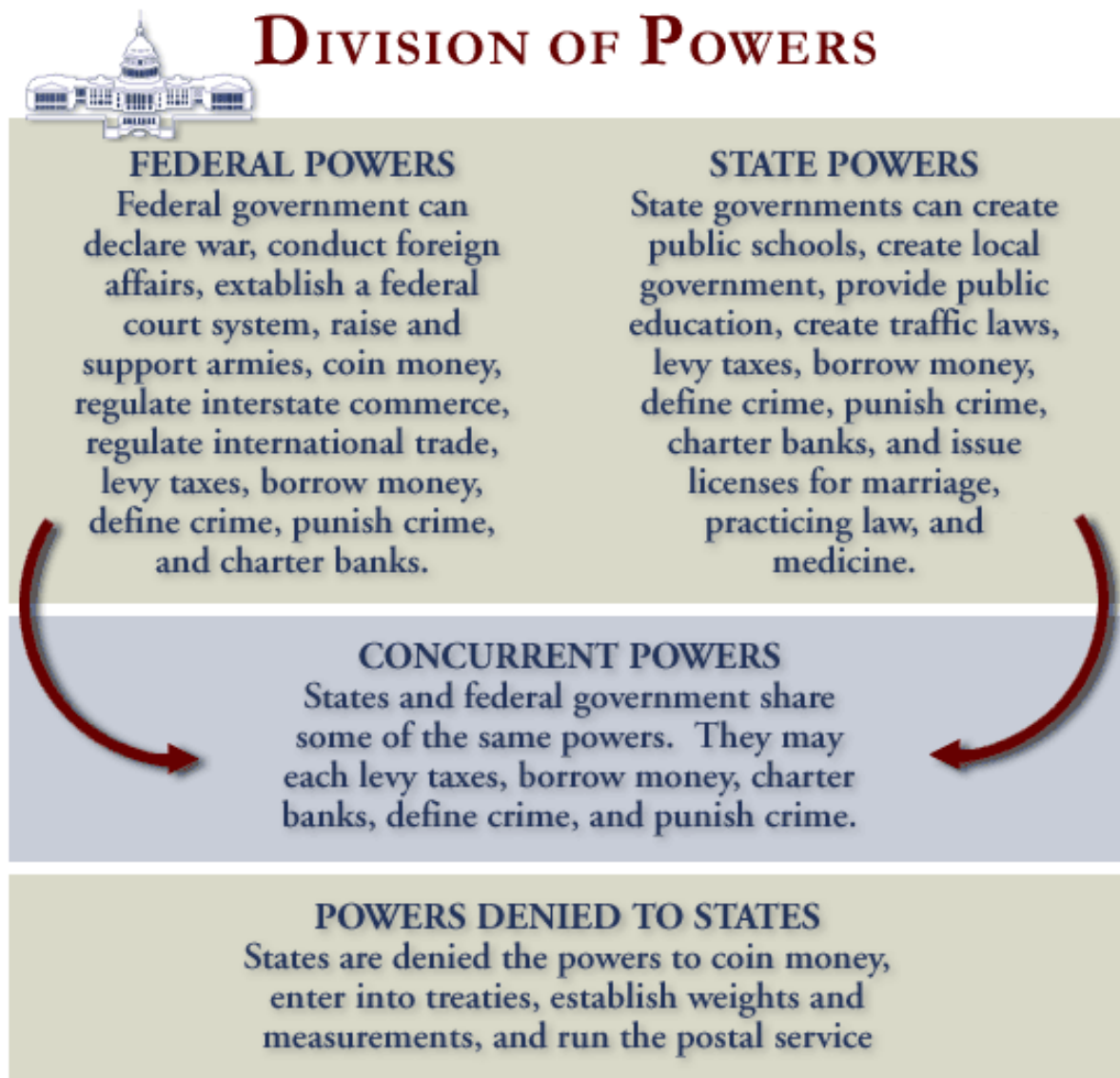
Weingast (1995) argues that the essence of federalism is that it provides a sustainable system of political decentralisation. Although the political theory of federalism has a long history, it is as reiterated by Weingast (1995) useful to start

¹ treaty or agreement

with Ricker. In his seminal work on the political theory of federalism, Ricker's (1963, 11) definition of a political system as federalism has two distinct but related characteristics. The first being a hierarchy of at least two spheres of governments ruling a single territory and people (a nation), each with a constitutionally delineated jurisdiction and autonomy in a clearly defined space of political influence and second the authority of a government is institutionalised in a way that makes the restrictions of federalism self-autonomous.

According to the International Encyclopaedia of the Social Sciences (2008), there is no universally satisfactory definition of federalism acceptable to various students, largely due to the complexities of relating theoretical basis to facts obtained from observations of the practical operation of federal systems. Attempts at developing a universal wide conception have been hindered by the troubles of making a distinction between (1) the principle of federalism as a wider social conception and federalism as narrow political mechanism; (2) two typical but diverse conceptions of federalism; (3) authentic and true federal systems versus a plethora of other political systems that uses fundamentals of the federal principle; (4) emergent and mature federalism; and (5) federalism as a political system and IGR as separate political concepts and phenomena. This study attempts to give clarity on definitions of federalism.

Fig 2.1 : Allocation of powers in a federal system



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The next section discusses the various factors and dimensions to the conception of any particular federal establishment. This is precisely because federal nations are calibrated differently from each other due to a myriad of factors among them,

political, demographic and ideological dynamics. At the same time, allocation of powers to the different spheres of government and the discretion of state governments from federal governments differ from one federal nation to another.

Social and political dimension

Federalism, perceived in a broad social context, regards the connection of citizens and institutions through mutual agreement, without sacrificing their identities as the perfect type of social organization. This perspective of federalism derive theoretical basis from 19th century French and German sociologists. According to early 20th century scholars like Boehm (1931), federalism is rooted in the thrust to develop society based on coordinative as opposed to subordinative relationships through emphasising partnerships between players with equal claims to legitimacy. The different parties endeavor to propagate their varied integrities within a common social order.

According to Grodzins (1960), federalism can be equated to a political device, epitomised by underpinning political principles anchored on the centrality of bargaining and negotiated coordination. Federalism in this way stresses the importance of dispersing power centres as a panacea for protecting individual and local liberties. Fundamentally, this means that political institutions from different political systems, if harmonized in a federal political system and underpinned by principles of federalism are endowed with a distinctive character. Therefore political parties underpinned by the principles of federalism depict distinctive elements of

disintegration and are deficient of central discipline. This increases the power of local groups within the system as a whole

Federation and confederation

According to the International Encyclopaedia of the Social Sciences (2008), the conceptualisation of federal ideas presents two diverse frameworks. On one hand, federalism is regarded as a way of uniting people linked by the force of nationality through the sharing of political power to a nation's various constituent organs. In this sense, the various polities constituting the federal system are subsets of the whole, and the federal principle becomes the bedrock of a superior national government with a direct contact to the people. Conversely, federalism is also perceived as a way of unifying diverse groups for vital though restricted purposes while maintain their primary connections to individual polities that are constituent elements of the federal system. In this case the national government is limited in terms of powers, operating via constituent governments. The constituent governments retain their autonomy, and, to a considerable extent, the federal government is dependent upon them. However, as the U.S political system has been considered the prototype to modern federal systems, the US view of federalism has increasingly been accepted while subduing the other definitions (Elazar 1962, Wright 1978, Mdiliva 2012).

Federalism and other related systems.

The International Encyclopedia of the Social Sciences (2008), further notes that the application of a federal system is usually confused with four other types of political frameworks which also use some federal principles. Such principles include:

- The distribution of power among the federal government and state governments provided in the Constitution defining the sovereignty of the state governments concurrent with the federal government with reference to limitations imposed by the Constitution.
- A decentralized government system modeled to capture and promote the diverse interests of a heterogeneous citizenry.
- The preservation of a balance of state and federal authority to safeguard fundamental liberties, restrict too much concentration of power in a single organ, and diminish the threat of dictatorship and possibilities of abuse from either front.
- Affording citizens in every state a role in decision making on political issues which broaden the participation of local communities in local democratic institutions.
- The difference in cultural systems, resource endowments, priorities and needs existing among states is observed and variations in rules and laws are allowed which acknowledges and accommodate the differences.

Furthermore, federal principles are also applied in other systems of government such as monarchies, empires, and devolved unitary systems. This can present critical outcomes more or less equivalent to those in authentic federal systems. However, these principles do not cut across the other four systems discussed above, making the task of distinguishing them from authentic federal political systems exceedingly important. Malan (2005), for instance, identified more than 50 features of the South African government (which is a devolved unitary government) that resembles a federal system.

Mature and emergent federal systems

Classical schools especially Macmahon (1955) and Wheare (1946) have tried to make a distinction between what are generally referred to as mature and emergent federal systems. They submitted that where federalism, is used a vehicle to unite separate political systems to form a new nation, and federalism being applied as a type of exclusive form of decentralizing power in an established nation, promote significantly different forms of political behaviour. Many scholars agree therefore that federalism can serve as means of bringing tenuous unity in a nation comprised of extremely autonomous political entities, while the locus of authority and power remains among the component units (Ademolekun, 2002, Ile, 2007, Akume, 2014). Distinctions between mature and emergent federalism are more related to changes in the context of conflict and approaches to negotiation between the different governments than to their general strength.

As federal systems mature, power is gradually retained at the centre and federalism becomes a tool for promoting decentralization within a unified political system that one may consider unitary. Wheare (1946) further views federalism as a transitional phenomenon which is suitable for sustaining bigger polities which are ultimately made redundant as a superfluous encumbrance. One may find this argument valid in explaining the context of non-federal political systems which have intermittently applied the federal philosophy in promoting national unity. A case in point is the evolution of the U.K into its current constitutional system. However, the International Encyclopaedia of the Social Sciences (2008) quickly made it clear that this is not applicable to the three classical federal nations that is Canada, Switzerland, and the US.

According to the International Encyclopedia of the Social Sciences (2008), as the study of federalism is often considered synonymous with studies of IGR, it is important to note that federalism extends beyond relationships among units of governmental to involve principles and value systems, which are meant to entrench the appropriate character of the relationships. In turn, this also affect the behavior of other political entities within a federation. As already alluded to, federalism concerns a variety of ways by which federal is limited to a political system, while the study of IGR exists apart from the study of federalism, since such relationships are to be found in all political systems, federal or otherwise, where there is more than one government existent within a given polity.

Unitarism

Contrary to federal systems, unitary systems are usually associated with relatively smaller countries, such as the U.K, Japan and Zimbabwe; and polities with less ethnic diversities. For example, almost all Latin America countries have unitary systems of government structured along centralised presidential governments. However, it is important to note that unitary governments are not completely centralised in their approach as many cases point to a new scenario where they are decentralising more powers to sub-national governments in order to deepen democracy and promote community participation. As is the case with federal systems, unitary nations frequently allocate power to regional and local government institutions for delivery of public services to local communities. Although unitary government is often hierarchical, there are a number of cases when the different levels of government meet to bargain with political responsibility.

Mahler (1995) in Mdliva (2012, 30) located that a unitary system 'usually comprises one level of government above the local level'. This view may not fairly represent the state of the majority of unitary nations as the majority have three levels of government included being regional or provincial structures which occupy the similar government space with states in federal nations though their powers are not as extensive and as expansive as those of state governments in federal nations. For example, almost all counties in Africa have three levels of government in terms of the Constitution and relevant laws or practical operation of government; except for a few

examples such Botswana whose government is constituted at the national and local government levels, without the regional or provincial tier.

In the context of the above, Gerring (2007, 3) adds that 'when we label a polity unitary we are saying that constitutional authority and sovereignty is vested in the central (national government, not that all decision-making occurs at the centre or all money is raised or spend at the centre. The crucial distinction is that power transferred from national to sub national bodies in a unitary polity may be retrieved'. Mahler (1995, 30) argued that, in Britain for instance, the power to formulate key political decisions is vested in parliament. Therefore, despite Britain having councils in cities and counties, parliament retains control over their decisions. 'Parliament has the power to grant the cities or counties more influence or to take away policy jurisdiction they may already control'. Hague and Harrop (1987, 176) state that 'in a unitary state sub-national government, whether regional or local, may make policy as well as administer it, but they do so at the pleasure of the national government'. In a nutshell, any form of sub national government in a unitary nation is a creature of central government either through statute or primary legislation any other relevant enactment.

In a unitary system, IGR are frequently an outcome of enforced duties underpinned by Constitution or statutory prescription. Power is thus vested in a national government with control over lower units by virtue of a centralized system.

Gildenhuys (1991) in Mdliva (2012, 30) viewed that most legislation in unitary nations simply establishes broad policy guidelines and principles, leaving all other necessary detail to be stated in regulations. 'Where regulations are made by central government, they are usually administered by public servants. This gives public servants a great deal of authority, including in many cases the authority to change local decisions or even to set them aside'.

Sokhela (2006) cites the doctrine of sovereignty while Hattingh, (1998), Roux et al, (1997) and (Asmal 1994) defined a unitary form of government as a type of government with a widely recognised supreme national authority that is not subordinate or subservient to anything or any person. This forms the basis of the principles where a unitary government can be distinguished and serves as the foundation of relations and connections between governmental units in the state. In a unitary nation, the national legislature is sovereign with authority to make and pass laws to regulate internal and external affairs of the country. In theory, therefore, there is no limit on the power of the national legislative authority, except where places limitations on its own procedures. The national parliament is the supreme law making organ and final authority vests with the national government.

In a nutshell, the major differences between federal and unitary systems of government are found in principles and operation of the two systems. These include a written Constitution outlining the terms under which power is shared or divided

between the federal and state governments. All federal nations have written constitutions as other nations that also apply the principle of federalism. Constitutions of federal nations are distinctive as they seek to involve the citizens, the entire government and other polities, agencies and units that constitute the federal union. At the same time, state governments also retain the power to write their own constitutions and apply their own laws but which must be consistent with the broad federal law. The next section focuses on cooperative governance, which seeks to promote the interdependence and integrated planning among different levels of government through cooperation.

2.2.2 Cooperative government

The strategic aim of any IGR system in a democracy should be to promote and facilitate cooperative decision making for sustainable socio-economic transformation. Therefore, while it is important to acknowledge the independence of different levels of government as the basis for autonomous decision making, the centrality of interdependence should never be polarised. To De Visser (2005), the spirit of cooperation is a pre requisite for success of an IGR system. Malan (2005) also acknowledged that co-operative government and IGR principles recognise the interdependence of the different levels of government. Feiock (2007, 49) found that 'motivations for governments to cooperate with each other in the provision and delivery of services encompass public interest explanations based in collective benefits and private interest explanations based in economic or political opportunism

of local actors'. Cooperative governance generates and promotes shared advantages through the production of 'efficiencies and economies of scale in the production and provision of services and by internalizing spill over problems'. De Visser (2005) stresses that; the majority of the side effects of decentralisation cannot be solved in an abstract, legalistic manner. The complexities of real life and the interconnectedness of government service delivery cannot always be fitted into distinct and exclusive competencies. National and sub national governments have to work together on the state's development agenda.

According to Rodin (1996), the nature of IGR is primarily an empirical question. To Malan (2005), the existence of relations among governmental institutions and actors is not an automatic sign of productive and interdependent relations. Sindane (2011) also argues that essentially, the relations among levels of government should remain good for effective governance due to the division of power between them. Cooperation is therefore an indispensable factor in ensuring that 'co-ordinated and complete administration of the divided fields is attained' (Wheare 1963, 227). According to Ile (2007), the management of the activities of government in most countries has often resulted in conflict among tiers of government because of the overlapping responsibilities. This study concurs with the argument by Ademolekun (1986, 69) that 'national integration still remains a challenge in most if not all African countries' considering the fragmented state of government systems in countries like Nigeria, Zimbabwe, Rwanda, Burundi etc. Therefore, efforts should be invested in

emphasising and actively promoting cooperation between the different levels of government. This is also against the backdrop of concurrent and exclusive activities that all levels of government have to engage in as they seek to provide basic and essential services to the people.

Policy coordination, vertically and horizontally, can be dealt with through integrated and concerted effort of all levels of government. Intergovernmental collaboration is thus fundamental in sustainable service delivery, poverty alleviation and community development. Malan (2005) concurs with the above view and insists that co-operation and amalgamation of actions and activities in government is depended on an unwavering and effective IGR system, that is where individual spheres commits themselves to respect the autonomy of others, while appreciating the centrality interrelatedness and interdependence.

According to Mdliva (2012) co-operative governance and IGR consists of a network of facilitative systems and connections which collectively enable the different units and organs of a government to effectively participate in carrying out mandates in order to achieve governmental goals. Malan (2005) defines co-operative government to mean a form partnership government between different units of government obligating each government organ to fulfill a particular role. Co-operative government emphasise the inevitability of differences in terms of approaches and viewpoints among units of government while encouraging a health and productive engagement as the basis for addressing the desires of the communities they represent through

equitable utilisation of resources available. To De Visser (2005), cooperation refers to a relationship of equality where the actors in IGR operate as equal partners. To a large extent this will depend on political maturity, the equality of human interaction and genuine interest in the development cause. Fox and Meyer (1995) in Malan (2005) added that co-operation relates to circumstances where people decide or are directed to work together, or where they are given a sense of involvement whilst exercising very little actual power. Their conclusion is that, spheres of government, in their different horizons, cannot exclusively operate without mutual co-operation, interdependency and interrelatedness. This is critical in reducing conflicts related to execution of overlapping governmental functions, spill-overs, allocating scarce resources and dealing with constrained fiscal issues and popular accountability (De Villiers 1994 in Mdliva, 2012).

While some scholars have tended to confuse IGR and cooperative government, it is fundamental to note that there is a conceptual difference between these two and hence they are not conceptual synonyms. According to the South Africa's Department of Constitutional Development (1999, 21),

co-operative government is a fundamental philosophy of government (constitutional norm) that governs all aspects and activities of government and includes the deconcentration of power to other spheres of government and encompasses the structures of government as well as the organisation and exercising of political power. It is specifically concerned with the institutional, political and financial arrangements for interaction among the different spheres of government. Co-operative

government is thus about partnership government as well as the values associated with it which may include national unity, peace, proper co-operation and coordination, effective communication and avoiding conflict

Therefore, while IGR focuses on the relationship among different levels of government, cooperative governance seeks to harness the relationship by synchronising and synergising the different levels of government as a way of promoting cohesion and integrated development. In the same context, South Africa's Department of Provincial and Local Government (1999, 12) identified IGR as 'one of the means through which the values of co-operative government may be given both institutional and statutory expression and may include executive or legislative functions of government'. For instance, Chapter three of the Constitution of the Republic of South Africa states that co-operative government is the conceptual framework and bedrock upon which the thrust of a development-orientated state is anchored. In the same vein, section 265 (3) of the Constitution of Zimbabwe Amendment Act Number 20 of 2013 provides for an Act of Parliament measures, procedures and appropriate mechanisms to facilitate coordination of the different tiers of government in the spirit of promoting cooperative government and IGR.

Rodin (1996) classifies cooperation in an IGR system as either concerted or divided. Concerted intergovernmental relations on one end are epitomised by cooperative joint action, denoting elements of partnership among the different levels of government or units of government at the same level. The purpose is to encourage

collective action on shared problems and establish joint courses of action on different problem areas. This ranges from sharing information and integrated planning, to broad cooperative actions and collective decision-making. At the other end, divided relations are a manifestation of low levels or absence of joint cooperative action. According to Rodin (1996), divided applies to the scenario where players maintain IGR that are disentangled and disjointed or separated. In the latter, IGR players usually have an inclination towards a high level of independence within the government framework. A certain level of competition is frequent as the element units endeavor to achieve financial independence from the central government or to attract investments as a way to attain their respective goals. Elazar (1991, 66) referred to this as 'antagonistic cooperation' or 'intergovernmental competition' (Kincaid 1991, 89).

Rodin (1996) further argues that, divided IGR are not essentially defined by conflict as uniting under one government is a form of cooperative behavior. To Kincaid (1991), players are still coordinate as they consider each other's actions. This is a reflection of a less cooperative position, a type of rivalry between units of governmenta, which disentangles IGR. While Rodin (1996) concludes that in exceptional cases IGR may be marred by open conflict, confrontation and destructive competition, Machingauta (2010) seems to differ based on his studies of centre-local relations in Zimbabwe. He argues that, with different political parties controlling power at different levels of government in Zimbabwe, there is serious

antagonism and conflict among the different tiers, with each tier seemingly pursuing the agenda of the political party dominating at that level. While this may seem to be a common problem in emerging multi-tiered political system, studies have however found the problem to be equally prevalent in mature federal nations such as the U.S though at a lesser scale (Birell, 2012, Agranoff, 2014, McEwen, 2015).

In analysing the goals of cooperative government, Rodin (1996) argues that co-operative governance recognises the complexity of contemporary government as cooperation is fundamental for a country to meet its obligations. Nelana (2005) in Zulu (2014, 29) concur with the above and further argue 'that a prerequisite for effective cooperative governance is communicative rationality which entails a non-coercive, unifying, consensus building force of a discourse in which participants overcome their initial subjective views in favour of a rational agreement'. The following are the objectives as identified by Rodin (1996):

- to co-ordinate the activities of government as a way of avoiding non-productive competition which may breed costly duplication of services.
- to develop a multi-dimensional view on multiple interests of a country in its entirety, and respect the context of national objectives, principles and policies.
- to constructively resolve disputes without outside protracted and costly litigation
- to harness public resources collectively within a frame of mutual support
- to rationally distinguish between the various government units, the functions of

government as a way of minimising confusion and enhancing efficiency.

As the next section focuses on decentralisation, it is important to make a clear conceptual distinction between IGR, cooperative governance and decentralisation. IGR focuses on the relations between the different levels of government as established by a particular constitutional order or legislative regime. The field therefore looks at the context of such relations as established by a Constitution and enforced through existing institutions. Such relations have multiple dimensions; they may be conflictual, confrontational or harmonious. There are multiple determinants of the nature of these relations, including the type of political system and the level of incongruence, historical perspectives and related development issues. At the same time, cooperative governance seeks to achieve integrated development through concerted and coordinated government machinery without blurring the independence and autonomy of the different levels of government. This study therefore, proposes the spirit of cooperation in IGR, implying that as the former is concerned primarily with relations of the different levels of government; the latter seeks to promote cooperation and concerted engagement in policy and service delivery issues.

Lastly, decentralisation is the transfer of powers, functions and responsibilities from the centre to the local level in various forms, which are deconcentration, delegation and devolution. All the decentralised units of government should cooperate for integrated service delivery as this reduces the elements of service delivery multifunctionalities through

spillovers, duplications and help in reducing costs. It is equally important to note that while decentralisation is vertical and usually involving higher orders of government transferring functioning to the lower levels; IGR is both vertical and horizontal. The vertical relations involve government at different levels that is the national or federal government, provincial (or state in federal nations) and local government and/or vice versa. At the same time the relations among organs or institutions at the same level of government are horizontal, for example the relations between the three arms of government at the national level (executive, judiciary and the legislature). The thrust of cooperative governance is the integration of the different levels and units of government in decentralised system.

2.2.3 Decentralisation

The concept decentralisation is closely interwoven with IGR and therefore it forms the central issues in this analysis as explained above. This section presents a conceptual analysis of decentralization in terms of typologies or forms of decentralization and their ideological underpinnings. Some challenging issues, controversies and contestations of decentralization are also explored and examined.

Decentralization in its diverse forms has been implemented in a number of countries. According to Smoke et al (2010) decentralization has various shapes and sizes. However, in all instances, it encompasses altering the institutional guidelines dividing powers and resources between government units. The term decentralisation is frequently applied to explain diverse things. Different conceptual frameworks have

emanated from varying interpretations leading to various implementation approaches and implications. These diversities have provoked controversy and discussion. According to the World Bank (2008), due to the various processes and practices related to decentralisation, the multiplicity of interpretations may accompany distinct discourses and different development agendas. In recent times, the eminence of decentralisation is linked to two fairly different; others may argue, contradictory trends:

- The structural adjustment processes and the common corollary of public sector retrenchment,
- The emphasis on local governance and the augment for participatory development. approaches

Ferguson and Chandrasekharan (2004) add that decentralisation is extensively mooted and shared as a tool to enhance democracy, equity and efficiency in public resources distribution. Whereas the principles and objectives of decentralization, among others the concept of subsidiarity are eminent, the majority of implementation attempts have not always achieved successful results. A plethora of assumptions are advanced to explicate the link between decentralisation and the allocative efficiency of basic services. Robison (2007) succinctly epitomised the perspectives on decentralisation where he submits that a variety of claims have been made in support of decentralisation. These include the prospective for enhanced democracy by broadening the scope for participation and accountability for sustained poverty

reduction and improved service delivery. Much of the literature and substantiation centres on the inherent importance of decentralisation as a desirable goal in its own right. However, the argument for the development significance of decentralisation is rested predominantly on a series of theoretical justifications and assumptions.

In the same vein, whereas the discourse on decentralisation is sometimes conceptually well placed, in most cases, the implementation is faltered, due to a multiplicity of factors, leading to serious pitfalls causing conflicts, confusions and failure to achieve the objectives. World Bank (2008, 1) observes that decentralisation, as is with good governance and sustainable development, presents one of the common languages of international institutions for example the World Bank's top officials where general ideological convergence is that decentralisation is a 'good thing'. But the meaning attached varies extensively. And whilst donors and governments all want to support it, 'it is now part of the well-worn lexicon of development clichés – it has palpably failed in many instances to deliver the results claimed of it'.

According to Treisman (2002), Scott (2009), Smoke et al (2010) there is mounting domestic and international force to decentralize governance. Diverse decentralization frameworks and models have thus been implemented across nations, and the concepts have equally been widely applied. Fuo (2015) concurs with the above view and stresses that in the last three decades a number of

initiatives to support and reinforce decentralisation in many countries around the world are best understood in the context of a myriad of challenges confronted by national governments in providing public services and adequately meeting the different needs and expectations of people especially remote regions. However, Manor (1999) and Boschmann (2009) warned that decentralisation is frequently applied to articulate various arrangements. It has various conceptual dimensions, and this has led to diverse conceptual frameworks and implications. According to Treisman (2002), a most difficult aspect of the decentralisation discourse is its conceptual fuzziness. Consequently, a fundamental base for examining decentralization in both theory and practice is the lucid understanding of the concept, envisioning its range of meaning and application, methods of decentralization planning and execution, its related intricacies, and ways of overcoming its challenges. In consideration of this, intellectuals should equip themselves with appropriate and relevant tools to provide comprehensive scientific knowledge of decentralization in both concept and practice. To cement the above views on the conceptual breath of decentralisation Cox, Henderson and Raikes (2014) observe that decentralisation can mean different and sometimes contesting things. This is often driven by different historical and international contexts as it is motivated by a plethora of factors, for example the conception of subsidiarity can be exceptionally subjective, dependent on how and where an institution locates its role within the hierarchy of governmental relationships.

Notwithstanding pluralities and diversities of systems, processes and practices ingrained up with conceptual diversities of decentralisation, a prevailing reading of decentralisation has permeated policy and administrative discourses. In this context, Mawhood's (1983) definition cited in World Bank (2008, 2-3) is often considered 'classic' in the analysis of decentralisation with particular reference to Africa. The definition far reflects the nexus between decentralisation and IGR and includes the following:

- the presence of bodies and entities separated from the centre by law, wherein representatives at the local levels are given formal power and authority to decide a variety of public issues;
- a political base in a local area and not the nation;
- a restricted sphere of authority and power, but entrenched to make key decisions on within their jurisdiction;
- local government authorities with command over resources and jurisdiction over investment decisions.

According to Turner and Hulme, (1997) decentralisation is a general concept whose meaning is conveniently and conventionally manipulated to portray the extent of the distribution of governmental power, authority and functions between the national government and territorially defined regional and local governments and other government agencies, authorities and institutions. The overall outcome of the spatial division of power is an array of nested hierarchies coinciding with the territorial

subdivisions. However, in the above conception, decentralisation replicates many forms, anchored on a number of principles, and with diverse purposes. Three main forms can be distinguished: devolution, delegation de-concentration. Sayer et al (2012) understands the concepts decentralisation to encompass a wide variety of transfers of the locus of power, authority and decision making from the national government to regional and local governments.

To the UNDP (2009) decentralization of governance is explained in terms of the re-organization of governmental authority, to achieve co-responsibility between institutions and organs at different levels of the state. This is accomplished in light of the principle of subsidiarity. The major benefits of decentralization, from studies conducted so far points to enhancement of the quality of a governmental system, in terms of deepening democracy and improving the service delivery capacity of sub-national government levels. Olowu (2009) views decentralization as the process and practice involving the transfer of powers related to planning, management, resources allocation and/or accountability arrangements from the national, regional to local organs of governance. Olowu (2009, 2) further identifies different forms of decentralisation: 'the dispersal of central government responsibilities through 'de-concentration' or 'field administration or the delegation of specialized authority to manage executive agencies to a management team' or via devolution of 'responsibilities, human and fiscal resources to locally governing bodies that are

semi-autonomous from the national government, normally referred to as local authorities or government’.

Ferguson and Chandrasekharan (2004) and Cox, Henderson and Raikes (2014) argued that while the distinctions between the forms of decentralization above are seldom as clear as the classification would entail, they allow us to streamline the focus somewhat as deconcentration has a long history and practice, while devolution and delegation represent contemporary attention in the current policies of decentralisation. For this reason, current interest on decentralisation reveal a concern towards the amelioration of inequities bolstered by the view that decentralisation improves fairness through delegation of administrative authority and/or the devolution of political power from the national government to regional authorities and local communities.

2.2.3.1 Deconcentration

Deconcentration is generally regarded as the weakest of all the forms of decentralisation and often used in unitary systems. The UNDP (1999, 10) placed deconcentration as ‘the least extensive type of administrative decentralization and the most common found in developing countries’ which occurs when variety of tasks are decongested to a horizontally aligned administrative system. Cox, Henderson and Raikes (2014) classified deconcentration as a form of decentralisation which transfers activities to lower level players or regional and local offices. However, policy and decision making power is retained at the centre. They added that the

centre stipulate the goal, the *modus operandi* and the operational framework of the delivery agency. Deconcentration thus entails transferring authority for specified decision making, and management functions by administrative means to lower levels but under the same jurisdictional authority of the centre. Examples of deconcentrated functions in Zimbabwe are the registration of birth, deaths and marriages by sub national offices of the registrar general and issuing of vehicle licenses in sub national offices of Zimbabwe National Road Authority (ZINARA).

Stacey (2002) defines deconcentration as the geographical/ territorial dispersion of the national government's responsibilities to regional and local offices without shifting authority while Reddy (2010) understood the concept to mean transfer of administrative authority and functions within the same organisation. A number of researchers do not regard deconcentration as a true form of decentralisation as the centre simply establishes field offices. Primarily, deconcentration is simply decongestion as it applies to the geographical dispersion or distribution of the functions of central government to provinces, regions and local offices. Gregersen et al (2004) concur with Stacey (2002) and Reddy (2010) and added that deconcentration is a form of administrative decentralization which disperses decision-making responsibility among different levels of the national government without transferring actual authority sub-national governmental units. It merely shift responsibility from the officials of central government in the head offices, usual located in the capital city to those operating in regional, provincial or district offices,

or it can generate viable field administration or administrative capacity at the local level under the direct supervision of central government ministries. To Sayer et al (2012) the term deconcentration relates to processes by which the agencies of the centre are relocated or geographically dispersed.

2.2.3.2 Delegation

According to Stacey (2002) delegation is an expanded type of decentralisation which involves the transfer of power and responsibility for planning and decision making to semi-autonomous entities and organisations that are not wholly owned and controlled by the state. These entities are however accountable to the central government, for example quasi national entities. Examples of delegation are the transfer of responsibilities from the central government to public entities, housing delivery authorities and regional development corporations. The organisations and institutions with delegated responsibilities enjoy much broader discretion and autonomy in planning and decision making as they are usually exempted from constraints on regular civil service personnel and may charge users directly for services. Examples of this form of decentralization in Zimbabwe is the management of electricity generation and distribution by Zimbabwe Electricity Supply Authority (ZESA) Holdings, management of roads through the Zimbabwe National Roads Administration (ZINARA), administration of the national railway system by the National Railways of Zimbabwe (NRZ) among other areas.

2.2.3.3 Devolution

Devolution is a type of decentralization which transfers political and decision making powers and authority from one level of government, usually the central government to another which is usually a level of sub-national governance. The central government can also transfer decision-making powers to the civil society. According to Stacey (2002) a government devolves authority when it transfers authority and power for decision making to semi-autonomous institutions with corporate status. It is therefore, according to the UNDP (1999), Stacey (2002) the granting of powers and authority from the central government to democratically constituted bodies usually located at the local level. According to the UNDP (2009) current literature regards devolution as the most extensive and purest form of decentralisation while the UNDP (1999, 9) considers devolution to be the most 'common understanding of genuine decentralisation'. Treisman (2002) stress that in devolved systems, local levels of government wield clear and legally defined jurisdiction and boundaries, within which limits, their authority and functions are assessed. Sayer et al (2012) defines devolution as involving transferring rights and assets from the central to local governments units and communities. All these processes take place within the boundaries of national laws which place limits within which a devolved activity occurs

The government of Zimbabwe has made strides in decentralisation from the 1980s. However, very marginal power has effectively been devolved, provoking serious confusion at local level. To Olowu (2009), decentralisation attempts in Zimbabwe present a common character that is the gap between rhetoric and reality. The

disinclination of the national government to cede power implies that very little has effectively been devolved. Where authority and power have been devolved and funds allocated, corruption and abuse of public services have been rampant. Many people are yet to benefit from the perceived improvement in public services and are not motivated to participate in local governance affairs (Conyers, 2003). The increase in political tension and weakening of the macro economy during the past two decades has additionally disoriented decentralisation plans (Makumbe, 1998). However, regardless of the lack of tangible progress, the issues around the decentralisation reform process have improved political consciousness among ordinary people.

As noted earlier, the Government of Zimbabwe has, in principle, demonstrated its commitment to the decentralisation agenda and the promotion of democracy, accountable and transparent government in the preamble of chapter 14 of the Constitution. The Constitution is unequivocal in stating devolution of power and responsibilities as the preferred system of diffusing state power to lower tiers of government. Section 264 reinforces this constitutional commitment by clarifying the objectives and principles of devolution. Jonga and Chirisa (2009) however bemoaned that alas the above constitutional clause, IGR in Zimbabwe are a reflection of a tendency towards (re)centralization than decentralization as depicted by the continued unfettered central government discretion in provincial and local government affairs. Machingauta (2010) concurs with the above view adding that the present nature of IGR and governance in Zimbabwe relegated decentralization and

public accountability to the dust bins of obscurity and in some cases with rhetorical advocacy and adoption of the tenets for purposes of stabilizing legitimacy of political authority.

Madhekeni and Zhou (2013) argue that despite a constitutional commitment to devolution, alluded to earlier, sub national government tiers in Zimbabwe are now de facto deconcentrated levels of government as their roles and functions, autonomy and discretion have been greatly distorted with citizens viewing sub national tiers in general and local governments, not as their institutions, but as central government organizations. This to the UNDP (2009) is confirmed by the observation that the central government tends to treat provincial and local governments as tools created for its use and abuse. To Jonga and Chirisa (2009), central government bureaucrats are skeptical about devolution, preferring deconcentration, arguing that power should reside at the centre for a range of reasons inter alia, the rhetoric that devolution threatens national unity, stability and equitable development.

The nexus between decentralisation and IGR

The conceptual and theoretical relationship between decentralisation and IGR is a very fundamental dimension in this review. Very often scholars of both subjects have invested much attention on what is generally referred to as fiscal IGR or fiscal decentralisation as most of the conflicts in IGR and decentralisation have fundamentally been hinged on the splitting or distribution of tax authority and revenue sharing between the central government and sub national governments.

This theoretical bias has painted a nebulous picture that the only umbilical code connecting IGR and decentralisation is the possibility of conflicts around the fiscal space. However, Wilson (2006) argued that considering structural and institutional features of intergovernmental systems in holistic terms is critical in determining the performance of sub national governments in the decentralized policy systems. Hence Mechitov (2015) submitted that for sub national governments to successfully deliver on their mandates, effective intergovernmental systems in fiscal, political and administrative areas are required.

Rodriguez-Acosta (2016)'s examination of the impact of decentralisation and IGR on the delivery of public services in Columbia, which is a unitary nation like Zimbabwe, concurred with Lyne (2006) where she found out that at the centre of decentralization reform process is a fundamental struggle for power which inevitably breeds conflict and tensions. Rodriguez-Acosta (2016)'s study placed particular emphasis on explaining and understanding how IGR shape the decentralization and effectiveness of public service delivery such as health and education to local and regional governments in Colombia. Analyzing how conflict and compromise is attained by the various actors in a political system is therefore an imperative contribution to understanding decentralization processes. Rodriguez-Acosta (2016, 7) concluded that the relationships among political institutions affect the sharing of power in any IGR system 'even though context and motives matter, political institutions (and their inter-relationships) are independent and able to influence the

process of decentralization'. Therefore, the need to concentrate on bargaining relationships between central government, political parties, and sub national governments as underlying factors controlling the reform process is of fundamental importance.

In analysing the consequences of decentralisation on IGR, the OECD (2003) found that while decentralisation is perceived to bring government nearer to communities, it equally widens the information gap among different units of government with fiscal powers. This has the potential of causing conflicts, particularly where policy objectives are different between units of government, as is usually the case. A case in point is where sub national governments disagree to share the weight of fiscal consolidation with the national government. The merits of decentralization, related to sound responses to local concerns should therefore be placed adjacent to equity and stabilization objectives, which are conceived nationally and very fundamental for IGR. In the same context, Dickovick (2003) observes that macro economic crisis, particularly those caused by sub national malfeasance, can trigger reversals in intergovernmental fiscal relations just as they can trigger reversals in broader macro politics.

Practically and due to the complex trade-offs involved, the allocation of fiscal competences between governmental levels is not clear-cut and largely depended on the institutional framework established to overcome co-ordination problems.

According to the OECD (2003, 7), the problems in this case are ‘the design of an appropriate contractual framework for service delivery between different layers of government, and among different jurisdictions within the same layer, as well as the monitoring and enforcement of these contracts’. Country experiences, such as South Africa, Nigeria, Brazil, Canada and Zimbabwe, reflects that creating the appropriate incentives pose considerable problems of design. For instance, conditional grants and transfer schemes are probably the widest forms of contract among various levels of government and drive a wedge between the benefits and costs of provision, and resultantly fortify the incentives confronting sub-national government providers to supply more of the service in question.

Wilson (2006) argues that policymaking systems have become more decentralized. However, the way these systems perform is a subject of the inherent IGR tensions linked to bureaucratic behavior, resources, institutions and politics. In the majority of scenarios, important policy roles are retained at national government level and this point to instances of recentralization, which affects the autonomy of sub-national governments. In examining the effects of decentralization on IGR, the OECD (2003) stress that decentralization often result in more accountable governments both horizontally and vertically and in the process, synchronizing public services with the needs and preferences of local communities. In the same context, decentralization may provoke competition among jurisdictions, and hence promoting public sector efficiency. However, decentralization can result in serious co-ordination and

integration problems that may be unhealthy for cooperative governance and IGR or may fail to assist in the achievement of efficiency benefits in areas where small scale or micro operations increase costs of provision or where an activity's costs and benefits are felt outside the supplying jurisdiction. Moreover, macro policy goals with a national outlook, for instance those linked to macroeconomic stabilization and equity may become hard to attain with wider autonomy at sub-national levels.

According to Wilson (2014), a federal nation is regarded as centralized if the central government wields wider control in the formulation and execution of public policies and determination of fiscal space of regional or sub-national governments. In decentralized federal nations, such as Nigeria and Brazil, state governments enjoy relatively higher latitude of autonomy. Albeit national and sub-national governments sharing policymaking and implementation responsibilities, the relative discretion to act among sub-national governments is a vital component of the policymaking framework. Therefore, determining the extent of relative discretion can be achieved through analyzing IGR across multiple policy areas in a decentralized system.

2.3 Theoretical framework

While a profile of a variety of theories that can underpin a study of IGR can, possibly be done, this study dealt with the subject of theoretical framework from the perspectives of relevance and applicability. This implies that theories and models in this study are not just handled from an exploratory viewpoint but are intended at

grounding the thesis herein specifically as IGR in Zimbabwe and consequently entail elements of both cooperation and conflict. This study is informed by two theories which are Deil Wright's overlapping authority model of intergovernmental relations and networked governance. However, for the purpose of demonstrating the theoretical breath of the field of IGR, other theories to be discussed are the coordinate and inclusive authority models of IGR and the sequential theory of decentralization.

According to Bretton (1996), theories of intergovernmental competition anchored in economics have influenced the study of federalism and regional governments. This is because much of the attention has been centred on defining and delineating fiscal space for the different levels of government. McGniss (1991) also added that in another set of parallel studies, theorists of polycentric government have combined constitutional analysis, public choice theories, game theory in the study of problems of collective goods with a strong preference for multiple locally constituted systems of self rule. Rhodes (1998) viewed that in Europe the study of IGR, then conveniently placed as centre local relations was dominated by legal and institutional approaches. Ogborn (1991) also challenged the orthodox dualistic analysis of IGR presented in the 19th century and submitted that the dynamics of local power are not rested in the conceptions of communities or the ideological underpinnings of possessive local pluralism typical of ratepayer democracies but rather in the administrative structure of spatial state apparatus. Ogbon's (1991) argument therefore diminishes the relevance of pluralist views in explaining IGR as shall be seen latter. In recent times

however, the complexities of relations across and between different levels of government have stimulated new concepts and empirical analysis drawing on inter-organizational theories and network theories as well as connecting strongly with the field of implementation studies in public policy

2.3.1 The sequential theory of decentralization and intergovernmental relations by Falleti (2004)

Critics and advocates of decentralization both hold an assumption that decentralization broadens the scope of sub-national governments' powers and authority. However, a critical analysis of the effects of decentralization across nations points to a varied magnitude in such changes as these range from substantial to insignificant. This is a result of a multiplicity of factors but all seemingly hinged on Crook's (2001)'s argument that governments and countries in general decentralizes power for varied motivations and political purposes. Such intentions are revealed in the form and structure of decentralization and are reflected in realities of the system when operationalised. However, decentralization outcomes are largely shaped by political variables. This is usually assessed according to poverty reduction and wider responsiveness and not simply due to variations in the formal structure or technical challenges of implementation. In the same context, the thrust of decentralization is also centered on the allocation of power, authority and resources, between different governmental units and territorial jurisdictions as well as different interests of the state. In this context, the politics of IGR therefore define the specific interests that

lose or gain from any array of policy initiative, resource allocation or institutional opportunities and links these factors to the defined political intentions of decentralization.

Falletti (2004) proposed a sequential theory of decentralization with three fundamental features:

- A conception of decentralization from a policy reform perspective, focused at transferring powers, resources and responsibilities from the centre to regional and sub-national government.
- It puts into perspective the territorial interests of bargaining actors. This is because bureaucrats and politicians at the different levels of government have both territorial and partisan interests. The territorial interests are dictated by the governmental unit's level in the national hierarchy of authority e.g national, regional/state, or local government and the features of the territorial unit (e.g resources endowments).
- It encompasses policy feedback results in analyzing bargaining situations. At initial stages of the decentralization process, the sphere/level of government with prevailing territorial interests mostly dictates the initial form of decentralization that is implemented. This initial phase of decentralization, then, produces feedback on policy that determines the features and order of the reforms which follow (Mahoney 2000, Thelen 2003). Political decentralization often happens if the interests of sub-national governments

prevail in the initial phase of negotiations producing a 'policy ratchet effect' (Huber and Stephens 2001). This implies supporters who constitute a group to continue pushing for further decentralization (Falletti, 2004, 7).

Falletti (2004) argues that the sequence of various forms of decentralization (political, fiscal and administrative) is fundamental in the propagation of intergovernmental balance of power. Her theory was anchored on the measurement of this propagation in the four countries in Latin American and applied the theory to Colombia and Argentina. She concluded that, in contrast to widely held view, decentralization in Argentina failed to enhance the powers of mayors and governors compared with the president. In contrary, in Colombia, the decentralization reform process resulted in higher levels of autonomy among mayors and governors compared to the president. This therefore implies that there is no direct correlation between decentralization reforms and increase in the power and authority of sub-national government politicians and bureaucrats.

Falletti (2004) further confirmed that, a critical interrogation of the results of decentralization in different nations reflects that, albeit similar reforms, the impact on the diffusion of authority and power between different levels of government differs from one nation to another. This argument is cemented by Boone's (1998) submission that relatively similar reforms of decentralization can produce diametrically opposite results depending on whether they aim to buttress vested interests in prevailing patterns and forms of patronage and intergovernmental

linkage, or entail challenges to local elites using decentralized institutions and organs to harness national resources in bolstering local power struggles. The African context gives credence to the argument that the politics of ethnical and regional conflicts are principal in influencing the structure and texture of decentralization and IGR and its acceptance by the ruling elite. For example, in countries such as Kenya and Nigeria regionalism and ethnicity are key factors in the configuration not only of the political discourse but the intergovernmental system. This is because these nations have multiple ethnicities whose influence on the political system of the countries is significant. Conversely, in Zimbabwe this political matrix is not extensively rooted as the country has only two dominating ethnic groups; namely Shona and Ndebele.

Taking into consideration the four biggest Latin American nations, a region that led in implementing reforms on decentralization as studied by Falletti (2004), decentralization resulted in the increase of the autonomy and discretion of mayors and governors in Colombia, Mexico and Brazil as opposed to Argentina. Camdessus (1999) argued that current literature on decentralization does not give a fair justification of the reasons to explain the differences. Rather, albeit the growing literature on the results of decentralization, two essential questions remain inadequately answered. Does decentralization constantly shift power to mayors and governors? If so, what determines the magnitude of change in intergovernmental balance of power?

Falletti (2004) proposed a two dimensional argument to offer an answer to the question below. The first claim stresses that in a study of the downward reassignment of power and authority, a lot is benefitted from a clear classification of decentralization basing on the nature of authority devolved. This calls for a conception of decentralization that differentiates between political, fiscal and administrative decentralization. Interrogating decentralization in this dimension provides methodological and theoretical advantages. It reflects on the correlation between a type of decentralization reform and the amount of power wielded by the officials at sub-national levels of government. It also allows one to make a distinction among the interests of executives at national and sub national levels of government concerning different forms of decentralization. In the end, it gives the prospect of analyzing sequences where diverse forms of decentralization occur.

On the second argument, different sequences of decentralization explain the resulting changes on intergovernmental balance of power. This follows the condition in which if political decentralization occurs first, it promotes the bargaining strength of sub-national government actors in consequent circles of negotiations related to other types of decentralization. Here, fiscal decentralization is expected to follow, while administrative decentralization will occur last. This sequence of decentralization reforms, in the context of Columbia, results in a higher level of autonomy for mayors and governors. On the other side, where administrative decentralization occurs first followed by fiscal decentralization, political decentralization becomes the last. This

sequence of decentralization reforms enhances the powers of the national government and puts stringent fiscal limitations on executives at the sub-national level.

While this study finds the discussion of decentralisation as an indispensable component in the matrix of IGR, a theory on decentralisation has a number of limitations and does not broadly represent the complex context of IGR. Decentralisation theory, typical of the one discussed can thus not be used to underpin this study for a number of reasons. There are number of intergovernmental factors that either inform or shape decentralisation which limit the usability of a theory on decentralisation to the broad area of IGR. For example, decentralisation only focuses on the transfer of power and functions from the centre to sub national level while intergovernmental relations focus on the broad vertical and horizontal relations between and among different levels of government including relations with other non state actors in a political system. This study argues that decentralisation is limited in examining IGR but can be used as a component of the study focusing on the allocation of functions to sub national levels. Added to this is that in most unitary nations such as Zimbabwe, decentralisation defines a one line dimension of transfers, that is from the centre to local levels and raises very little discussion on the local to the centre line making it insufficient to underpin a study of IGR. Generally, decentralisation focuses on the transfer of powers and responsibilities from a higher governmental authority to lower levels without exploring the relational dimensions of

governments at different levels. For example, where such powers are transferred and clearly defined, the nature of the relations will define successes in the exercise of such powers or related responsibilities

2.3.2 Deil Wright's three models of IGR

Wright (1978) developed three models of IGR. Each model suggests different visions of policy outcomes based on contrasting views of the relationship between national and sub national governments. Firstly, the coordinate authority model depicts a separation between national and sub-national governments divided by clear boundaries. Secondly, the inclusive authority model, in contrast, presents a framework in which IGR is based on a hierarchical and emphasizing the principal position of the national government. As indicted earlier on, this study is underpinned by the third model, the overlapping authority model and networked governance. Wright used a Venn diagram to describe IGR in this model and presented the relations as a set of overlapping interactions among different levels and units in a governmental system.

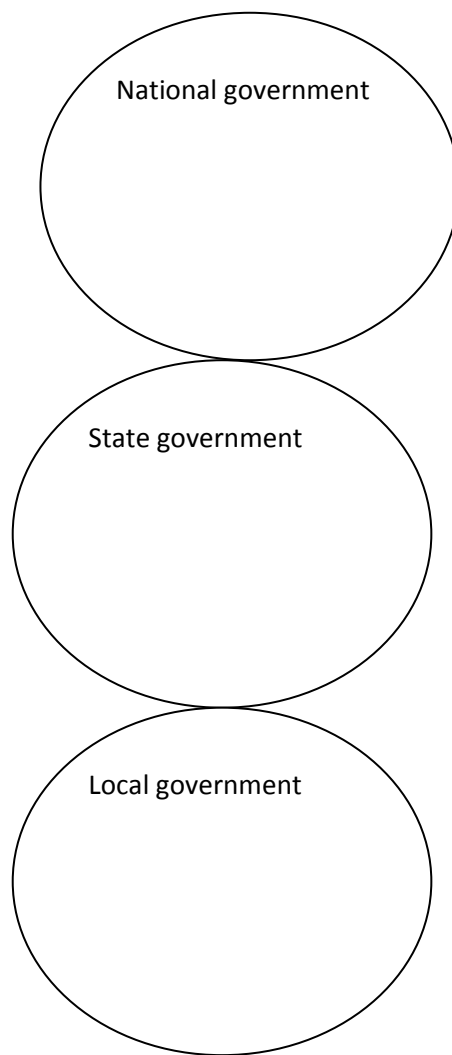
2.3.2.1 The coordinate authority model/separated authority model

According to Wright (1978) in a coordinate system also referred to by Posner (1998, 28) as 'dual federalism', the different governmental levels have distinct and autonomous spheres of authority. The spheres as presented in the model are placed one on top of the other to present a hierarchical and vertical relationship among the different spheres. In the model, the territorial and functional jurisdiction of one sphere

is clearly distinguished from the other sphere. This diminishes the value of interdependence among the different spheres of government. At the same, it gives an impression that one level of government's authority never encroaches into the territory of other levels. The model, if applied, works against the spirit of cooperative governance and may create rigid spheres of government that are not interdependent. Practically, this will increase costs of government service delivery, duplication of services and may result in contrasting policy positions at the different levels of the nation and multiply problems related to dealing with concurrent powers.

As presented in the model all the spheres are of the same size implying that the authority and influence of the different spheres of government is equal. Wright (1999) and Agranoff and Radin (2014) maintain that the dual model barely exists in practice as no central government can grant so much authority to a sub-national government. For instance, in most federal nations and some unitary governments whenever a conflict arises, the Supreme Court serves as the arbiter. In the coordinate authority model the spheres are placed one on top of the other to depict a hierarchical and vertical relationship among the different spheres which is opposite to networked governance and the overlapping authority model of IGR that promote networking and bargaining for integrated service delivery. As such, the model cannot be applied to underpin the study of IGR in Zimbabwe due to its inherent weakness as explained above.

Fig 1: A diagrammatic depiction of the coordinate authority model



Posner (1998) also argues that the coordinate authority model may have been applicable in describing many of the US domestic policy areas historically but is widely acknowledged to be irrelevant in articulating contemporary IGR in most areas. Other scholars such as Elazar (1991), Romeo (2010), and Agranoff (2015) argue that dual federalism epitomizing the coordinate authority model did not adequately capture the strong cooperative relationships between the different levels of government in a political system that developed post the 19th century. Even with

these glaring shortcomings, Posner (1998) however reiterated that although not sufficient in characterizing contemporary IGR, the model 'nonetheless remains the moral compass as a normative guide' of how a government framework should be restructured. This model cannot be used to articulate IGR in Zimbabwe as it promotes hierarchical structures as opposed to the organic systems that are ideal in reducing service delivery malfunctionalities affecting the nation. At the same, section 265(3) of the Constitution promotes IGR and cooperative governance, which cannot be achieved under this model. The economy of Zimbabwe is poorly performing due to a number of factors, among them a limited fiscal space at both national and sub – national government. There is need to rationalize the available limited resources by promoting and encouraging networks among different levels of government in both horizontal and vertical dimensions.

2.3.2.2 The Inclusive authority model

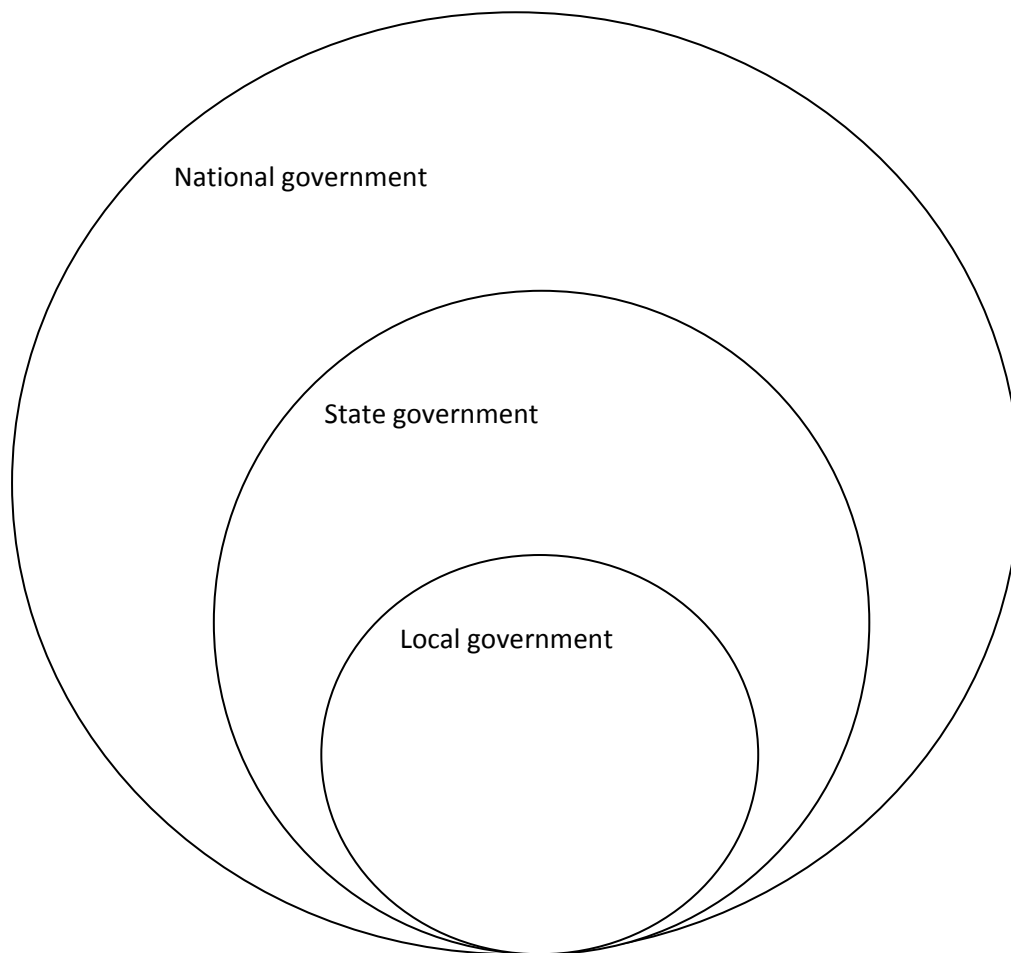
According to Wright (1978), in the inclusive authority model, sub-national governments are dependent on national decisions and they may tend to atrophy in some instances. In the diagram below (Fig 2) central government has a bigger sphere reflecting its wider national mandate and influence over sub-national governments which have smaller spheres indicative of their authority and functional limitations in the eyes of the national government. The same applies to the authority of state governments, which is generally wider than that local government. Functions formerly performed by states are fused into hierarchical system and preempted or appropriated by the federal government. Wright (1999) and Lawson (2011) concur

that the model is based on the principle of hierarchy and represents centralization. In essence, hierarchy dominates, that is the state governments dominates local governments the same way the national government dominates state governments. This argument was equally echoed by Muramatsu (1997, 133) who classified IGR in the inclusive model as a framework where the national governments 'subsume the state governments and state governments subsume municipal governments'. As a result, in this model, sub national governments in their various forms are viewed as mere appendages of a powerful national government in control of a centralized system. According to Wright (1999) this system of government is found in many countries of Africa, even in France where provinces and departments depend totally on the central government. Wright (1999, 4) further argues that the major characteristic of this system is that the power is on the hands of what he referred to as 'political and economic elites, or topocrates'.

Other scholars argue that the inclusive authority model often suggests mandating activity with little regard for the costs or prerogatives of sub national governments leading to what are generally referred to as unfunded mandates which cripple most decentralised systems (Posner, 1998 and Agranoff and Radin, 2014). Thus to Muramatsu (1997, 134) the inclusive authority model presents a framework where 'state governments are caught up in the widening jurisdictional net of the federal government'. By viewing sub-national government as appendages of the national government, the model cannot sufficiently articulate IGR in Zimbabwe as sub-national governments were accorded constitutional status in 2013, a feat that

improved their position in intergovernmental bargaining. Devolution of power is a cardinal clause in the Constitution of Zimbabwe and its principles and objectives can hardly be realised under this model. The model is presented in the diagram below:

Fig 2: A diagrammatic depiction of the inclusive authority model

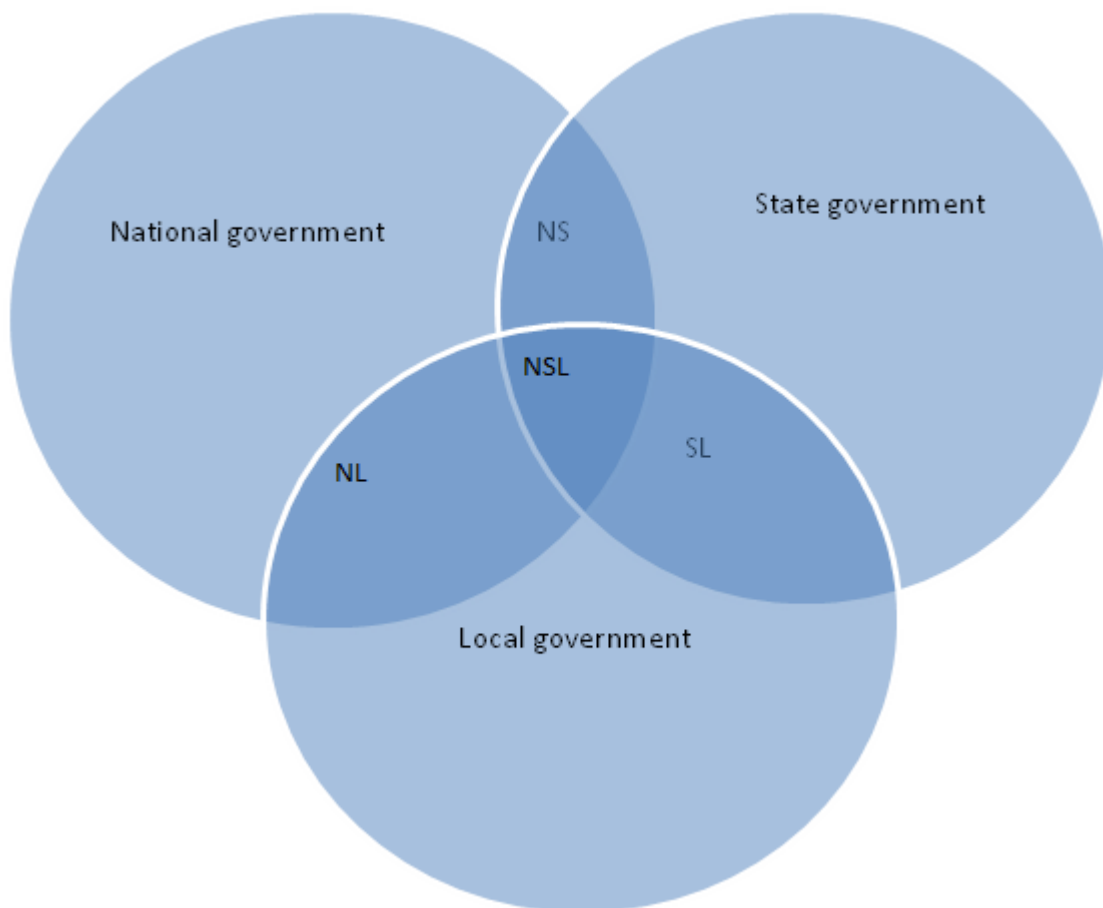


2.3.2.3 The overlapping authority model

The overlapping authority model, also referred to as the bargaining mode, is anchored on the assumption that autonomy in an individual jurisdiction is inhibited thus the power wielded at any level of government is considerably reduced (Wright, 1988). Wright therefore underscored the importance of bargaining between actors in the model. Whereas, the model was principally designed with focus on the US

federal IGR, the researcher found it useful to explain IGR in unitary regimes in general and Zimbabwe in particular.

Fig 3. The overlapping authority model Venn diagram



Key

N- National government	S- State government	L- Local
government		
NS- Intersection of National government		
NL- Intersection of National government and Local government		
SL- Intersection of State government and Local government		

Source: Brown (2007)

According to Agranoff and Radin (2014, 2) the model presents a departure from the 'static views of IGR that pose the field as an either/or situation' as it pushes academics to consider variations in relationships by program area, differences between various government tiers and it seems much more consistent with the dynamism and complexity of all systems of government both unitary and federal. This research applies the model to review its influence on the development of policy, relationships emerging in the implementation of programs, and notable practices in administration. It reflects on the scope of the model beyond the three levels of government in Zimbabwe explained earlier and to include a variety of other actors beyond government. This reflects the increase of public players including those emerging from a variety of partnerships and contracting out.

It is evident in Wright's exposition of IGR under the overlapping authority model that this protracted process extends beyond the classic perspectives as "IGR includes a range of activities and meanings that are neither explicit nor implicit in federalism" (Wright, 1988, 37). These include a range of multifaceted multiunit connections and dealings beyond nation-state relations. The nature of these actions is non-

hierarchical and forms a central theme for policy development. In this respect, while “not always recognized as such and certainly not denominated” (Graves 1963, 1). As a process, IGR has developed in new ways.

Agranoff (2015) further notes that Wright accepted the overlapping authority model required a bargaining decision-making system that is distinct from both hierarchical or market approaches. The establishment of rules and regulations is not aimed at creating a fitting method of determining venues and processes for bargaining relationships. This is problematic particularly due to the increase in the number of players who participate in policy and program implementation process. Network and networked governance are now extensively applied in many contexts and they range from associates, formal networks and informal structures. However, there is need for more precision to understand the contemporary dimensions of the overlapping model of IGR. O'Toole (1997, 45) provides a useful starting point: 'Networks are structures of interdependence involving multiple organizations or parts thereof, where one unit is not merely the formal subordinate of others in some hierarchical arrangement.' The increase of governing networks reflects the widening of intergovernmental programming and processing across jurisdictions and encapsulate important activities and identified multiple actors. Some of the networks are overtly intergovernmental as they primarily entail governmental bodies.

As an expression of the overlapping authority model of IGR, there are either chartered or non-chartered networks. Apart from being non-hierarchical, various

forms of networks share certain common characteristics: standard and regular formal meetings, a permanent status, a defined communication system, selected partners, taskforces, identifiable partners, division of labour or task sharing and a particular governance structure. Chartered networks are official and formal in terms of their establishment. In most cases, they are organized bodies, often through intergovernmental agreement, by executive resolution, corporate registration or by registration as a non-profit organization. In contrast, non-chartered networks lack a formal-legal status. Their operations and continuing presence, scheduled meetings, websites, actions in problem-solving, newsletters are testimonies of their existence (Agranoff and Radin, 2014).

While networks in IGR have turned out to be indispensable apparatus of the unfolding of the gradually more complex overlapping authority model they also have a number of weaknesses. McGuire and Agranoff (2010; 2011) conclude that while 'networks can and do find reasonable solution approaches they often run into operational, performance, or legal barriers that make action difficult or even impossible. Clearly, the design of many policies, what can and cannot be done, is paramount. As a result, networks have limitations in converting solutions into policy energy, assessing internal effectiveness, surmounting inevitable process barriers and mission drift'.

Romeo (2010) and Agranoff (2015) share the view that the overlapping authority model of IGR, with a rising scale of programming, compound decision making

frameworks, dispersed policy development and enhanced operation through networks cutting across different jurisdictions and involving multiple delivery agents, have shifted the task of government agencies. Organs and agencies of government have retained the majority of their core functions while realising the centrality of functioning or operating outside their normal bureaucracies (Thompson, 1967). In dealing with the overlapping authority model, agencies at the centre of intergovernmental programming stay in form and functional operation but are compelled to operate in what can conveniently be termed relational modes. This entails engaging with a plethora of interlocutors from outside while simultaneously engaging in various collaborative activities. Contrary to gestures that government hierarchies have lost their capacities to govern (Rhodes 1997, 15) or have “hollowed out” (Milward, Provan, and Else 1993), it appears that agencies have cast their operational features externally while maintaining important standard public functions. IGR interdependence undoubtedly demands more “outside” work with other governments and NGO sector. However, this should not be at the cost of all of the tasks of government as the various means of collaborative management arise and proliferate (Agranoff, 2012).

2.3.3 Networked governance

According to Isett et al (2011) the attention on networks and networking in Public Administration has exponentially grown over the last decade. At the same time, the use of networks has exploded while many scholars in public sector governance studying them and finding the conceptualization useful have increased. The advent

of networked governance, viewed by Parker (2007) is depicted as one of the components of a generic paradigm from government to governance. To Catlaw (2009: 478):

One of the most powerful and ubiquitous metaphors today is the network... Things, people, and organizations network, are networked, or are in the process of networking. It is also a penetrating, universal image in that it now at least potentially describes and organizes every domain of human experience from the biochemical transmissions of the brain to the complex governing processes of the global political economy.

Sorensen and Torfing (2009, 234) hold that as the general response to the growth in discrepancies between rising steering ambitions and the escalating fragmentation of political and social life, networks in governance are mushrooming. They further argue that networked governance involving private and public might assist 'solve wicked problems and enhance democratic participation in public policy-making, but it may also create conflicts and deadlocks and make public governance less transparent and accountable'. An economic perspective proffered by Hesterly and Borgatti (1997, 911) understood networked governance as an integration of 'transaction cost economics and social network theories, and, in broad strokes, asserts that the network form of governance is a response to exchange conditions of asset specificity, demand uncertainty, task complexity, and frequency'.

The study of networks and networked governance in Public Administration has been handled from different scholarly dimensions provoking various connotations and implying diverse applications. At the same time, the scale and magnitude of the study of networks and networked governance have often varied significantly. Some scholars such as Campbell (2011) have used the theory of networked governance to study political systems at a global level to reflect international relations and foreign policy inclinations of sovereign governments. For instance, Campbell (2011) argues that in order to promote international trade and culture and combat problems such as globalisation of crime and terrorism, the world considers networks as crucial in global governance and addressing issues of global significance. From this perspective, Campbell (2011, 111) gave an example of the G-20, the International Organization of Securities Commissioners (IOSC), and the International Association of Insurance Supervisors (IAIS) 'working as a joint network through the Financial Stability Forum, wherein bankruptcy judges in different countries negotiate mini-treaties to resolve complicated international cases.' He further cited the H1N1 flu virus as a practical demonstration of increasingly interconnectedness of the world. The virus is fast in spreading to countries and continents and usually takes very few weeks. The World Health Organization (WHO) addressed the problem in a networked fashion through promoting synergies between countries and regional bodies and organizations collaborating in fighting the spread of the virus.

However, this study does not intend to apply the theory of networked governance to a global governance perspective but to the development of networks in the management of IGR within a nation state and demonstrate the extent to which such networks influence the policy dimensions of a country. Kirkham and Cardwell (2006) argue for a networked society viewed that in the contemporary context of increased interdependence the contingent realities and needs of government levels in their different jurisdictions are changing as terrorism; crime and environmental destruction have grown beyond a single sphere's abilities to manage these challenges within its own boundaries.

McGuirk (2000) in Porio (2012) further note that the organisational forms of governance should promote interdependencies and cooperation among organisations, a myriad of actors and the mobilisation of networks to access the various resources essential to creating the capacity to govern and to achieve policy goals. To this end, Slaughter (2004) demonstrated the essentiality of networked governance within a nation state and how it can be attained. She points out that parliamentarians at the national level, for instance may meet for the adoption and publication of universal positions on key issues and areas such as the human rights, death penalty and environmental protection issues. This applies the networked governance thinking in various governmental dimensions including consultation, participation, negotiation, alliance building, and consolidation of resources and the

implementation of effective and efficient government structures. According to Boozel (2011, 49)

Despite a Babylonian variety of different understandings and applications... the literature can be organized along two dimensions. The first is about methods. Networks can serve as a tool to analyse interactions and relations between actors engaged in public policy-making using quantitative or qualitative methods. The second distinction is about ontology. For some, networks connote specific types of interest intermediation entailing different forms of institutionalized exchange relations between the state, business and civil society.

In the context of the above view points, it is important to note that networks are widely considered as a crucial mode of multi-organizational governance. The merits of network collaboration and coordination are substantial and this study attempts to apply the theory to examine the extent to which networks can contribute towards enhanced governmental restructuring and reorganisation for integrated service delivery, efficient resources utilisation, improved capacity in plan and addressing complex challenges, competitive and comparative advantage, and improved service delivery to citizens. According to O' Toole (1997, 45) 'networks are structures of interdependence involving multiple organizations or parts thereof, where one unit is not merely the formal subordinate of the others in some larger hierarchical arrangement'. Feiock and Scholz (2010) in O' Toole (2015) further asserts that networks are not a replacement of bureaucratic organizations; rather, they add layers of structural complexity, as agencies of a public system are interwoven with counterparts from other governments or a similar government.

Stoker (2006) maintains that the public management paradigm is based in a system of dialogue and exchanges that epitomize networked governance. Networked governance therefore, encourages shared decision making with an assortment of participants regarded as rightful members in the decision making systems in a background of substantial uncertainty and complexity. The strain is on finding new approaches to collaborating as the interdependence of a variety of organizations and individuals intensifies. In the same context, sociological and organisational theory has been concerned with the implications of interactions and social ties on identity construction and behaviour. Parker (2007, 116) thus interrogated the nexus between social relations and human actions and conceptualised networks as 'a set of actors connected by a set of ties.'

Stoker (2006) further asserts that generally people are motivated and inspired by their involvement and participation in partnerships and networks. Their relations with counterparts underpinned by shared learning and mutual respect. As the idea of networking has a broad conception encompassing group processes, it has turned out to be a critical conceptual device in governance literature, that has documented a paradigm from state-centric models of policymaking to fragmented, interactive, and multidimensional policy-making systems involving a variety of state and non-state players. Central to increased dependence on the networks concept is that governance is perceived to encompass social regulation, different from state centred regulation which depends on legitimacy, authority and command. Instead,

governance acknowledges the social basis of shared action which is characteristic of network arrangements. This study applies the theory to explore the extent which collective action and shared authority can be promoted in a highly centralised political environment with limited decentralisation and an overbearing national government.

In the context of Parker's (2007) arguments, this thesis emphasises on networks in the governance framework to enhance processes of decision-making that are fluid. This is essential in coping with extensive societal complexity, rapid processes of social change, and instability in Zimbabwe. Viewed from this perspective, such features of networks draw attention to their uniqueness from bureaucracies and markets as forms of governance. Bureaucracies have clearly defined lines of authority and control, roles and directive processes within an organisation and often depict inclination to bureaucratic positivist modes in decision-making underpinned by problem solving using expertise and not local experience. Networks thus encompass negotiated agreement, which is opposed to majoritarian decision-making processes and bureaucratic directives. Jessop (2002) cited in Parker (2007, 116) describe network processes as 'reflexive rationality' encompassing attempts at negotiation and steering with a view to shaping universal world-views between players in seeking coordinated solutions. One would then ask the extent to which policy issues are negotiated and agreed between central and sub national governments and the degree of intergovernmental balance of power in Zimbabwe.

Public administration literature also argues that networks are products of complexity resulting from the reality of resources distribution to a plethora of players whose participation is crucial for the attainment of goals with each bringing their own strategies and perceptions to the process of negotiation. Generally, interdependent actors sharing purposes and resources and appreciating the centrality for coordination constitute networks and from this perspective, networks can be considered to be self-organising. The theory therefore serves multiple purposes in the thesis ranging from explaining the need for sharing governing responsibilities, promoting decentralised policy making, dispersing government authority from the centre to local levels and reducing the rigidity of bureaucracy and centralism, promoting intergovernmental cooperation and rationalisation of limited resources through intergovernmental fiscal equalisation among others.

While it is an undisputable fact that networks matter in contemporary governance it is equally important to note that in the process of solving problems between different levels of government they also face resolution barriers. According to McGuire and Agrannof (2011) in relation to public management network theory development, some of the critical issues are that while networks usually find reasonable solution approaches, they often face legal, performance and operational challenges that inhibit the next action step. Networks encounter problems in converting solutions into policy energy, assessing internal effectiveness, surmounting the inevitable process

blockages, mission drift. While research on network management continues unabated, it is necessary to consider how networks are limited and challenged, and how/when these limitations can be overcome. Scharpf (1994, 49) states that, 'while network structures will reach across organizational boundaries, their effectiveness will be equally or even more selective, depending on the pre-existing distribution of strong and weak ties among formally independent individual and organizational actors...The concept of embedded negotiations, in other words, provides no promise of welfare optimality under real-world conditions.' Despite the notable weaknesses, typical of all theories, this thesis upholds that advocates and critics have misunderstood the latent transformative logic of networks by tacitly embedding their arguments and research in the taken-for-granted assumptions without exploring various ways of promoting network efficiencies governance.

2.4 Conclusion

This chapter developed the conceptual and theoretical bedrock of the study. Key concepts identified and explained are IGR, cooperative governance and decentralisation. In the same context, the theories discussed are Falletti's (2004) sequential theory of decentralisation and Wright's three models: the coordinate authority model, the inclusive authority model and the overlapping authority model of IGR and networked governance. However, it is the overlapping authority model of IGR and networked governance that underpin the study. This is because the two seek to promote cooperative governance through multilevel engagements of different

levels of government in the spirit of the Constitution. This promotes efficiency through interdependence among the different levels of government. The net effect will be a reduction in service delivery costs by promoting integrated policy, planning and programming. The study thus demonstrates the formation of networks across and within spheres of government to increase the integrated approach to governance. The rallying point in this study is that a combination of well established networks within and between actors in the different spheres of government help in intersecting the focus of the different spheres and institutions within a nation towards co responsibility. This in turn will promote synergies and hence the synchronisation of government at its different levels. The next chapter focuses on the context of IGR in different nations.

Chapter Three

Intergovernmental relations in context

3.0 Introduction

The main purpose of this chapter is to extensively examine IGR systems in selected federal and unitary states. Focus is on two federal states (the US and Nigeria) and two unitary states (UK and South Africa). The purpose is not only to give an account but to develop a framework upon which to anchor a comparative analysis. Therefore, country studies presented here examine the formal institutional arrangements and their operation in practice, to enable the IGR systems and frameworks in these countries to be sufficiently understood. Each country study will reflect on convergent and divergent views of the state of IGR, the lines of differences and the prevailing views. Poirier (2001) cited in Kenealy (2012) notes that every multilayered state has its own toolbox of IGR. The toolbox will reflect in each case a specific Constitutional set up and a specific political history. Indeed, this comparative exploration of IGR in the four countries noted above is placed within the larger social and political context of the relationships, both conflictual and consensual, that shape the underlying dynamics of political issues. Hence country studies will not merely describe IGR, but articulate the constitutional/legalistic, institutional, political, socio-economic, and

cultural sources of each of the studied nation's patterns of IGR. The thrust is to provide a framework for the examination of ethno-cultural cleavages and the influence of regional units in shaping IGR and explains the nature of IGR across different policy fields (Cameron, 2001, Mdliva, 2012, Ile, 2007).

There are various factors that informed the selection of the four countries as case studies. The US is widely considered to be the 'longest-lived federal prototype in the world (Iwuoha, 2013). This view is supported by Mogi (1930), Anderson (1960) and Wheare (1964). In addition the US political system has undergone extensive transformation that has significantly reconfigured relations between the Federal government, State governments and local governments. Rosenbloom and Kravchuk, (2002), among other scholars classified the development of the US federal system into four distinct but connecting phases. These are dual federalism (1789-1945), cooperative federalism (1937-1963) regulated federalism (1963-1981) and new federalism (1981-date). In Africa, Nigeria is the oldest and most pronounced federal nation (Ile, 2007). At the same time, the US has a population of 303, 824, 650 and 87 504 different units of government (Iwuoha, 2013) while Nigeria's population is estimated at 182 million, in line with statics given by the Nigeria Population Commission in 2016. This makes Nigeria, the largest nation in Africa in terms of population. Nigeria is also a nation of diverse ethnic groups and different religious systems with more than 740 units of government, comprising of a federal government, 36 state governments and more than 700 local government units. In the

same context, Bello (1995) argued that IGR has its roots in the US and Nigeria's political systems. Managing these two (US and Nigeria) diverse intergovernmental systems is therefore a complex assignment and this study proceeds from the premise that the two nations can provide useful lessons to the development of the IGR system for Zimbabwe and other nations referenced in the study, though from a federal view point.

Apart from Nigeria and the US, South Africa and the UK are extensively devolved unitary nations and comprise of diverse populations and developed economies. De Villiers (2012) noted that 'experiences of South Africa in setting up intergovernmental institutions and practices shortly after the promulgation of its 1993 interim Constitution and the 1996 final Constitution may be instructive to other emerging multitiered systems'. In the same context, Jones (2014) stated that UK presents a complex system of IGR that transformed from a highly centralised to a devolved system. Zimbabwe promulgated a Constitution in 2013 with provisions for devolution and mechanisms for IGR. However, most of the provisions are yet to be implemented due to a plurality of factors among them, an aporetic perception of the national government that devolution will create a complex IGR system that will threaten unity. From this angle, this study posits that Zimbabwe should draw key lessons of implementing devolution in a unitary nation without threatening national unity from the case studies. In summation, the four cases are significant to this study of IGR in Zimbabwe.

The purpose of comparative Intergovernmental Relations

According to Chandler (2005), studies of IGR are generally country-specific, for instance, studies of IGR in the United States make little reference to the theories that currently describe British practice and vice versa British studies often make very little, if any, reference to United States theory. In the same context, IGR in unitary nations often studied as central local relations have rarely been approached from a comparative perspective. This thesis developed a basic framework for a comparative approach as the basis of giving an international impetus to this discourse (refer to 3.1.1 below).

Finifter (1993, 105) noted that 'comparison is a fundamental tool of analysis. It sharpens our power of description and plays a central role in concept formation by bringing into focus suggestive similarities and contrasts among these'. Stafford (2013) defines comparative analysis as a methodology within political science that is often used in the study of political systems, institutions or processes. This can be done across a local, regional, national and international scale. According to Landman (2008) the popularity of comparative method of analysing two or more countries has steadily increased. Indeed, it can be regarded as essential to the understanding and development of modern day political, and international relation's theory.

What gives comparative analysis relevance? This question may seem rudimentary but is very fundamental. Scholars such as Stoker (1991), Ile (2007), and Chandler (2005) have attempted to answer it and noted that, within Britain, for instance, most established frameworks for analysing IGR present the notion that local government is remote from being an agent of the centre but have the capacity to ensure local discretion. Making particular reference to Britain, Stoker (1991, 147) noted that 'the national local-government system influences and is influenced by local authorities. It is an important source of ideas and values'. Chandler (2005, 269) decidedly argues that studies in the US, in contrast, have suggested that the influence of the federal government over state and local authorities has markedly increased and there is a serious danger of loss of local autonomy. For instance, bargaining between central and local governments in the United States could be succeeded by a 'centralized inclusive model' which would suggest considerable mandating activity, with little regard for the costs or prerogatives of state and local governments.

According to Peters and Pierre (2001, 131) while it is also true that IGR in different national jurisdictions are developing according to the trajectory of institutional relationships which is typical of that national context, the triggering mechanisms have been, on the whole, fairly similar across the world. There is thus 'sufficient uniformity in these developments across different jurisdictions to allow a discussion on the causes, mechanisms and consequences' of a new or emerging type of relationship between institutions at different levels or general IGR trends across

nations in different jurisdictions. What is evident is an ongoing institutional and inter-institutional change which reflects both similar challenges facing countries and, at the same time, the line of institutional change in each national context. Therefore, it is anticipated that analysis of IGR across nations will provide the basis of understanding generalisable IGR trends and context specific issues which can as well be shaped by experiences from other nations

Framework for comparative IGR analysis

As noted above, this thesis endeavours to develop a framework for analysis of IGR in different nations. The framework provides a new, rich baseline for understanding and comparing some key factors bearing common trends in the IGR discourses of the nations studied. The study seeks to make sense of the different qualities and patterns of IGR across four nations with different political systems and constitutional discourses (UK, South Africa, US and Nigeria), by mapping different variables that are theorized as having explanatory relevance for a country's IGR system. As the basis of unpacking IGR processes, cross nation studies reference concrete examples of policy areas in which IGR are central, contentious and effective. Following descriptions of main trends, principal mechanisms and processes of IGR, the different country studies will each highlight the efficiencies and dysfunctional areas including suggested solutions to improve the relations. The bases of these assessments are multiple cross cutting issues which are: constitutional and legislative frameworks on IGR, systems of governments, calibration of the levels of

government, historical contexts and development perspectives, institutional frameworks for IGR, problems and challenges of IGR.

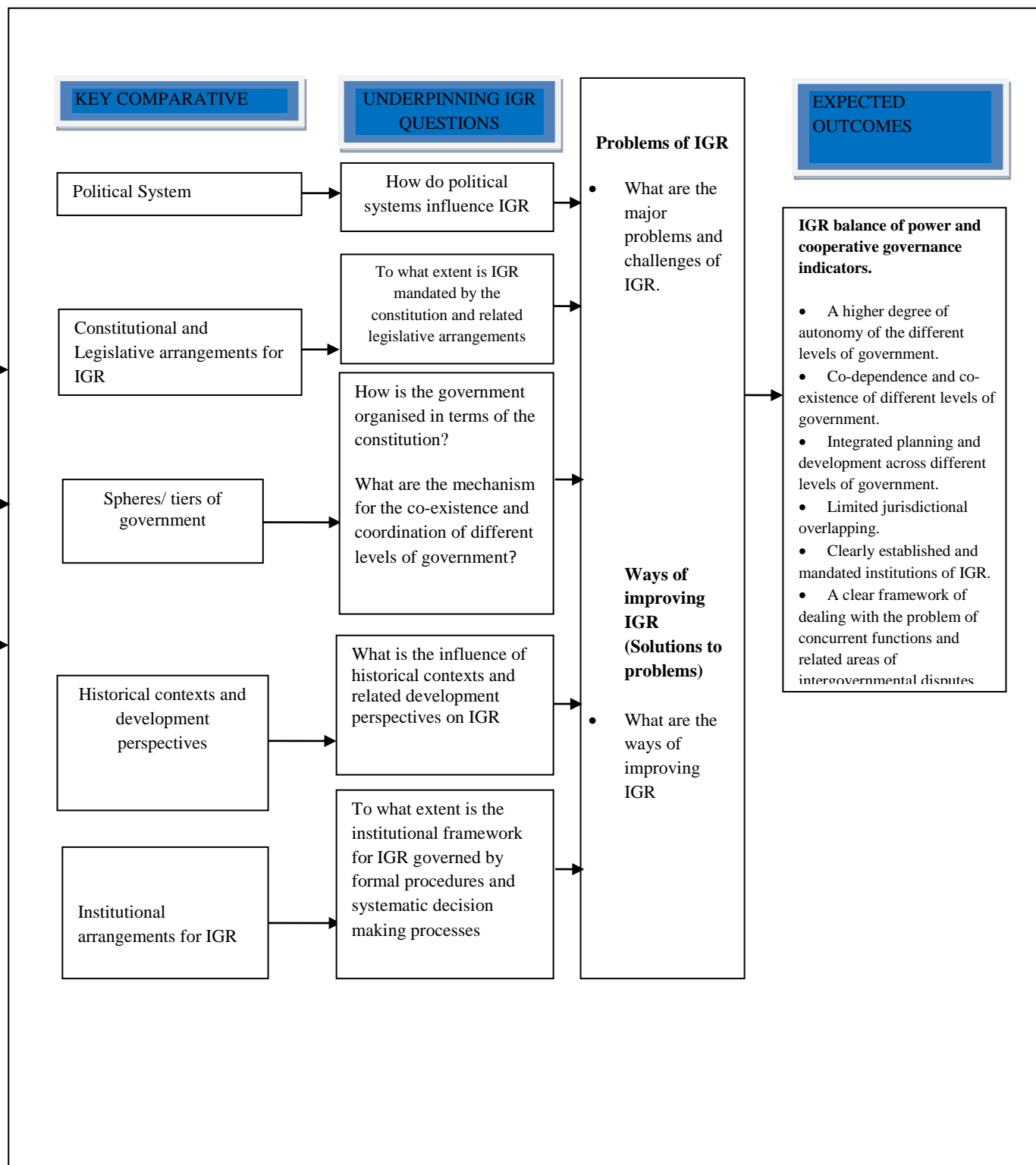


Fig 3.1 Analytical framework for comparative IGR studies (Chakunda, 2016)

3.1 Intergovernmental Relations in the United States of America

The US presents an extensively complex, widely studied but sometimes poorly understood IGR system. According to Iwuoha (2013: 1), the US is the world's longest lived federal government. George (2008) also added that federalism is one of America's unique contributions to modern political systems. Basically, governing the US with a population of 303, 824, 650 (Iwuoha, 2013, 2) remains 'one of the most complicated activities in the world' and the need 'to maintain a fluidity of power in such a dynamic political milieu is highly significant'.

Many scholars have reacted to the size and complexity of the US federal and IGR system and rejected the existence of comprehensible patterns of activity that can be defined, described, and understood. To them, US federal politics and the IGR system is extensively complex and varied to the extent that patterns seldom emerge, or if they do, they seldom last long enough to explain very much. In this context, Anton (2014) holds that US federalism is a 'wilderness of single instance,' comprehensible only through close examination of individual cases and events. To Wright et al (2009), the IGR system of the US contains very few continuous or near-perfect harmonious inter jurisdictional relationships. Most constitutional, institutional, political, organizational, and policy making interactions reflect regular tensions, conflicts, and cleavages. Anton (2014) concluded that, what seems challenging is the vagueness of constitutional allocation of responsibilities among different levels of government which presents complexities in defining the diffusion of authority among

governments. Endeavours to entail a different intellectual order on this diverse system of governments have uncovered the colossal complexity of stating generalizations that are not subject to endless qualification except, of course, for the truism that politics and policy differ from state to state.

As of 1999, Iwuoha (2013) pointed out the governmental power in the US is shared among 87, 504 governments comprising of 50 state governments, over 3000 counties, about 19400 municipalities, 17000 townships, 13700 school districts and more than 35000 special districts. It therefore becomes an obvious case that decentralisation and fragmentation are key areas of concern in handling the complex US federal structure and developing responsible and effective administrative machinery. The objective of this case analysis is to examine the structure of the US's IGR system as the basis for understanding the intrinsic features that defines such relations.

3.1.1 The American federalism and IGR: Historical context and development perspectives

Federalism has evolved over the course of American history. At different times, the boundaries of the national and state governments have transformed substantially. In the twentieth century, for instance, the function of the national government stretched considerably, and it continues to expand in the twenty-first century.

In its narrower sense, federalism, as noted in chapter 2, refers to the division of authority and function between and among the national government and the various

state governments. But, to Iwuoha (2013) it has come to possess a wider meaning in American political history. Hildreth et al (2006), Iwuoha (2013), Romeo (2010), Elazar (1995), share the view that the notions of horizontal and vertical allocation of power and functions, constitutional limits of power, the representative dimension of republican institutions, a national government sufficiently strong to execute its tasks and yet not too strong to the point of threatening liberty, is conceivably better epitomized in the distinctive American historical context by the word federalism more than any other term. In the same vein, federalism in the American context is a reflection of immense regard for regional, local, and individual diversity, widely varied yet capable of achieving a simultaneous national unity.

In a cross examination of the history of IGR in the US, Thursby (1965, 230) in a commentary of the work of Graves (1964) clarified the 'survey of intergovernmental relationships in the United States' as an attempt 'to show how we got where we are, governmentally speaking, and to point out some of the major problems of federalism, as our nation enters the closing decades of the twentieth century'. Graves (1964, 231) employed the historical approach, to him, 'because so many . . . things . . . done or recommended in the field of intergovernmental relations suffer from a lack of historical perspective'; To Graves, historical analysis is a prerequisite to 'accurate diagnosis' and 'adequate solution' of the problems of IGR. Since both Graves (1964), Thursby (1965) works, little effort has been presented to give a comprehensive historiography of American IGR. Much academic investment has been focused on

popularising US's IGR for other nations to emulate, modelling and the development of theories. However, as explained above, the historical account remains surprisingly underexplored.

According to Wright (1978, 1) while federalism is a commonplace term that has enjoyed extensive usage and diverse political significance across the eighteen decades of the U.S' constitutional history, the same cannot be claimed for IGR as 'only recently and increasingly has it pressed its way into the popular parlance of public officials and through the ivy covered walls of academe'. To George and Benson (1965, 1), trends in IGR have not been a simple move from 'layer cake' to 'marble cake.' There were many federal-state and federal-state-local relationships in the nineteenth century, though it is widely held that strict construction theories were assumed by most presidents. The responsibilities and functions between states and localities were never clear-cut.

Be that it may, it is important to note that like unitarism, federalism is a constantly adapting system of government. Historical events have pressured change in the distribution of power between all levels of government depending on what was necessary and what US citizens desired at a time (Wright et al, 2009). Young (2007), Boyd (1997) and Iwuoha (2013) concur that the US has experienced many forms of federalism due to the fact that, events trigger changes and federalism is meant to work to adjust itself to change. The rulings of the Supreme Court have

significantly assisted in defining the distribution of power in case decisions and clarify to the nation the prevailing state of federalism. This is essential, for federalism may rarely cease to vary the sharing of power among federal and state governments and the relations between the two. Federalism in the US has transformed and evolved through different phases reflecting variations in the allocation of authority between the federal government and the states. Iwuoha (2013) argues that the historical dynamism in the practice of federalism in the US is practically a product of administrative response to 'political interests, administrative efficiency, and the necessity to develop a uniform standard in some areas of public policy.' Equally important, the prevailing theme anchored on the values of human rights, liberty and security and the desire to attain a coherent and harmonised system of such rights issues for the protection of citizens' rights gives flavour for the changing patterns in US federalism.

Scholars such as George and Benson (1965), Rosenbloom and Kravchuk (2002), Iwuoha (2013), among others has generally categorised the development of American federalism into four distinct but connecting phases with far reaching implications on her IGR system. These are dual federalism (1789-1945), cooperative federalism (1937-1963) regulated federalism (1963-1981) and new federalism (1981-date)

3.1.1.1 Dual federalism

The first system of federalism was dual federalism, with clear distinction of responsibilities between the national governments and state governments. Young (2001) understood dual federalism, also referred to as divided sovereignty or layer cake federalism, as a political framework where power and authority is divided between federal and state governments in distinctive terms, with the latter exercising powers allocated to them without the undue interference of the federal government. This was largely based on the Tenth Amendment, which states that all powers not constitutionally given to the federal government are reserved to the states (Tauber, 2008). According to Boyd (1997) under dual federalism, each government entity has responsibility over matters that could best be handled at that particular level of government. For example, the states handle elections, local government etc, the federal government handles national defence and interstate commerce. Because the powers rarely overlapped, dual federalism is also known as 'layer cake' federalism which is typical of Wright's (1978) coordinate authority model of IGR discussed in chapter 2.

Under dual federalism, the Constitution is interpreted, construed and applied to maximize the authority and autonomy of a sphere of government in its respective jurisdiction, while concurrently minimizing, limiting or negating its power within the opposite sphere (Katz, 1997). Within such a context of jurisprudence, the authority of the federal government only applies in a case where the Constitution so enumerates

and is deemed limited to those powers listed in the Constitution. According to Feller (1992), the theory originated within the Jacksonian democracy movement against the mercantilist American system and centralization of government under the Adams administration during the 1820s. Emphasis was placed on local autonomy and individual liberty. The theory united numerous principles of sectoral interests, the republican principles of northerners, the pro-slavery ideology of southern planters, and the laissez-faire entrepreneurialism of western interests.

Qian and Aziza (2015) argue that although dual federalism did not come to an end until the 1930s, changes in the 1880s were due to rising national tensions. Specifically, the Civil War played a significant role in reconfiguring the context of federalism, including the amendments that followed, such as the Thirteenth, Fourteenth, Fifteenth, Sixteenth and Seventeenth Amendments. In the post Civil War era, as the US began to reunite for purposes of restoration, cooperation between the national and state governments on reconstruction projects increased. The authority of the national government was broadened during this time, as the government needed to assume a more responsibility to control the development of the country after the Civil War had ended. The broadened scope of the national government contrasted with state-favoured dual federalism principles. It also placed demand on a quicker and more cooperative method to facilitate the troubles and coerce the chaotic nation.

Scholars such as Thursby (1964), Wright (1978) and Iwuoha (2013) maintain that a myriad of economic events in the early 1900s also hastened the expiration of dual federalism. These included the numerous bank failures in the 1920s, the decline of prices in agriculture, the shrinking construction industry, high consumer goods inventories, and crash of the stock market of 1929. Although Presidents Coolidge and Hoover did very little to help the country after this economic crisis, the new deal programs enacted by Roosevelt tried to assist the US out of the great depression. As a result of New Deal programs that both enhanced national authority and required the national and state governments to work together, a new form of federalism began to take hold on the country.

3.1.1.2 Cooperative federalism

By 1945, the US used a system of federalism known as cooperative federalism. According to Kincaid (1990), in cooperative federalism, federal and state government responsibilities are intertwined to promote cooperation for enhanced provision of services. For example, state governments often administer federal programs, and states often depend on federal grants to support state government programs. State governments ultimately became dependent on the federal government in order to administer many of their programs, like housing and transportation. According to Rosenbloom and Kravchuk (2002) this state of affairs led to a subset of cooperative federalism known as creative federalism. Creative federalism favours the federal government by creating a dependency on the federal government. Because the states depended on federal financial grants, creative federalism weakened state

powers and strengthened federal powers (Boyd 1997). In other words, the federal government was winning the tug-of-war. This type of federalism was used through the end of the 1960s.

The history of cooperative Federalism is strongly rooted in the New Deal and the effects of President Lyndon B. Johnson's great society program which was an attempt to combat poverty and discrimination (Rosenbloom and Kravchuk, 2002). Money and grants played a key factor in establishing the relationship between the federal and local governments. During the New Deal, state governments would get categorical grants to assist them in modifying societal conditions. For example, in order to provide relief and employment for the poor, the coordination of relief programs such as the Agricultural Adjustment Act, Civilian Conservation Corps and other Alphabet Agencies (George 2014, Iwuoha 2013). These grant programs were a cooperative effort between national and state governments. However, during the Great Society in 1964, funds were still given to states to help solve societal problems that the Great Society attempted to cure, but grants served the interests of the national government rather than state interests. Therefore, these grants affected the previously restored balance of power between the national and state governments. During this era, a sublevel of cooperative federalism emerged known as creative federalism.

According to Schutze (2009), creative federalism was biased towards the federal government as it created a dependency between the state government and the

federal government. The states increasingly relied on the fiscal relief and categorical grants provided by the national government, which the federal government took advantage of. The 'Picket Fence' mostly attributable to Hueglin and Fenna (2015) is a metaphor used to describe this type of federalism in that the federal government was able to control a number of social problems such as housing and transportation. The states expenditure of financial grants was also tilted to projects designed by the federal government, thus giving the later a significant amount of power. Eventually, creative federalism undermined the power of state governments and resulted in a direct link between federal and state governments.

According to Rosenbloom and Kravchuk (2002), with the increasing position of national government during the new deal and great society period, the states became concerned of the magnitude of the power the former had accumulated and hence the fall of creative federalism. Therefore to Schutze (2009) it was desirable to contain the national government's authority and restore power to the states. After various shifts in responsibility between national and state governments under the New Deal and Great Society programs, Ronald Reagan decided in 1980 upon his election president that his thrust was centred on restoration of power to the states through what is called new federalism.

3.1.1.3 Regulated federalism

Kincaid (1990) clarified regulated federalism as a form of federalism characterised by the imposition of legislation on states and localities by Congress, expecting them to

meet a set of national standards. To further bolster the national government's control on states, the former further also developed a range of controls on state government decision-making e.g by threatening to withhold federal grants for specific purposes. Categorical grants were given to the states for specific purposes. Characteristically, discretion largely remains in the hands of federal and officeholders.

3.1.1.4 New federalism

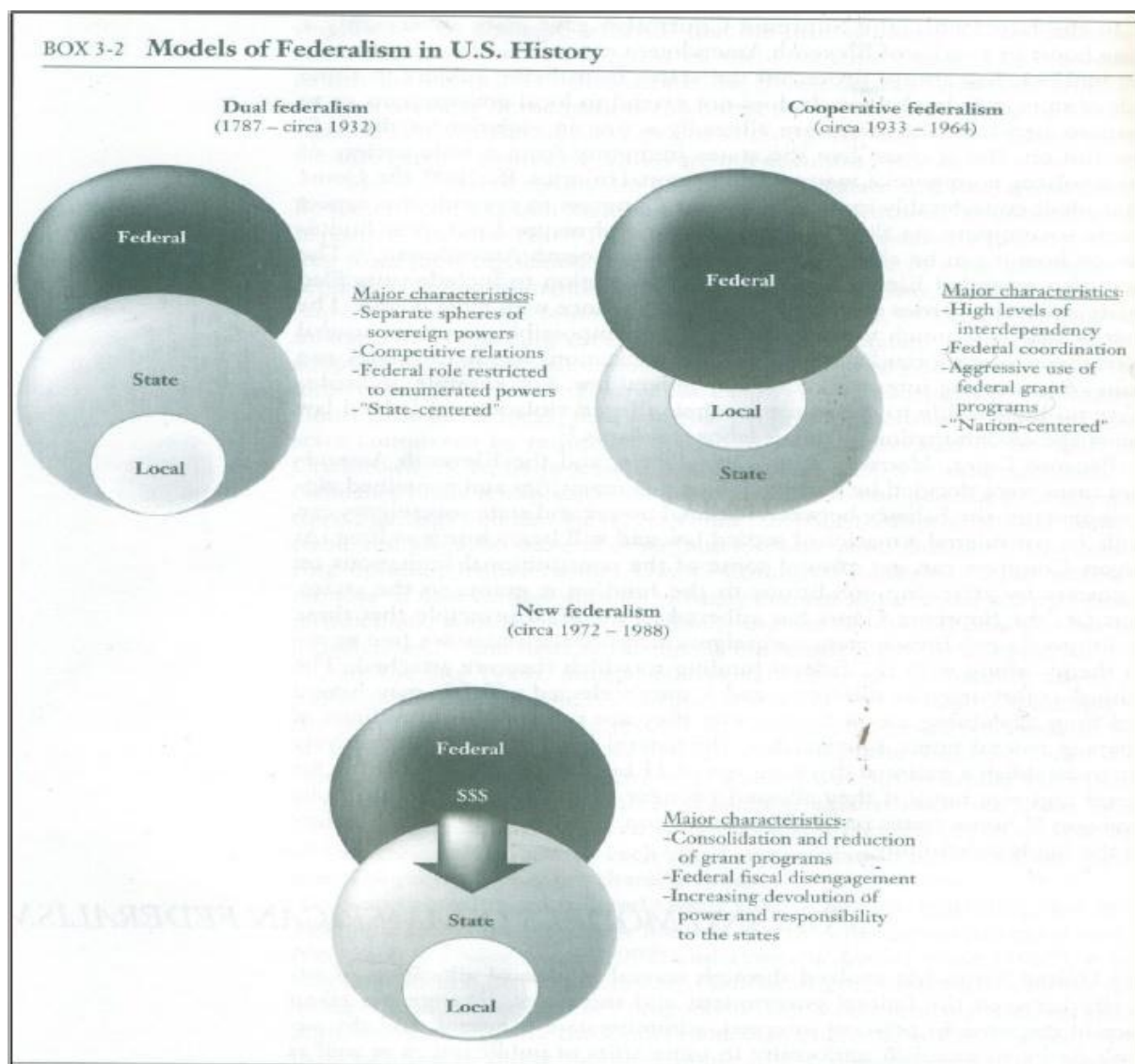
In an attempt to locate the historical context of new federalism, Tennenwald (1998) argues that a significant number of scholars and policymakers concur that the federal government has become too large and powerful, encroaching into affairs better handled by states and municipalities. Based on this premise, they have argued for a reduction in federal aid, the conversion of matching grants to block grants, greater flexibility for states in implementing federally funded programs, and curtailment of federal mandates. Scholars such as Connor (2008), Iwuoha (2013) and Tennenwald (1998) share the view that the need to strike a balance between federal control and state autonomy was desirable, the optimal arrangements varying from function to function. The nemesis of this argument is extreme centralization and decentralization of governmental responsibilities. These arguments led to the birth of new federalism in the 1970s.

New federalism, according to Iwuoha (2013) allows the states to reclaim some power while recognizing the federal government as the highest governmental power. Connor et al (2008) understand new federalism as a political philosophy of

devolution, or the transfer of powers from the US federal government back to the states whose objective is the restoration to the states of some of the autonomy and power which they lost to the federal government as a consequence of President Franklin Roosevelt's New Deal. Tennenwald (1998) also identified devolution as the political philosophy anchoring new federalism. Kincaid (1990) in Tennenwald (1998, 2) concluded that what is currently referred to as devolution is more accurately called 'restoration' or 'rebalancing' of powers between the federal government and the states 'to conform more closely to what the authors of the Constitution had in mind'.

New federalism led to a remarkable dwindling in federal aid and assistance to local and state governments. However, several states embraced the idea and thrust of new federalism as new block grants with less spending restrictions were given to states. Kincaid (1990) argue that unfunded mandates, federal laws that controlled state and local programs without funding it, forced proponents of new federalism to successfully pass the Unfunded Mandates Reform Act of 1995 which disallowed Congress from passing federal programs or services without a fair discussion on how they were to be funded.

Fig 5: A graphical presentation of models of federalism and their characteristics



Source: Rosenbloom and Kravchuk (2002) in Iwuoha (2013)

3.1.2 Constitutional foundations and Institutional framework for Intergovernmental relations and cooperative governance in the US

Constitutionalisation and institutionalization or formalization of IGR are fundamental elements for the development and resolution of possible relational conflicts. From Boyd's (1997) view, it seems that most old federations such as the United States,

Canada and Australia were born in an era of limited government and their founders realised little need for formal systems and mechanisms to manage governmental interdependence. According to Bello (2014), in an era of complex, all pervasive governance, interdependencies and spill overs grow exponentially, with the attendant risks of contradiction and duplication, requiring the development of extensive mechanisms of IGR.

From their outset, most federal governments emphasized a dualist, separated or divided model of federalism, in which each government would be responsible for both law making and implementation of a defined list of responsibilities, for example, the US from 1789-1945 (Benson, (1965). To Iwuoha (2013) this is because most classical federal governments were not anticipating the overlapping, interdependence and co-existence that characterise modern government, and so did not develop formal intergovernmental arrangements into their constitutional systems.

The above should however never be construed to imply that their constitutions were silent on some critical determinants of how the intergovernmental relationship would work. According to the Forum of Federations (2015, 3), in Canada, federal and provincial powers were provided in two distinctive lists, and the separation of powers contains two imperative residual clauses that is the 'peace, order and good government' clause for the federal government, and the 'property and civil rights' clause for the provinces. In addition, the 'disallowance,' 'declaratory,' and

'reservation' powers all suggested an intergovernmental relationship in which the provinces would be subordinate to overriding federal power. Moreover, federalism was supported by a Westminster approach, parliamentary system which is underpinned by the accountability of each executive to its own legislature. This would contrast with a system where governments alternatively became responsible to each other, while bound by collective decisions. Thus in Canada even the minimal institutionalization of the process such as a commitment to annual meetings of First Ministers has not been put in place, despite many proposals to do so. Indeed, constitutional entrenchment was included in three Canadian constitutional agreements, in 1971, 1987, and 1992, but all three failed, leaving the ideas in limbo.

However, it is important to fully interrogate the role and efficacy of the various institutional mechanisms, forums and structures of IGR in any given polity. The fundamental question to ask is perhaps the extent to which intergovernmental bodies act as authoritative decision makers in federal systems? To Bello (2014), Bartley et al (2006), Parker (2014), it seems the alternatives here fall along a continuum. At one end intergovernmental deliberations are primarily about exchanging information and ideas as they provide a forum for discussion. In the middle are processes that emphasize bargaining, negotiation, and persuasion, but with the governments remaining responsible to their own legislatures and electorates for the actions they take. At the other extreme are intergovernmental institutions that can make formal decisions, binding on all the partners.

In relation to the relative efficacy of these IGR institutions and forums, the Forum of Federations (2015) presented the following key questions which should provide the fundamental basis for such institutional frameworks:

- To what extent are the institutions of intergovernmental relations built into formal governing structures?
- To what extent is the machinery of intergovernmental relations mandated by the constitution or by legislation?
- To what extent are the operations of the institutions themselves governed by explicit procedures and formal decision rules?
- Are the institutions fluid and ad hoc, developing and changing according to the political needs of the participating governments?

As is to be discussed later, the US has a presidential federalist model. Therefore, state governments have no direct access to the process of national law making and there is no formal institutionalised intergovernmental body or arrangement to deal with intergovernmental issues (Forum of Federations 2015). This arises from the political system in the US in which the federal and state governments are co-sovereign as well as the huge size and diversity of the political and social environment in the US. For example, according to Hueglin and Fenna (2015) there are 50 states and over 87,000 local governments in the US, and therefore there is great difficulty in developing a system that represents all of those interests and can reach a consensus view. Instead, Parker (2014) observed that most US

intergovernmental entities are ad hoc and short-lived committees, task forces and working groups created for intergovernmental lobbying and negotiation on specific issues. For example, states lobby the federal government through state organised institutions (e.g. National Governors' Association and National Conference of State Legislatures). IGR also tend to take the form of what Hueglin and Fenna (2015) referred to as 'picket-fence federalism' in which each policy field has its own intergovernmental relations. Federal and state bank regulators, for example, know each other and interact with each other. These arrangements have the advantage of dividing the huge intergovernmental system into more intimate, personal, and manageable set of relations. The disadvantage, however, is the difficulty of co-ordinating intergovernmental policy across fields.

3.1.2.1 The Senate

The US is a presidential/congressional as opposed to a parliamentary federation. Iwuoha (2015) pointed out that the original design, with equitable state representation in a Senate appointed by the states appears to foresee Congress as the principals pot for managing intergovernmental relations, but this task diminished following the constitutional amendment to require election of Senators. The US' Constitution also envisions a dualist or bicameral pattern, with each level of government responsible for both legislation and implementation. According to the Forum of Federations (2015, 4) other aspects of the US Constitution that have implications for IGR such as the "full faith and credit" clause addresses the duties

that states within the US have to respect the 'public acts, records, and judicial proceedings' of other states.

31.2.2 IGR and the judiciary in the US

According to Cameron (2001), disputes that appear to be irresolvable using the normal processes and approaches of IGR, it is at times the case that a party or parties to the conflict may opt to refer the problem to the courts for definitive resolution. As war is the extension of diplomacy by other means, so the appeal to the courts can be understood as the extension of IGR into a different arena. Clearly, this is not a normal intergovernmental relationship, although it offers participants a powerful, but risky strategic tool in the struggle to advance one's intergovernmental interests. It should be noted that it is not simply a mechanism for resolving disputes between the centre and the regions, occasionally; there are unbridgeable conflicts between regional governments, which get settled by the courts. The effect of judicial interpretation can be significant and long-lasting, which is why, in areas of genuine ambiguity, one often finds among the participants a mutual disinclination to force the matter to a court-imposed conclusion.

3.1.3 Challenges of the US intergovernmental relations system

A number of challenges have been identified in the US' IGR system. These problems are a product of a multiplicity of factors within the US broad political framework and government structure. O'Toole and Christensen (2013) stressed the indispensability of problematic IGR issues in the US citing pressing policy issues, more complicated

fiscal instruments, heightened politicization, regulatory mechanisms, manifold bargaining processes, and a range of international influences and institutions as some key areas. To Rhodes (1987) and Wright (1978) most IGR problems are centred on diversities in territorial politics, complications in functional allocations, interest allocation, regulation and the distributional consequences of policy networks. Elazar (1995) identified the following as the most pressing federalism and IGR problems bedevilling the US:

- a. A pattern of constitutional interpretation by the US Supreme Court that makes IGR secondary to other issues
- b. Legislative action by the US congress, as in the case of federal statutory pre-emption of fields in which powers are otherwise concurrent
- c. Administrative action by the federal executive, particularly in the form of administrative regulations restricting state and local activity
- d. Intrusive judicial action, principally in the form of judicial intervention into state governmental process and procedures
- e. Fiscal problems such as the removal of federal pre-emption of state and local municipal bonds
- f. Legal issues such as expansion of federal jurisdiction thereby transferring federal law from being interstitial to being dominant in an increasing number of areas.

3.1.4 Conclusion

This section discussed the distinctive features of the US IGR system through an extensive cross examination of the history of American federalism, the Constitutional and institutional basis of federalism and IGR and the problems of IGR. While the US is the world's oldest federalism, there are a number of areas that needs continuous attention and improvement as a way to striking a balance of power between the federal government, states and local government. Serious contestations for political space have often sacrificed the logic of sustainable IGR on the altar of political expediency. Other notable imbalances include the issue of unfunded mandates, concurrent powers and the need to explore possible avenues of enhancing the efficiency of institutions.

3.2 IGR in the UK: A case study

3.2.1 Introduction

The United Kingdom presents a complex system of IGR conceptualised by Jones (2014) as more confused and uncertain while Cuesta-Lopez (2014, 301) understood the relations to be of a 'dynamic and asymmetric character'. Cuesta-Lopez (2014) explained IGR in Britain as mainly limited to bilateral and ad hoc interactions between the central government and the government of each devolved territory while Trench (2014, 6) classified the UK's arrangements for managing coordination between governments as 'flawed...disjointed and often ad hoc'. Trench (2014, 6) added that Wales suffers the worst effects of intergovernmental imbalances, lacking

the political clout that 'Scotland can wield or (at least until recently) the special treatment that Northern Ireland has been able to claim, and having a set of evolved functions that have an entangled relationship with similar functions for England'. However, the centrality of managing and maintaining a working system of IGR in the UK is unquestionable. Keating (2012, 214) asserted that IGR in the UK serve multiple purposes inter alia 'to resolve conflicts of competence; to deal with overlaps and externalities; to harmonise policies; and to respond to new policy challenges'.

The IGR system of Britain reflects a complex history from centralist to a devolved system and the reorganisation of the functions and authority of the various levels of government. The recent reorganization of local government cited by Jones (2014) has made more complex relationships between the tiers of local authorities, especially in the cities where a single-tier system had prevailed. The establishment of new functional agencies for water and the health services, distinct from local authorities, has further fragmented local power. To enhance sustainable IGR in this system requires both elected members and administrators to possess diplomatic skills to relate their own authority with tiers both above and below and with other public agencies involved in providing services in their area. In the same context, regional devolution has been advocated by nationalist movements in Wales and Scotland and by some in England with the thrust of reducing the power and influence of the central government and promote public involvement in government. Seven models of devolution are currently under discussion.

According to Stevenson (2014) in the UK, IGR are central to making devolution work effectively. However, there has been very marginal transformation in the character of IGR post devolution but this has to some extent maintained some level of stability in the relations. Horgan (2003) notes that, 'pre-devolution norms of friendly and informal relations among civil servants, and the continued primacy of decentralised, inter-departmental relations, have facilitated mostly cordial intergovernmental interaction'. The Scottish Parliament, National Assembly for Wales and Northern Ireland Assembly operate in a broader context of governance in the UK, and functional overlaps between these regional governments and the UK government has been imperative for all four governments and the general citizens of the UK. The Smith Commission's report of 2010 pays a good deal of attention to the need to improve intergovernmental co-ordination as part of the package of further devolution.

3.2.2 The context of IGR in Britain: Historical perspective and operational framework

The UK is a devolved union of Scotland, Wales, England and Northern Ireland. Devolution was, according to the Select Committee on the Constitution 2nd Report (2002, 70), both a 'response to and an attempt to influence public opinion'. It was a reaction to the feeling among people in Scotland, Wales and Northern Ireland that government from Westminster was not satisfying their political aspirations. Trench (2014) argues that by signifying that the UK could grant a framework that met those aspirations there was hope that support for the Union could be maintained or even strengthened. Criticism however revolved around whether devolution would strengthen the Union, as some expressed fears that it would result in the breaking up

of the Union. Generally, as summed by Gallagher (2012) the last dozen years has witnessed the UK moving from one government to several, and more recently to having lucid party divisions among the different levels of government.

While devolution arrangements differ, they have certain things in common. One is that the United Kingdom Parliament at Westminster retains its national legislative sovereignty and continues to legislate for the whole country. According to the Select Committee on the Constitution 2nd Report (2002), the way in which it does so for both Scotland and Wales raises a number of complex questions. Secondly, strategic national functions such as defence and national security, foreign affairs and macro-economic policy issues are handled at UK level. In practice, social security is also retained, although devolved formally to Northern Ireland; the required elements of parity provide the Northern Ireland Assembly and Executive marginal scope to build up a distinctive approach. The third relates to the fiscal dynamics of devolution, where treasury has continued to play a leading position while the fourth concerns the restraints on the three devolved legislatures and their administrative apparatus. They are required to operate in conformity with EU laws; the European convention on Human Rights, and the UK's international obligations and the fifth is the civil service.

According to Trench (2014), the territorial political dynamics of the UK have transformed considerably from the time of devolution. In 1999, the Labour party had majority control in Westminster, Scotland (through a coalition with Liberal

Democrats) and Wales. By 2010, the situation had however changed with the Labour party controlling only government in Wales through a coalition with Plaid Cymru. The Conservative-Liberal Democrat Coalition held office at UK level, while Scotland had a minority Scottish National party (SNP) government. A year later, elections saw Labour regaining government alone in Wales. At the same time the SNP won the majority in Scotland. This led to Gallagher (2012) arguing that there is now no major party which is not in government somewhere in the country and this is a reflection of how these bodies have got along, and how well the UK now manages IGR under multi-party system. Stevenson (2014) and Trench (2014) also indicate that in just over a decade, the UK moved from a high level of political congruence to a high level of incongruence. It is in the context of the above view that Jones and Royles (2012) conclude that the degree of party congruence is likely to affect intergovernmental dynamics with a greater potential for conflict in cases where politicians in power at different governmental levels are members of different political parties. Thus there is a correlation between the degree of incongruence and the extent and the ways in which intergovernmental processes are institutionalised. In a nutshell, the greater the level of congruence, the greater the likelihood of informal intra-party contacts playing a significant role in relations between different levels of government.

At the same time the responsibilities of all devolved governments have increased, most strikingly in Wales, Scotland and Northern Ireland. This has

increased their self confidence and determination to create their own policies. Despite this, the UK's frameworks for IGR are largely those designed at the inception of devolution, in 1999. Trench (2014) concludes that the UK epitomises 'a system that is lightly institutionalised and largely informal which relies on a sizable dollop of goodwill and an ill-defined role for the territorial Secretaries of State to augment the limited use of multilateral committees'.

The characteristics of the UK's devolution system make IGR both inevitable and central to the system of government (Stevenson 2014, Trench 2014). The model of devolved and retained functions is a complex one (Select Committee on the Constitution 2nd Report 2002). Stevenson (2014) added that it is often difficult to distinguish in both principle and practice where a devolved function stops and a retained one starts. Even if that was unambiguous, a plethora of policies and initiatives of a single sphere of government will need some latitude of contact between the devolved administration and UK Government. In a number of cases, collaborative action may be requisite, but each administration will require being responsive to what the other will be doing and take cognisance of that in its own work. Even if the devolution arrangements did not place the premium that they do on continued good relations between the various governments within the United Kingdom, necessity would compel a high degree of interaction.

3.2.3 Arrangements and structures for IGR in the UK

The system of devolution and its implementation framework in the United Kingdom results in a high level of interaction between levels of government. However, according to McEwen et al (2012) advocates of devolution paid little attention on the necessity or mechanisms of IGR as their focus was instead on self-government, policy autonomy, democratic renewal and national distinctiveness. According to the Select Committee on the Constitution 2nd Report (2002), apart from links at the highest political levels, the interplay between devolved functions and retained functions at UK level implies that policies and initiatives of one level of government will affect the other. McEwen et al (2012, 323) further notes that expectations are that the relations would involve less effort and promote harmony if the governments at each of the different levels are led by a single political party. Under such a condition of party congruence, sub-national party branches are usually part of broader polity-wide party organizations which represents a higher level of organisational cohesion. As a result, political agendas, ideological options and preferences and policy objectives become mutual across territorial limits. The Select Committee on the Constitution, 11th Report of Session 2014-2015 agrees with the above and notes that the informal application of relationships on a bilateral basis is fairly healthy and universal across nations with multi-level political frameworks. Even where a particular function is allocated to all three devolved administrations, as is sometimes the case in health and agriculture, as the UK government retains

responsibility for it in England, close connections between the UK and devolved administrations are usually notable.

The arrangements for IGR in the UK are mainly non-statutory and informal. According to Cairney (2012, 234) the logic of informal IGR has direct parallels to the 'logic of consultation' between interest groups and governments. The Select Committee on the Constitution 2nd Report (2002) indicates that most institutions established to anchor them lack solid legal basis and exist by virtue of loose intergovernmental agreements, key among them being the Memorandum of Understanding and Supplementary Agreements, whose legal status is unclear. The devolution statutes and legislation such as the Northern Ireland Act of 1998, the Scotland Act of 1998 and the Government of Wales Act of 1998 created a plethora of devolved bodies and entities and the framework for the exercise of authority, without defining intergovernmental dealings, which is how the governments will deal with one other. Cairney (2012, 237) added that the general lack of formality in IGR has been faced criticism from a range of perspectives as most contact involving 'ministers and parties was by email, telephone or 'quick words when people meet socially'. As a result, it was not recorded in the similar way as minuted formal meetings. The Select Committee on the Constitution 2nd Report (2002) thus suggests that such informality depends on the 'fundamental goodwill of each administration toward the others'.

Various scholars such as Meehan (2000), The Select Committee on the Constitution 2nd Report (2002), Gillespie (2006) have identified different arrangements for intergovernmental contact. Their three main dimensions as outlined by The Select Committee on the Constitution 2nd Report (2002) are Memorandum of Understanding, bilateral concordats, and arrangements for meetings between the UK government and devolved governments

3.2.3.1 Memorandum of Understanding

According to the Select Committee on the Constitution, 11th Report of Session 2014-2015 (2015), the original MOU was written in 1999. Since 1999, it has been amended and reviewed several times, with the recent being in 2013. The Memorandum of Understanding provides key principles and values for working, for instance communication between devolved administrations, cooperation, information sharing, research and statistics and the due regard to the confidentiality of information shared among departments. The Memorandum of Understanding also includes supplementary agreements on particular topics of importance, such as inward investment, international relations and administration of EU issues, and the collection of statistics. Bilateral concordats which in most cases repeat the key principles and values agreed between the UK government and devolved administrations for one particular UK department and one devolved administration.

One critical quadrilateral forum established by the MOU is the Joint Ministerial Committee (JMC). It has three levels which are plenary, functional and official. Its

function as outlined by the Select Committee on the Constitution, 11th Report of Session 2014-2015 is:

- to consider and deliberate non-devolved matters which impinge on devolved responsibilities, and vice versa
- to classify areas of convergence, universal interest and agreement of UK government and the devolved administrations
- to consider devolved matters and determine the value of discussing their respective treatment in the different parts of the UK
- to keep the arrangements for liaison between the UK government and the devolved administrations under review
- considering disputes and conflicts between the administrations.

The JMC's plenary meetings are convened annually and attended by the Prime Minister, the Deputy Prime Minister, the First Ministers of the three devolved administrations, the Deputy First Minister of Northern Ireland, the territorial secretaries of state and relevant other ministers from each administration.

The Select Committee on the Constitution, 11th Report of Session 2014-2015 (2015, 15) cited Professor Nicola McEwen who concluded, on the basis of a study in four countries with multi level systems that 'in most, if not all, countries, these processes are far more formal and structured than the system which has emerged in the UK' and as the UK's IGR remain 'weakly institutionalised and focused more on

communication than coordination'. She also drew attention to the varying level of devolution in different regions across the UK and claimed that she 'cannot think of another system that is as asymmetrical as the UK. That is always going to be a difficulty'.

3.2.3.2 Bilateral concordats

Devolution has radically changed the UK's governance by creating new forms of political and administrative authority in Edinburgh, Cardiff and Belfast, all of which with relations with the UK and between themselves. Rawlings (2000, 257) notes that, 'almost nothing is said in the [devolution] legislation about the structure and processes of intergovernmental relations' through creating a 'vast constitutional space' which are best thought of as instant conditions. Elliot and Thomas (2014) argue that, while conventions emerged traditionally as implicit products of long practice, concordats are explicit and legally non-binding agreements between political institutions. Poirier (2001, 3-4) adds that, concordats are fundamentally meant to promote efficient sharing of information, early warning and rules of confidentiality among administrations. As such, their major function is typically that of 'procedural cooperation' though, closer scrutiny reveals that they as well serve policy-coordination functions. Therefore, while MOUs provides general terms and conditions of how the UK government relates with devolved governments, a variety of concordats details the ground rules for relationships between central/national and devolved governments' particular departments. In a nutshell, distinctive features of

concordats are that they are not binding legally, informal and bendable agreements that parties commit themselves and set out existing administrative best practice.

The relevance of concordats to the UK's IGR system has been handled differently by scholars. Commenting on the efficacy of the concordats, The Select Committee on the Constitution 2nd Report (2002, 18) indicates that, 'although the value of having concordats is unquestioned, their usefulness in practice is more questionable'. Scholars such as Poirier (2001) have argued that if there needs to be regular reference to concordats to ensure good relations, then relations are already bad. The Select Committee on the Constitution 2nd Report (2002, 18) also indicates that government considers the key value of the concordats as 'the process of making them, rather than actually using them to facilitate intergovernmental relations' as the preparation of concordats ensured that civil servants and politicians, especially in Westminster, had thought about the new working arrangements following devolution.

As instruments of governance, concordats are intended to deal with two forms of policy externality arising in the UK's IGR system that is, policy overlap and policy contagion (Rawlings 2000, Poirier 2001, Trench 2014). Overlapping of policy or the problem of concurrent powers is manifest in a scenario in which two levels of government in a single political and governance system have jurisdiction over a particular policy. Devolution triggered two scenarios with a potential policy overlap consequence. The first scenario is where there is conflict of a legislative proposal(s)

by a devolved administration and the UK legislation, or legislative proposal(s), with regard to reserved matters. Second is when legislative proposal(s) being considered by UK government conflict with the devolved administration's legislation or legislative proposals, with regard to a devolved matter(s). Policy overlap is therefore inevitable in the devolution model of the UK, and presents a potential area of conflict between UK government and the devolved administration (Scott, 2001).

The second area is policy contagion. According to Scott (2001), policy contagion is present when a proposed or adopted policy by a devolved administration affects or threatens to affect on the policy options confronting another devolved administration, or the central/national administration. This problem is usually linked to federal systems. In the devolution debate policy contagion was initially thought in the framework of territorial competition on financial incentives offered to attract inward investment. Both White Papers stated that the incentives would be subject to 'common UK guidelines and consultation arrangements to be set out in a published concordat'.

In relation to enhancing the efficiency of concordats as governance instruments, The Select Committee on the Constitution 2nd Report (2002, 19) made the following fundamental recommendations that:

- concordats be made for a fixed term only, capable of being varied during that term if necessary but to terminate at the end of that term and be renegotiated.

During that term, it would not be open to a party to withdraw from or repudiate a concordat.

- that all concordats and other agreements between the UK Government and any devolved administration should be deposited in the Libraries of both Houses of Parliament within two weeks of their being concluded; and
- that the UK Prime Minister's annual statement about intergovernmental relations should be accompanied by the deposit of a list in the Libraries of both Houses of Parliament of all concordats and other intergovernmental agreements concluded during the previous 12 months or in force at the date of the plenary Joint Ministerial Committee meeting.

3.2.3.3 The British Irish Council (BIC)

According to Bradley (2013), Gillespie (2006), McEwen (2015, 1), the Treaty settlement that put Ireland on course to independence marked the genesis of interdependence between the UK and Ireland. The two governments formally agreed in the 1950s that the citizens of the two countries could continue moving freely throughout what became known as the common travel area which was later enshrined in the 1997 EU Amsterdam Treaty. It is however important to note that for the greater part of the 20th century, relations were often sour as successive British governments kept Ireland at arms' length in an effort to remove 'the Irish question' from the domestic political agenda. The Irish question was at the centre of British politics from 1972 subsequent to attempts at introducing direct rule by the British government. To the Irish, Ireland remained dependent culturally and economically

upon Britain for much of the 20th century, including a currency pegged to the British sterling. Given this background and interdependencies, the centrality of a clear IGR framework between the UK government and Ireland is indispensable. The major framework to moderate the interaction is the BIC

According to McEwen (2015), the BIC is a polygonal framework comprising the UK government, the UK devolved administrations and the crown dependencies. Generally, the membership and composition of the BIC are the governments of the British Isles, that is, the UK and Irish governments, the devolved Scottish and Welsh governments and Northern Ireland Executive, and the governments of the Isle of Man, Jersey and Guernsey. The objectives of the BIC are to further practical interaction across the British Isles, and to promote communication, co-existence and co-operation between governments. Its secretariat is headquartered in Edinburgh established in 2012, to focus on a wide range of policy fields inter alia, energy, health, environment, demography, transport and tourism. Many scholars and authorities such as The Select Committee on the Constitution, 11th Report of Session 2014-2015 (2015) found many features of the BIC to be instructive for potential improvements to the structure of IGR in the UK.

Commenting on the operational framework of the BIC, Professor Derek Birrell, Professor of Social Administration and Social Policy at the University of Ulster, cited in The Select Committee on the Constitution, 11th Report of Session 2014-2015

(2015, 16), stressed that there are three levels of engagement within the BIC, that is, a twice yearly summit, sectoral work involving ministers and meetings of officials, including visits and seminars. The 12 'work sectors', each led by ministers from one of the eight administrations, 'address different areas of shared interest creative industries; collaborative spatial planning; demography; digital inclusion; early years policy; energy; environment; housing; indigenous, minority and lesser used languages; misuse of substances (drugs and alcohol); social inclusion; and sustainable and accessible transport' and report annually on their work

3.2.4 Areas of improvement in Britain's IGR system

Stevenson (2014) notes that the UK government is not very interested in managing intergovernmental relations and that is well expressed through an attenuated under-institutionalised set of mechanisms put in place in 1999, and the government has allowed that to weaken or fall further into disuse since then. While the JMC is the key IGR institution, plenary meetings of that ceased altogether between 2002 and 2008, they have been more or less annual since then, but are typically grandstanding and less productive. The JMC's 'domestic' set-up has practically ceased to function, as very marginal policy issues concern more than one devolved government. The only developed format of the JMC without regular meetings and do what it is expected to, is the EU format which helps formulate the UK's approaches for major EU Council meetings, though it has its own problems. It is however important to note that at the

time of writing, the UK is at the advanced stage of exiting the EU in a move widely known as 'Brexit'. In reality, the majority of intergovernmental issues are bilateral, but under few exceptional situations they are dealt with in an ad hoc and casual way outside the public or legislatures, and many important issues slip through the net.

To Stevenson (2014), the argument for a more systematic approach to intergovernmental relations is unanswerable. Such conduct is largely inconsistent with ensuring that devolved governments are treated fairly. The UK Government should recognise that those procedures are not suitable for the transformed constitutional landscape that followed the Scottish referendum. But diverse approaches have been frequently urged on the UK Government, through Parliamentary committees such as those in 2002 by the Lords Constitution Committee, in 2009 by the Commons Justice Committee or in 2010 by the Commons Welsh Affairs Committee. No resultant changes have been noted in spite of such repeated urging from across Parliament and regardless of the potential advantages for the UK Government including improved policy co-ordination, an indirect way of attaining its policy goals, or simply symbolically showing the UK's ability to integrate its various parts into a single multinational union.

Stevenson (2014) further argues that the recommended way would be to stop talking of multilateral ministerial committees, and rather accept the rationale of bilateral relationships in more synchronized way. Trench (2014) cited Part 2 report of the Silk Commission which suggested a Welsh Intergovernmental Committee, a

recommendation supported by the Welsh Government in its response to Silk. The commitment and willingness of the UK Government to the senior ministerial time is doubtful. To The Select Committee on the Constitution, 11th Report of Session 2014-2015 (2015, 16), a more suitable method of working, on the strength of existing arrangements and enhancing them, would be for the Secretary of State for Wales or the junior Wales Office Minister to assume an active role. The Wales Office would assume the task of assessing the effect of UK Government processes on devolved Welsh functions, and Welsh policy on non-devolved ones, on the basis mutual respect, such that both governments can take an overview of the welter of business of each government that affects the other.

According to The Select Committee on the Constitution, 11th Report of Session 2014-2015 (2015, 16), the second area that calls for change is the handling of dispute resolution between governments. When the dispute is legal in character, then it goes to the Supreme Court of the UK, through procedures. But when the issue is not whether a government or legislature has the power to act, but whether they behaved properly toward each other when they did, the situation is quite different. Since 2010, there has been an agreed mechanism for dispute avoidance and resolution in the MoU, but it proved to be flawed in a number of areas including both design and working. It has only met once to consider the row arising from the way the UK Government stopped devolved governments from receiving consequential payments under the Barnett formula for the regeneration spending on the area around Olympic Park in Stratford, before the 2012 London Olympics.

However, it is apparent that putting another UK minister in charge of the process, one bound by collective responsibility to one side of the dispute but not the other, is a potent source of apparent if not actual bias.

3.2.5 Intergovernmental disputes and conflicts resolution

According to Trench (2014), until 2010, there was no express mechanism for resolving disagreements between governments. This was premised on the hope and over compliance with what Trench (2014, 13) referred to as the '4 Cs' that is 'communication, consultation, cooperation and confidentiality'. Perceptions were that this would largely avoid problems, while those arising could be resolved through the Secretary of State, or referred to the plenary JMC. The 'protocol on dispute avoidance and resolution', agreed in March 2010, reiterated and elaborated on these principles, but also established a framework for resolving disputes through a 'disputes resolution mechanism, which entails formal notification of the disagreement' to the JMC Secretariat and referral to disputes resolution meeting chaired by a UK Government minister.

The Smith Commission Report of 2014 called for vigorous, effective and workable mechanisms for dispute resolution in IGR. Trench (2014) however states that to date only four notified disagreements has been handled, with only one referred to a disputes resolution meeting regarding the allocation of Barnett consequential for spending on the 2012 London Olympics.

However, reflecting on the future of IGR dispute resolution, Stevenson (2014) and Trench (2014) share the argument that it seems the structure of the disputes avoidance and resolution procedure is fundamentally skewed in the interests of the UK Government and this mechanism presents limitations in commanding much credibility from devolved governments. This exposes the IGR framework to the risk of damaging the legitimacy of the entire system of devolution. Trench (2014) further argues that arbitration may not be the answer, and therefore this has the potential to constitute a revolutionary change, to which the UK Government is unlikely to agree. A sticking issue, for instance is the choice of arbitrator which is definitely contentious whatever the conditions, but above all the issues that to be considered through this mechanism will principally be political in character. Generally, contentious legal complications would be resolved through the UK Supreme Court. The capacity of arbitration to resolve disagreements, of political nature is generally questionable.

However, in the current context, Trench (2014) suggests various approaches to achieve effectual mediation and realise desired goals, including pre-empting disputes. Achievement of effective mediation would entail considerable changes, however. The first is the mediator independence. This relates to an independent chair and preferably a panel of members rather than a single person, for example ideally, one nominated by the UK government, one by the devolved government or governments concerned, and one agreed neutral figure is best placed

to achieve desired results. Second, the ability to make the UK Government pay some sort of price, if only politically, if it cannot reach agreement between the parties. Even a pronouncement that the UK Government declines to compromise on terms acceptable to a devolved government made clearly and publicly, would be a meaningful sanction to penalise intransigence, it will be impossible simply to conceal the dispute

3.2.6 Conclusion

The case study examined the Union of the UK, its constitutional and legislative basis, distribution of power, authority and functional responsibility including the focal points of accountability and responsibility. The relationship between the UK and the devolved administrations were explored including the contestations for power emerging from the Union. Changing political trends and interests were dissected especially the political dichotomy generated by the advent of the SNP. However, it is salutary to note that a balance of power is a critical ingredient for the sustainable relationship between the UK and devolved administrations. Fundamentally, it matters because the strength of Britain's famously unwritten Constitution is dependent upon a strong democracy requiring elements of popular participation at both local and national levels. Scholars agree that a key lesson is notable from English history that, whilst the balance of power has been subject to pendulum swings, the predominant trend, particularly since the Second World War, has been for central government to increase its powers and responsibilities at the expense of local government.

3.3 IGR in the Federal Republic of Nigeria: A case study

The study of IGR and federalism with specific reference to Nigeria is a critical aspect both in Public Administration and political science for a number of reasons. Some of the reasons include the fact that Nigeria is the only country in Africa that has established and maintained a federation status. The dynamics of the Nigerian Federation and the Nigerian Constitution make IGR a political imperative. With over four hundred lingo-cultural groups, a population of over 160 million, thirty-six States and a Federal Capital Territory and 774 Local Governments, IGR in Nigeria is both inevitable and desirable. According to Elaigwu (2007), over the years, the pendulum of Federal associations among groups has swung between centrifugal and centripetal forces, as Nigeria sought to adjust the Federation. With extensive complexities in political, regional and ethno-cultural and religious diversities, Bello (2009) sees a clear framework of IGR in Nigeria as a necessary mechanism to manage her conflicts, promote cooperation, respond to changing circumstances and deliver services more efficiently.

3.3.1 History of federalism and IGR in Nigeria

According to Irabor (2011, 1), 'Nigeria is a country of extraordinary diversity and as such, one of extraordinary complexities. These complexities are a reflection of the avalanche of ethno-cultural and religious groups co-habiting the territory and the intricacies of interaction among them'. The background to pluralism in both the ethnic and religious diversity in Nigeria dates aback to colonisation of Africa starting, at a

more defined scale, with the advent of the 19th century. In the particular case of Nigeria, amalgamation of the Southern and the Northern protectorate made Nigeria a multi- ethnic country with many languages

According to Babalola (2013) various scholars of federalism have proffered various reasons why federations are formed. William H. Riker, who attempted to construct a universal theory of federalism focusing particularly on its origin, operation and significance, is one of the most outstanding in this area. Central to the Rikerian theory is that federations are products of enduring processes of political bargain between two sets of rational politicians, and the motive for the federal bargain is principally military. This theory is embedded on the assumption that two conditions which are expansion condition and the military condition should be present for a federation to be formed. In reference to the Nigerian Federation established in 1954, Riker observes that the expansionist ambition of Ghana and its founding leader Kwame Nkrumah provided the major external threat which informed the formation of the Federation. Quite a different school but in the same discourse, Irabor (2011) opines that, the founders of Nigeria's federal system were particularly desirous of a political system with the capacity to neutralize political threats while accommodating diverse interests of different ethnic and cultural groups cognisant of the existence of threats to the political stability of the emergent nation-state. This desire 'eventually found expression in the federal system of government as a diversity management technique'.

While there are various theories that have been proffered to locate the historiography of Nigerian federalism, it is not the interest of this thesis to focus on the individual contributions of the various theories or to unpack the theories one by one. The review rather offers a generalised but synthesised historical outlook of the Nigeria's federation. According to Musa and Hassan (2014), various scholars have given credence to the fact that the amalgamation of 1861 and 1914 which gave birth to Nigeria was not meant to nurture a true federal state in Nigeria. Osadolor cited in Amuwo et al (2003, 35) is of the dimension that "the act of amalgamation was not a federal idea; Lugard did not conceive the idea of a federal state for Nigeria, even though there were strong integrative factors of inter-group relations and the trend of opinion before 1914 favoured the division of the territory into a number of units of a future federation'. Osadolor cited in Amuwo et al (2003, 35) further observes that 'Between 1861 and 1914, the different people had been brought together under British colonial authority as a result of the desire to develop existing linkages of pre-colonial inter-group relations'. Nigeria, was not designed to be an enduring nation with a formidable and strong structure and characteristics pointing to federalism

Irabor (2011) shared some of the views in Musa and Hassan (2014) but stressed that Nigeria federalism can be traced to 1914 when the Northern and Southern protectorates were amalgamated though with unitary form of administration. This marked the genesis of the splitting of governmental power in Nigeria between central government, under the Governor-General and governments of the Southern and Northern protectorates under lieutenant Governors. Thus, due to the presence of two

autonomous parts of Southern and Northern provinces, the administrative system of Nigeria depicted a federal outlook.

Where many scholars argue that federalism is a system of government based on common consensus to protect territorial interests, manage regional diversities and safeguard regional interests, it is crucial to note that this view does not apply to the roots of Nigeria federalism but rather it is a product of the desire to protect colonial interests which often involve the thrust for a viable colonial enterprise. Thus according to Osadolor cited in Amuwo et al (2003, 35) 'the decision of Lugard to create a unified Nigeria on 1st January, 1914 did not result from the pressure (consent) of local political groups, it derived from considerations of administrative convenience as interpreted by a colonial power'. This suggests that the formation, evolutionary process and unification of Nigerian political and administrative systems did not represent the interests and aspirations of the natives or political groups.

Further developments later cemented the status of Nigeria as a federal nation and these include the Richards Constitution of 1946. According to Oyeneye et al (2001), the federal structure was the brainchild of the Richard's but which he did not accomplish. In 1953, Governor Macpherson's constitution made improvements to Richards' work by establishing a House of Representatives with powers to make laws for the country. He also created Regional Houses of Assembly to make laws for the regions. Later, in 1954, the Lyttleton Constitution came in with what Oyeneye et al (2001, 151) called 'real federalism' for the country. This was as a result of the

1953 London Constitutional Conference where they decided that Nigeria should become a Federal State.

However, according to Musa and Hassan (2014, 317) after coup in January, 1966, which brought General Aguiyi Ironsi to power, an attempt was made to impose unitarism through Decree No.34 of 30 May 1966. The decree allegedly abolished regions and attempted to unify the public services and 'this fatal decree became the last straw that broke the back of the federal camel'. From that time forth, there arose a among Nigerians that Nigeria ought to remain a federal nation. In 1987, General Ibrahim Babangida established nine more states bringing the number of states in Nigeria to thirty (Oyediran et al, 2008, 175). In 1996, 6 states and 183 new local governments were created by General Sani Abacha. This brought the number of states to 36 and local government areas were increased to 774. These thrust of all these reforms was to restructure and consolidate the Nigerian federalism.

After independence, Nigeria retained the federal political system and structure in its constitution but with some minor modification. While seemingly reflecting the analysis above, Irabor (2011) located the evolution of Nigeria federalism on three fundamental reasons:

- a) The British imposed a federal political system as a way of maintaining neo-colonial influence and control even after the independence of the country. As federalism presents a form of political weakness, uneven economic development and disunity, the British aimed to maintain the federating units

apart as much as possible in order to interfere with the affairs of Nigeria to their political and economic advantage after granting her independence.

- b) The second issue is that the political evolution of Nigeria was influenced by geographical and historical factors. Nigeria is a culturally variegated and large country, which makes governing from one centre almost impossible. This interpretation seems more objective compared to the former. However, it should be stressed that whereas geographical and historical antecedents influenced the constitutional evolution of Nigeria, they did not determine the form and shape of the federal structure influenced by British colonialism in Nigeria.
- c) The issue has not been about a nation that originally had a unitary structure, being disintegrated into federal units, but totally independent empires, kingdoms, nations and autonomous communities brought together, culminating in a federal union.

3.3.2 The Constitutional basis of intergovernmental relations in Nigeria

Before and after independence, Nigeria went through an extensive constitutional reform process with far reaching implications on the character of IGR. Different regimes, military dictatorships and the return to democratic and civilian order all have influenced IGR in various ways. To date, the country has gone through ten constitutional phases that have produced the constitutions of 1922, 1946, 1950, 1954, 1959-60, 1963, 1979, 1989, 1995 and 1999. These constitutional and over-arching political events have configured and reconfigured the relationships among

the levels of government in Nigeria. Consequently, to appreciate the nature and dynamics of intergovernmental relations and the functional framework of the relations or whether the relations are effective or ineffective, it is important to critically examine this fluid constitutional environment of the Nigerian federal system. In a nutshell, the process of constitutional mutation has left in its wake a confusing picture as to the structure of governance, nature and character of IGR. It has affected the configuration of the roles and responsibilities between different tiers of government and on power and control over resources. While the constitutional history of Nigeria is diverse, this review will be focused mainly on the 1999 Constitution and its implication on Nigeria's IGR system.

The 1999 Constitution metamorphosed from the 1979 Constitution was a hurried Constitution. According to Lawson (2011) General Abdulsalami Abubakar and the Provisional Ruling Council (PRC) introduced the Constitution without extensively consulting the general opinion of the Nigerian public. They had less than six months to draft the Constitution (November 11th 1998- May 5th, 1999) and this is very short for a Constitution of a nation as diverse as Nigeria. In IGR terms, the 1999 Constitution anticipates relationships among 811 government units, that is one central government, 36 states and 774 local governments. Section 7(1) of the Constitution guarantees a democratic governmental system with an elected local government. Local government is a creatures of state governments.

Roberts (1999) in Lawson (2011) argues that from the viewpoint of constitutional jurisprudence, the fundamental factor is the determination of the degree to which provisions of the Constitution will promote IGR within the Nigerian federalism matrix. He further assesses this in respect of the 1999 Constitution using three of the six basic combinations which are national-state-local, national-state and state-local relations. In these selected three areas, major places where IGR occurs include power dynamics, allocation of revenue and the provision of infrastructural and welfare facilities. With Regards to the allocation of powers, for the federal government there are matters that are contained in Exclusive Legislative List allocated to it (Second Schedule Part 1). At the same time, the concurrent list have matters allocated to the federal and state governments (Second Schedule, Part II). They include exclusive functions of local government councils and state/local government functions (Fourth Schedule). However, where a conflict arises between the federal and laws of state governments, the federal law takes precedence (Section 4(5)). The implications of this are that the federal government has power to intervene in all matters of public importance where it chooses to do so. To Lawson (2011, 202), it becomes clear that provisions of the Constitution in relation to power dynamics may not promote IGR. This is because power centralised in the national government in such a manner 'capable of turning the states and by extension, the local governments to political simpletons always prostrating for political favours from the centre as 66 specific and 2 omnibus items virtually covering the entire range of public affairs are placed in the Exclusive Legislative List'.

With regards to revenue sharing arrangements, the 1999 Constitution developed arrangements for allocation of revenue from a federation account which is held at the national government levels to state and local governments [Section 7(6), 162(I) (8)]. The federation also gives conditional or unconditional condition and unconditional grants to a states to complement the revenues of the latter (Section 164(1). This fiscal dominance of the federal government is a great challenge to fiscal federalism. Onimode (1999) refers to this as fiscal unitarism and according to him, it can be adduced to the unified military structure characterized by centralization of power and authority and use of command and instructional approaches through a top-bottom dictation system. With this, it is clear that this dominance will continue to work against the progress and development of the other lower levels of government. Regarding the provision of infrastructural facilities and welfare, the various levels interrelate in pursuit of particular development programs. Examples of such programmes include Expanded Programme on Immunization (EPI) and Universal Basic Education (UBE). Other areas of collaboration are provision of infrastructural facilities etc. With Regards this, the economic predominance of the centre engender political attitudes that are antithetical to federal practice, including fierce struggles for the control of the centre as this will result in a politicized and conflicting system of IGR with little room for cooperation (Roberts, 1999). With such predominance, the Federal Government could even behave as if it has more stakes in some state than others along political party line (Gboyega, 1990).

Lawson (2014) concludes that the provisions of the 1999 Constitution have emphasised vertical IGR among the three levels of government rather than horizontal relationships. This according to Roberts (1999) could promote a dependency hierarchy that reflects the inclusive authority model of IGR while imposing limitations on the degree of cooperation between different levels of government. Oppositional politics and negative IGR usually arise where sub-national levels of government resist this structure.

3.3.3 The institutional framework of intergovernmental relations and cooperative governance in Nigeria

A sustainable IGR system can only be attained through a viable institutional basis. For Nigeria, Bello (2009) observed that formal and constitutional institutions as well as ad hoc meetings among members entrenches the IGR system. There are institutions and processes of IGR and they include constitutional institutions, statutory institutions and informal/ad hoc institutions. Changes have occurred over time due to the Constitution and the system of government in operation. However, Elaigwu (2007, 129) notes that while IGR institutions are important and often very useful, they are also carry the baggage of their own problem, and this requires special attention and focus. Some tensions in the Nigerian political system, are products of the overlapping functions of different levels of government. They are therefore derivable from attempts to balance centripetal and centrifugal forces. These are evident and more defined in the relations Federal and State governments,

State and local governments or in horizontal relations among state or local governments. The institutions of IGR in Nigeria include:

3.3.3.1 The National Assembly

According to Bello (2009) the 1979, 1989 and 1999 Constitutions made provisions for a National Assembly of the federal government comprising of Senate and the House of Representatives to represent the entire federation. This is based on population in the (House of Representatives) and the equality of states in Senate. The National Assembly presents an open legislative institution of IGR. It is the legislative arm of the federal government with power of legislation over appropriation bills, control over public funds, contingency fund and investigation. According to Inyang (2014) the National Assembly has wide ranging powers including among others, powers to make laws for peace, order and good government or any matter included in the Exclusive Legislative list set out in Part 1 of the second schedule of the Constitution.

Scholars have challenged the wide ranging powers of the National Assembly and the President of Nigeria as a threat to intergovernmental balance of power. Inyang (2014, 227) cited 118 out of 320 constitutional provisions on powers of the President, making the Nigerian President 'the most powerful President in the world, including the president of the United States of America'. Consequently, the Constitution of Nigeria has been classified as 'the equivalent of a constitutional dictatorship' or a

‘unitary constitution coated in federal garb’ or what Akindele, (1994, 2) in Inyang (2014, 227) described as ‘unitary country in a federal union.

3.3.3.2 The Supreme Court

Conflicts are an indispensable reality of all IGR contexts, whether in unitary or federal nations. Commelin (2001) in Akume (2014, 175) notes that:

the distribution of power provokes a variety of disputes, between levels of government, between government at the same level, and between people (or peoples) and a government or governments. All such disputes, however, involve basic issues of constitutionalism

Akume (2014) further argued that the inability of the various elements and units of governments to engender agreeable consensus on matters that have productive outcomes for citizens is an issue of grave concern as IGR interactions have reflected continued tensions.

The Supreme Court has the final powers of arbitration in constitutional, criminal and civil matters and hence it is an important institution especially in the resolution of IGR disputes. According to Sunday (2014, 44), over the years, Nigeria has experienced conflictual IGR which consequently amounted to litigation in the court of law. Some states, for instance, have taken the federal government to the court of law in order ‘to challenge the constitutionality, jurisdictionality and authenticity of the political and

economic arrangements of Nigerian federalism, while the 774 local governments have approached the judicial quarters over the lack of financial autonomy'. However, the majority of the IGR problems remain unresolved are partially resolved which poses a great threat to the economic and political relationships among the multi-layered governments in Nigeria. Sunday (2014) further argues that the inability of the federal government to guarantee economic justice Nigeria's political space has engendered enduring conflicts among major intergovernmental stakeholders. Thus while most scholarship on federalism argues that federalism accommodates tolerance and enduring relationship within a political system, this has not been the case with Nigeria. Conflict has bedevilled IGR, especially in the fourth republic, with loggerheads among the various levels of government in relation to the issue of revenue derivation, resource control, revenue sharing formula, and constitutional jurisdiction all fuelling IGR conflict in Nigeria.

The most recent case of IGR conflict centred on the struggle for the control of oil resources in Nigeria in relation to offshore/onshore oil dichotomy is the recent Supreme Court action instituted by the federal government against the states that produce oil. The April 2002 position of the Supreme Court to exclude revenue from offshore drilling in calculating the revenue attributable to oil producing states on the basis of the derivation principle, has failed to resolve the controversy (Ikeji, 2011). Akume (2014) argues that both the judgement and the role of the Court in relation to the case above and IGR conflicts in general presents pockets of inadequacy and a

need to revisit the role of the judiciary in relation to IGR matters. Akume (2014, 175) submitted that:

In the first place, political negotiation should have preceded judicial engagement in resolving the problem. However, given that the federal government wanted to continue to maintain the status-quo it had inherited from previous regime it sidelined the meditative-negotiative process of the IGM and rather opted for a judicial solution to resolve the heated fiscal allocation issue

3.3.3.3 The Council of States

This is essentially one of the advisory executive bodies provided in the constitutions of 1979, 1989 and 1999 (Bello, 2009). Its mandate include advising the national President on a wide ranging issues, including the conducting the national census, award of distinctive national honours, prerogatives of mercy, the National Judicial Commission, the Independent Electoral Commission and the National Population Commission. The membership of these bodies also reflects their intergovernmental nature.

3.3.3.4 The Federal Character Commission

This is another constitutionally guaranteed executive IGR's agency. The functions of this agency as outlined by Bello (2009, 69) include 'working out equitable formula for the distribution of all cadres of posts in the Federal and State public services, promoting, monitoring and enforcing compliance of proportional sharing of public offices and taking measures to enforce such compliance'. Obiekeze (2004) further

notes that the commission is responsible for the handling of complaints about unfairness and related injustices in the allocation of positions in the public service between the different units of the Federation; hence the importance of this commission cannot be over emphasized. This agency, according to Ojo, (1999), Okoli (1990), Obiekeze (2004) is mandated to execute the constitutional provisions on the composition of the government of the Federation or its agencies and the conduct of its affairs shall be carried out in such manner as to reflect the Federal Character and the need to promote national unity.

3.3.3.5 The Independent Electoral Commission (INEC)

INEC is established to organize, undertake and supervise elections. There is a constitutional provision for a State Electoral Commission in every state. Other functions of the INEC are to register political parties, to monitor the organisation and operations of political parties, to audit and examine the funds of political parties annually (Olaniy, 2011).

3.3.3.6 The National Economic Council (NEC)

In view of the dynamic nature of fiscal IGR, the need to develop an institution to balance the fiscal interests and requirements of the different units of government cannot be understated. According to Bello (2014) the NEC has the powers to advise the President on issues of economic interest for the federation and measures essential in coordinating economic planning or other economic programmes of the different governments. The membership of the NEC consists of cabinet ministers

and state governors. However Ter-Minassian (1997) points out that one of the major weaknesses of the NEC is that the council meets infrequently which compromises its efficiency. Accordingly, calls have been made for a permanent fiscal advisory body for periodic review of the fiscal framework of government and recommend models for sharing revenue based on fundamental economic dynamics and prevailing fiscal interests of the different units of government.

3.3.3.7 The National Council on Intergovernmental Relations (NCIR)

According to Bello (2009, 70), the NCIR was established in July 1992 to closely monitor the operations of the federal system giving attention to IGR, 'study, conduct research and maintain data, recommend solutions to problems of inter-governmental relations and necessary forms of improvement, play mandatory roles in resolving conflicts and establish contacts with other organizations with similar objectives'. One of the major challenges of NCIR as noted by Dlakwa, (2004, 77) was 'bureaucratic suffocation, which often starved it of funds'. In addition, NCIR lacked an independent source of funding which is essential for it to mediate impartially among different tiers of government.

3.3.3.8 The Revenue Mobilization Allocation and Fiscal Commission

According to Okoli and Onah, (2002), this institution's responsibility is to monitor accruals and revenue disbursement and accruals from the federal account. It conducts periodic reviews of the revenue allocation principles and underpinning formula to conform to changes both political and economic. It also government on

fiscal efficiency models and methods for broadening revenue bases and determining the remuneration of members of the presidium.

3.3.4 Allocation of Jurisdictional/Constitutional Powers in Intergovernmental Relations

According to Adamolekun (2002, 61), 'the allocation of jurisdictional powers among the levels of government is a major issue in analysing any intergovernmental relations system'. Although current literature considers federal-state level as the most critical, increased attention is being focused on the functional allocations related to federal-state-local, federal-local, and state-local levels. For the federal-state level, Ademolekun (2002) clarified three possible approaches as follows:

- Firstly, the 1999 Constitution of Nigeria contains the Exclusive Legislative list consisting of 68 Articles of which the National Assembly is the only one with powers for making laws.
- Secondly, the Concurrent Legislative list contained in the 2nd schedule of the Constitution comprise thirty Articles over which State Assemblies may make laws. However, such State laws should be consistent with the Federal laws in terms of section 4(5). In this case where a State law is inconsistent with laws of the federal government, the former shall be null and voidable to the level and extent of its inconsistency. Thus, State laws in relation to the concurrent legislative exist suffices the primacy or superiority of the federal government.
- Thirdly, the residual legislative list contains those items that are not included in the concurrent legislative list or the exclusive legislative list and are left for

the State governments to legislate upon. However, there is no residual legislative list over which exclusive legislative powers are vested in the state and local governments.

In a nutshell, in a federal state, the modalities of regulating IGR are to be founded in the constitutional sharing of powers (Ile 2007, Ademolekun 2002, and Malan 2005). The primary legislative authority (to legislate for the entire country) is vested in the National Assembly and this scenario applies even in unitary nations, for instance in Zimbabwe in terms of section 116 of the Constitution. According to Ademolekun (2002), while the 1999 Constitution of Nigeria guaranteed a system of democratically elected local government, it also empowers every state, subject to section 8 of the Constitution to ensure 'their existence under a law which provides for the establishment, structure, composition, finance and functions of such council'.

3.3.5 Administrative Mechanisms for Managing Intergovernmental Policy Coordination

Managing IGR relies on various political, judicial and administrative and processes. According to Ademolekun (2002), the Constitution is a preeminent political mechanism that spells out the legislative authority of every tier of government. Additional to legislative process, there are four administrative structures which include the National Council for Economic Planning. This brings the president and the state governors together as members. The Council is fundamentally a consultative forum, for the deliberation of issues concerning the federal and state

governments. There is also the National Council on Development and the Joint Planning Board. In these two bodies, states are represented by Permanent Secretaries from respective planning ministries..

A number of administrative forums and consultative frameworks brings together policy makers at different levels, for instance, conferences bringing together Accountants General or Ministers and Commissioners in areas such as finance, agriculture, education etc (Bello, 2009). These consultative bodies allow officials from different governmental bodies to explore sectoral issues and advice responsible governments accordingly. A National Council on IGR was established for a brief period (1992-1996) to conduct studies, promote exchange of information, and provide advice on intergovernmental issues.

Conferences are useful as frameworks for officials from different levels of government to network. Professional groups and bodies across governmental levels hold meetings almost on daily basis. Such groups include local government chairpersons meetings, Association of Local Government of Nigeria (ALGON), Speakers of State Houses of Assembly, and state governors meetings. At the same time, there are monthly consultative/allocation meetings between the executive arm of the state and the local government chairmen and key government functionaries.

According to Adamolekun, (1983, 89) the administrative mechanisms for IGR are dominated by federal-state and interstate conferences. For instance, between 1980 and 1990, over 2000 meetings and conferences were held at the federal-state and interstate levels. During the Shagari regime, bi-annual conferences of commissioners for local government were held with units in the President's office as the secretariat.

In administrative matters, Federal-State-Local relations have moved in the direction of federal assertive leadership and control (Bello, 2009). A number of intergovernmental administrative institutions have been established to provide frameworks and avenues for consultation and co-operation, and multiply the impetus for integration of government. An example is the Nigerian Council for Science and Technology established in 1970. It was established to determine priority areas for scientific activities. Its key result areas spanned a number of issues, inter alia advising on the development of a national policy, conducting research and advising on the application of research. The Council of Science and Technology maintains general surveillance over a number of Research Councils. The latter include the Agricultural Research Council (1971), the Medical Research Council of Nigeria (1972), the Natural Sciences Research Council (1971), the Industrial Research Council (1971) and the Natural Sciences Research Council (1973).

Over the years Inter-governmental administrative relations in Nigeria have experienced detrimental competitions and problems between the various governmental levels (Bello,2009, Ile, 2007). One major cause of political instability in Nigeria is diversity. The social differences and social differences are vast and the endeavors to iron them in itself becomes a problem. According to Adamolekun (1983), the observation about the preference of the political players has culminated in a scenario where cooperation and combination implicit in federal arrangements enshrined in the Constitution have been replaced by competition, conflict and confrontation. Cases of depriving sub-national governments of funding have been prevalent. This has in many instances been worsened by the margin of political incongruence. This explains why most local governments performed below expectation.

3.3.6 Conclusion

The section attempted to critically examine the dynamics of IGR in Nigeria. The varying aspects of diagnosis include the general arrangement of government and the allocation of authority among the different levels of government, constitutional provisions for IGR and the institutional framework. Challenges of the IGR system were also examined. Major issues emerging from the review included extensive contestations for power in the IGR system oiled by constitutional provisions skewed in favour of the National Assembly and the Presidency, posing a serious threat to intergovernmental balance of power. A tendency towards (re)centralisation has also been unpacked which suffocates the position of local government in the

intergovernmental domain. In the process, it is notable that there is an urgent need to revisit the allocation of powers, recast fiscal federalism and rethink the unity in diversity thrust of the federal system of Nigeria.

3.4 IGR and cooperative government South Africa

3.4.1 Introduction

South Africa is a classic case of a distinctive system of IGR anchored on a strong constitutional basis with the fundamental principles of cooperative engagement as building blocks. According to the White Paper on Local Government (1998), South Africa's system of IGR is a revolutionary break from a divided past anchored on an impetus towards development rather than bureaucracy, a dedication to efficiency and performance monitoring rather than just following the rules. This presents key lessons to the Zimbabwean IGR system which is not supported by any legislation and further compounded by a strong centralist government that has since independence shown a serious absence of political will to devolve power or acknowledge sub national government as equal partners in governance. This crisis of constitutionalism in Zimbabwe has manifested itself in a number of facets and tendencies e.g unwillingness to operationalise provisions of the Constitution that strengthens sub national government in IGR bargaining such as sections 264, 267-273 and 276 of the Constitution. This section focuses on IGR in South Africa. Key issues to be examined are South Africa's system of government and its influence on IGR, the constitutional and legislative foundations of IGR and cooperative

government in South Africa, its institutional framework, and challenges. Malan (2005) points out that South Africa's IGR and co-operative government system is rapidly evolving, because of its constitutional/ legal framework and the statutory commitment of the various spheres of government to the operationalisation of the principles of co-operative government and IGR.

3.4.2 The system of government

Although the thrust of this research is IGR, it is nonetheless important to observe that for these relations to be well understood, there is need to unlock the key distinctive features of unitarism that differentiates it from federalism as South Africa exhibits both and these characteristics have direct effects on IGR (Thornhil, 2002). Mdliva (2012, 17) raised a very fundamental question on whether South Africa is a unitary system or federal state. Calitz and Essop (2013) argue that there are clear differences of interpretation as to whether and to what extent the Constitution establishes a federal or a unitary state. Ajam and Aron (2007) describe the result of the South African Constitution as a complete restructuring into a unitary state with three spheres of government. By contrast, De Villiers (2008, 2) speaks of a 'federal-type dispensation'. Another dimension is that of Malherbe (2008) cited in Calitz and Essop (2008, 132), who provides yet another description, namely that the Constitution provides that South Africa is a 'so-called composite state with at least three particular federal features'

While the Republic of South Africa is generally perceived to be a unitary state, there are many features in both the Constitution and the practical arrangement of government that resembles a federal nation. Watts (1994) seems to concur with the above view and submits that although nation states are treated as discrete and unified entities as far as international politics is concerned, each nation state incorporates a range of internal divisions and levels of power. Most significantly, there are territory-based and local divisions between central or national government and various forms of provincial, state and local government. Therefore, there is a tendency of vacillation towards both federalism and unitarism that may make classification exclusively challenging. While the Constitution may prescribe or declare a unitary nation, normative orientations may pose a tendency towards federalism and vice versa. The sum total of all these factors as discussed earlier, both the constitutional/ legal, normative etc have far reaching implications on IGR which cannot be downplayed. Scholars cited earlier among them, Ile (2007), Calitz and Essop (2013), Ajam and Aron (2007), Malherbe (2008) hold the view that the Constitution of South Africa has both federal and unitary features. The federal features of the Constitution are that all spheres of government are established by the Constitution and have original powers (Section 40(1) of the Constitution of 1996).

Sindane (2010) also expresses the view that the South African unitary Constitution provides for not less than eighteen federal characteristics, all of which define the relations between the national and provincial governments. These include a written

constitution, which is regarded by a number of international scholars as a prerequisite for any state with substantial federal characteristics, the process for amending the constitution, a bicameral parliament, composed of the National Assembly and the National Council of Provinces, constitutional recognition of regional governments, i.e. provinces in the South African case, Judicial arbitration or the Constitutional Court which presides over constitutional matters, self-rule by provinces (also contained in Schedule 5 of the South African Constitution, i.e. exclusive functions for provinces) and shared rule/responsibilities between the provinces and the national government which are predominantly contained in Schedule 4, the role of the National Council of Provinces which is mainly to ensure that the provincial interests are taken into account, the provision for the autonomy of provinces, section 40(1) of the South African Constitution, several provisions for fiscal autonomy of provinces, separate legislative authority for provinces, permanence of provincial boundaries, the right of every province to write their own constitution; etc.

Thus section 41 provides for the principles of cooperative government to harness the conduct of these levels of government towards cooperative governance. However, for purposes of this study, the researcher takes the view of both the Constitution and the popular view that South Africa is a unitary nation but will not ignore the influence of federal features on the IGR system of the country.

The Republic of South Africa is a constitutional democracy with a three-sphere system of government and an independent judiciary, operating in a parliamentary system. Legislative authority is held by the Parliament of South Africa. Executive authority is vested in the President of South Africa who is head of State, Government and Cabinet. The President is elected from the Parliament to serve a fixed term. South Africa's government differs greatly from those of other Commonwealth nations. The national, provincial and local levels of government all have legislative and executive authority in their own spheres, and is defined in the South African Constitution as 'distinctive, interdependent and interrelated'.

3.4.3 Constitutional and legislative guidelines for IGR in South Africa

Co-operative government and intergovernmental relations are laden concepts that may be explained within a particular governance system of a country through examination of constitutional and legislative systems and processes. Within the South African context, the Constitution provides a framework within which cooperative government and intergovernmental relations are outlined. South Africa has an intergovernmental system that is based on the principle of cooperation between the three spheres of government-local, provincial and national. While responsibility for certain functions is allocated to a specific sphere, many other functions are shared among the three spheres

According to Mdliva (2012), the demise of apartheid and the transition to democracy ushered fundamental changes to the form and functions of the State. It brought

fundamental changes and the restructuring of co-operative governance and intergovernmental relations. The responsibilities, functions and powers of the different spheres of government were changed and streamlined as stated in the Constitution of the Republic of South Africa Act, 108 of 1996. To Malan (2005), the Constitution envisages a state that promotes interaction and co-operation of the different spheres of government on a continuous basis and therefore provides principles to underpin the manner and quality of those interactions. The Constitution of South Africa has been hailed as a master piece in promoting IGR and cooperative governance. According to Nzimakwe and Ntshakala (2015) the Constitution of South Africa is regarded as among the most liberal in the world, since it brought about a political system with a new dimension to intergovernmental relations in the country. It sought to advance the achievement of government goals through an inter-governmental relations mechanism.

De Villiers (2008) argues that with Chapter 3 of the Constitution and the Intergovernmental Relations Act 2005, South Africa arguably has the most advanced legal arrangements of any Constitution to set out the spirit of national unity, provincial and local autonomy, and the importance of intergovernmental cooperation. Malan (2005, 226) further argues that the post-1994 government recognised the challenge of creating a system of government that will promote co-operation and intergovernmental relations as outlined in Chapter 3 of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996) because a major challenge and

recurring theme in the practice of intergovernmental relations is that the Constitution introduces a 'natural tension' between the relative autonomy of a particular sphere of government on the one hand, and the pursuit of a coherent government for South Africa through IGR and collaboration on the other.

Section 40 of the Constitution of South Africa provide for a government constituted at three levels, referred to in the Constitution as spheres (see extract below)

Chapter 3

Co-operative Government

Government of the Republic

40. (1) In the Republic, government is constituted as national, provincial and local spheres of government which are distinctive, interdependent and interrelated.

Source: Constitution of South Africa Act 108 of 1996

The “distinctive” element refers to the autonomy enjoyed by the spheres; that is, the degree to which each sphere is the final decision-maker on a particular matter that falls within its area of competence. The creation by the Constitution of this decentralised governance system which comprised the three distinct but inter-related spheres of government also gave rise to the need for a systematic system of intergovernmental relations (IGR) to give effect to the principles of cooperative government. This is reinforced in section 41 (see extract below)

Principles of co-operative government and intergovernmental relations

41. (1) All spheres of government and all organs of state within each sphere must -

(a) preserve the peace, national unity and the indivisibility of the Republic;

(b) secure the well-being of the people of the Republic;

(c) provide effective, transparent, accountable and coherent government for the Republic as a

whole;

(d) be loyal to the Constitution, the Republic and its people;

(e) respect the constitutional status, institutions, powers and functions of government in the other

spheres;

(f) not assume any power or function except those conferred on them in terms of the Constitution;

(g) exercise their powers and perform their functions in a manner that does not encroach on the

geographical, functional or institutional integrity of government in another sphere; and

(h) co-operate with one another in mutual trust and good faith by -

(i) fostering friendly relations;

- (ii) assisting and supporting one another;
 - (iii) informing one another of, and consulting one another on, matters of common interest;
 - (iv) co-ordinating their actions and legislation with one another;
 - (v) adhering to agreed procedures; and
 - (vi) avoiding legal proceedings against one another.
- (2) An Act of Parliament must -
- (a) establish or provide for structures and institutions to promote and facilitate intergovernmental relations; and
 - (b) provide for appropriate mechanisms and procedures to facilitate settlement of intergovernmental disputes.
- (3) An organ of state involved in an intergovernmental dispute must make every reasonable effort to settle the dispute by means of mechanisms and procedures provided for that purpose, and must exhaust all other remedies before it approaches a court to resolve the dispute.
- (4) If a court is not satisfied that the requirements of subsection (3) have been met, it may refer a dispute back to the organs of state involved.

Source: Constitution of South Africa Act 108 of 1996

To realise these principles, the Intergovernmental Relations Framework Act (Act No. 13 of 2005) was promulgated. The Act provides for an institutional framework for the three spheres of government to facilitate coherent government, effective provision of service, monitoring implementation of policy and legislation, and realisation of developmental goals of government as a whole (Mdliva, 2012). The Intergovernmental Relations Framework Act is a key piece of legislation for intergovernmental relations. Before its adoption there was no single formal law that defined IGR, set the basic framework for intergovernmental relations and provided procedures for the settlement of intergovernmental disputes.

The White Paper on Local Government (1998) provides for the strategic aims of the system of intergovernmental relations of South Africa by identifying the following as strategic purposes of intergovernmental relations:

- to promote and facilitate co-operative decision-making;
- to coordinate and align priorities, budgets, policies and activities across interrelated functions and sectors;
- to ensure a smooth flow of information within government, and between government and communities, with a view to enhancing the implementation of policy and programmes; and
- the prevention and resolution of conflicts and disputes.

3.4.4 Three spheres of government

Establishing an effective and efficient decentralised political system is a challenge in any country that is structured by a multi-tiered system of government. Difficulties arise in decision making processes and in establishing a clear separation of responsibilities vis-à-vis the practical tendencies of overlapping authority. As discussed earlier, the Constitution provides for a government constituted at 3 levels, i.e, national, provincial and local levels. This system of government generally offers a structure of government which is close to the people and which can accommodate regional diversities and provide for accountable and responsible governance. To De Villiers (2008), this system was viewed by experts and politicians at the time as the most appropriate for South Africa, which is a large, multi-ethnic country featuring important regional differences. While agreeing with this structure of government, the ANC in one of its policy positions argued that where government exists at national, regional and local level, and when there are nine provincial governments, it can have an adverse impact on nation-building as well as cost effective and efficient governance. These potential consequences are:

- Additional costs of governance.
- Mutually destructive norms in the various provinces that is policies and legislation in one province which adversely affects another province's welfare.
- Perpetuation of regional distortions and disparities in resources.

- The marginalisation of provincial influence in respect of national legislation and the national executive.
- A system of governance which seeks to resolve problems only from the perspective of that particular province and in which provinces are precluded from understanding the broader picture in the absence of a forum to promote this.
- Inconsistencies or contradictions between the different provinces' legislation or between national and provincial legislation, unproductive competition between provincial governments and between levels of government.
- Inability to focus resources on, or develop policies for, problems and needs which are national in nature or origin, and which require national remedies.

A question may be raised as to why in certain jurisdictions such as South Africa levels of government are referred to as spheres while in others such as Zimbabwe are called tiers. While some scholars tend to view this distinction as only cosmetic and very trivial, it is important to unpack the implications of this terminology and its possible connotations to IGR. Titus (2000, 19), argues that the preference for the word 'sphere', in the South African Constitution as opposed to 'tier', was premised on a deliberate attempt to ensure that all levels of government were accorded equal status and treatment. To Mathebula (2011, 843) the notion of spheres of government introduces to the IGR landscape a 'revisitation of hierarchies and central institutions in government'. The Constitution deliberately refers to the term 'spheres', as the term 'tiers' would emphasise the existence of a hierarchical relationship between the three

levels of government, with local government occupying the lowest rung. Therefore, the reference to different levels of government as spheres rather than tiers is a paradigm shift from the notions of hierarchy and connotations of subordination with the aim of seeking cooperation rather than competition (Reddy 2001, Levy and Tapscott 2001). This is premised on the notion that spheres commit to assigned roles and has a comparative advantage over tiers in harnessing the commitment of different government levels towards common government objectives with minimum objections and conflict. However to Malan (2005) argued that although the three spheres are autonomous, they work together in decision-making, co-ordination of budgets, policies and activities, mainly where functions cut across the jurisdiction of individual spheres. The following is the framework of the three spheres of government. Nzimakwe and Ntshakala (2015) concur with the above view and concluded that intergovernmental planning and coordination, among the three spheres of government, are crucial for South Africa if it is to realise its objective of becoming a well-oiled developmental state that is able to respond to and meet the social and economic needs of its people.

The establishment of various IGR arrangements enhance co-operation of the different spheres in mutual trust and good faith (Malan 2005). At central government level legislative authority is vested in the National Assembly which is the primary legislative authority of South Africa (Kuye, et al in Ile 2009; 53) and executive authority in the Cabinet, provincial governments with subsidiary or subordinate legislative authority vested in the provincial legislatures. The legislative authority of

provincial legislatures is limited and only applicable to territorial boundaries of each province (Ile 2009). Provincial governments also have executive authority vested in the Premier. Local government comprise of municipalities which are closer to communities and recognize legislation passed by the other two spheres.

3.4.4.1 National government

The Constitution establishes a national government, comprising a Parliament and a National Executive. National legislative authority is vested in Parliament, which consists of the National Assembly and the National Council of Provinces (NCOP) and the election and procedures of both the National Assembly and the NCOP are provided in section 42 (1) and (2) as presented in the extract below:

(3) The National Assembly is elected to represent the people and to ensure government by the people under the Constitution. It does this by choosing the President, by providing a national forum for public consideration of issues, by passing legislation and by scrutinizing and overseeing executive action.

(4) The National Council of Provinces represents the provinces to ensure that provincial interests are taken into account in the national sphere of government. It does this mainly by

participating in the
national legislative process and by providing a national forum for public consideration
of issues
affecting the provinces.

Source: Constitution of South Africa Act 108 of 1996

The NCOP comprises of delegations from each province. National Executive authority, which includes the power to implement national legislation, is vested in the President, who exercises this authority together with the other members of the Cabinet. Cabinet members are collectively and individually accountable to Parliament.

3.4.4.2 Provincial government

The Constitution establishes and demarcates nine provinces, each with a provincial legislature and a provincial executive. South Africa's provincial level of government has a complex history which may need to be unpacked and triangulated with the current perceptions over their efficacy. De Villiers (2008) and De Visser (2005) argue that in the debates leading up to the Constitution of the Republic of South Africa, (Act 108 of 1996) the topic of provinces with constitutionally guaranteed powers was a hotly contested area. Some viewed the provinces as critical elements for the deepening and widening of South Africa's democracy after years of a discriminatory colonial system and the improvement of service delivery, while others understood them in a far less favourable light as costly and fraught with duplication of services. To Steyler (2005), some viewed provinces as laboratories of local decision-making

and experimentation, while others saw them as a risk to national unity and integration. De Villiers (2008, 2) added that some took provinces to be an unnecessary 'layer' between the national and local governments, while others justified them as an essential element to direct and coordinate regional decision-making and service delivery. Despite all the criticism, the fact is that provinces, have since 1993 become an integral part of the South African constitutional milieu. As summed by De Villiers (2008, 2) provinces and local governments are practical examples of how 'self-rule' and 'shared rule' can be combined and harmonised in a single system of government with common objectives

The powers of the provincial governments are circumscribed by the Constitution, which limits them to certain listed functional areas. In some areas the provincial governments' powers are concurrent with those of the national government, while in other areas the provincial governments have exclusive powers. Each province has a unicameral provincial legislature, varying in size from 30 to 80 members depending on the population of the province. The members of the provincial legislature are elected by party-list proportional representation for a usual term of five years; although under certain circumstances the legislature may be dissolved before its term expires. Justifying the significance of South Africa's provincial level of government, De Villiers (2008) argued that, from the perspective of the local level, the national administration is far removed from their specific problems and finds it difficult to support the communities adequately. As the tier much closer to the local

area, the provinces should assume this responsibility. However, to Malan (2005), if the provincial tier is to attain the above components and fulfil its obligations properly it must have its own parliamentary-based authority and a degree of financial independence from the national level with its own tax income feeding the provincial budget. While legal regulations on these issues may seem a challenge, the basic determination is laid down in the South African Constitution, in which paragraph 125(3) obliges the national government to ‘... assist provinces to develop the administrative capacity required for the effective exercise of their powers and performance of their functions ...’

3.4.4.3 Local government

The Constitution provides a framework for a system of local government, which became operational in 2000. Local government is provided in chapter 7 of the Constitution as the third and lower sphere of governance. Section 151 (1) of the Constitution provides that the local sphere of government consists of municipalities, which must be established for the whole of the territory of the Republic. Section 154 of the Constitution (see extract below) establishes an important provision on the coexistence of local government with the other spheres of government.

Municipalities in co-operative government

154. (1) The national government and provincial governments, by legislative and other measures, must support and strengthen the capacity of municipalities to manage their own affairs, to exercise

their powers and to perform their functions.

(2) Draft national or provincial legislation that affects the status, institutions, powers or functions of

local government must be published for public comment before it is introduced in Parliament or

a provincial legislature, in a manner that allows organised local government, municipalities and

other interested persons an opportunity to make representations with regard to the draft legislation.

Source: Constitution of South Africa Act 108 of 1996

According to Buhlungu & Atkinson (2007), the history of local government in South Africa has been dominated by two interwoven strands: the creation of a strong legacy of municipal administration alongside the painful process of transition from racially structured institutions to non-racial municipalities. De Villiers (2008) however lamented that these processes have achieved substantial progress in the past few years, which may be interpreted as successful from the local government side, and not so successful from the community side.

According to De Villiers (2008), the local level of government is correctly understood as the pillar of democracy where politics meets people. This is because political plans and decisions should be the result of a participative process that includes the

cultural context and specificities of the locality. However, municipalities and districts are heavily reliant on subsidies and capacity support from the higher spheres.

3.4.5 The problem of concurrency and overlapping authority among spheres of government

According to Steytler (2001), it is widely acknowledged in practice, that the clear allocation of functional areas is a matter of concern as it affects effective service delivery. Although it is not a matter that has seriously disrupted government service delivery, it is a constant irritant to integrated service delivery. However, due to the dominance of a single political party, in provinces and municipalities, conflicts related to allocation of functions and powers have resulted in litigation, but are likely to be resolved at a political level. De Visser (2005) cited a number of state institutions that have raised the issue and sought innovative measures to deal with the problem.

According to De Villiers (2008), concurrency does not impose a condition or impediment on the legislative authority of parliament or the provinces. Both spheres have powers to legislate on any concurrent issue and such legislation exist alongside each other. De Visser (2005) added that the pre-eminence provisions only determine which legislation prevails in the case of inconsistency. To De Villiers (2008, 23) this is imperative as means that the Constitution does not leave scope for the 'field pre-emption' doctrine to apply in South Africa. According to the doctrine, national legislation may pre-empt or exhaust a concurrent field to such an extent that it leaves no scope for the provinces to legislate in that field, rendering invalid any provincial

legislation that may be made in that field. By contrast, in South Africa, national legislation on a particular matter does not exclude the provinces from legislating on that same matter. This is confirmed by section 149 of the Constitution, which provides that when in the case of an inconsistency a particular piece of legislation prevails, the other legislation is not invalid but is inoperative as long as the inconsistency remains. Such legislation thus remains in force and must be applied to the extent that it is not inconsistent with the law that prevails over it. It will also revive without further ado when the inconsistency falls away for example, when the prevailing law is repealed or invalidated on unrelated grounds.

While a theoretical analysis of the Constitution, relevant Acts of Parliament and Schedules that establish the terms of reference and functions of the different spheres may highlight the lack of clarity about the ambit of most functional areas, the question should be asked as to the factors that may trigger conflict over overlapping functions and powers. To Steytler (2005), three factors are pertinent:

First, the financial dimension of powers and functions will most often drive contestation over definitional problems. Steytler (2005) observed that where a function entails expenditure, there are often keen attempts by governments to define their functions narrowly in order to escape the financial responsibility that a more generous definition would bring about. On the contrary, where the assertion of power with regard a functional area may raise revenue, then, of course, there may be a

healthy scramble to claim sole entitlement to that source. Political agendas as the second factor may also lead to conflict. Where a municipality wants to assert its power, often motivated by party political interests, functional areas may be interpreted expansively. Even outside the party political context, there are battles of turf between provinces and local government. Where local government has historically provided a service, it is often reluctant to give it up. Thirdly, good administration and planning also require clear demarcation of areas of responsibilities. The same applies to developmental local government around the integrated development planning process.

According to the DPLG (2008), to promote aligned policy implementation among the three spheres of government, the National Spatial Development Perspective (NSDP) was drafted in 1998 and has been updated on a regular basis. In January 2003 it was approved as an indicative planning tool to promote intergovernmental alignment and harmonisation. The DPLG (2008) further adds that the NSDP is not a national plan, but articulates the normative principles and methodologies to underpin investment, infrastructure investment and development planning decisions of all three spheres. What also makes alignment of planning complex is that it occurs between spheres as well as between and within the three spheres. The national planning framework was introduced as a mechanism to facilitate improved intergovernmental planning and its focus is hinged on the following:

- Greater cooperation within and across the three spheres of government at a strategic level in planning and implementation;
- Substantive intergovernmental engagement on strategies and plans;
- Building a greater understanding of the developmental role of local government across all spheres of government;
- Giving effect to the role of the District or Metro IDP (Municipal Integrated Development Plan) as a platform for a shared understanding and agreement on strategies to unlock development potential and overcome challenges;
- Greater involvement of national and provincial sector departments in the development of IDPs
- Entrenching local government in provincial and national planning processes.

3.4.6 Three themes of South Africa's IGR system

Chapter 3 of the Constitution states that the three spheres of government are 'distinctive, interdependent and interrelated'. The fundamental challenge then is to explore the implications of this seemingly complex constitutional dichotomy on IGR. To Venter (1998) in Ile (2009, 53), each sphere of government is 'autonomous but interlocked with the other spheres and must operate in unison with them in the delivery of public services'. Therefore, although the different spheres are interdependent and interrelated, each has relative distinction and autonomy and therefore performs functions and exercises its powers with minimum interference. Despite some implied level of parity amongst the spheres, they are however equal regarding their importance in service delivery. However, according to Malan (2005)

there is vested responsibility among spheres to ensure that other spheres adequately and constitutionally perform their functions.

3.4.6.1 Distinctive

According to Mdliva (2012), the 'distinctiveness' means that the Constitution allocates certain functions and powers to each sphere which then have the final decision making power on those matters. To the Draft Green Paper Cooperative Governance Draft (2010, 3), 'distinctive' implies that each sphere 'has its own identity, elected government, decision making powers, and is accountable for its own conduct'. Distinctiveness, however, does not mean independence as the Constitution specifically describes the spheres as interdependent. The DPLG (2010) says that a sphere must 'remain within its constitutional mandate, and when exercising those powers, must not do so in a manner that encroaches on the geographical, functional or institutional integrity of another sphere, except where specifically directed otherwise'.

Section 41 (1) (f) provides that 'All spheres of government and all organs of state within each sphere must not assume any power or function except those conferred on them in terms of the Constitution' The Constitution demarcates the extent of the mandate of each sphere beyond which it will be acting ultra vires. For example, the Constitution clears certain matters over which provincial governments can make laws. Each Sphere therefore enjoys a degree of autonomy over those matters allocated to it by the Constitution. Section 41 (1) (e) and (g) 'All spheres of

government and all organs of state within each sphere must respect the constitutional status, institutions, powers and functions of government in the other spheres and exercise their powers and perform their functions in a manner that does not encroach on the geographical, functional or institutional integrity of government in another sphere'

In the case of the City of Cape Town, v Robertson cited in Mdliva (2012, 27), the Constitutional Court pronounced it clearly that municipalities derive powers from the Constitution: 'A municipality under the Constitution is not a mere creature of statute otherwise moribund save if imbued with power by provincial or national legislation. A municipality enjoys original and constitutionally entrenched powers, functions, rights and duties that may be qualified or constrained by law and only to the extent that the Constitution permits' Similarly, in Fedsure Life Assurance v Greater Johannesburg Transitional Metropolitan Council, the Constitutional Court remarked: 'Local government is no longer a public body exercising delegated powers. Its council is a deliberative legislative assembly with legislative and executive powers recognized in the Constitution itself'

However to De Villiers (2008) the de facto position differs significantly from the formal constitutional arrangement. In fact, a distinct centralist tendency has become evident in South Africa over the past decade. This tendency has been fuelled mainly by political and ideological reasons. For example, the way in which the relationship

between the spheres of government has been structured, the emphasis in the Constitution on concurrency and the financial dependency of the provinces has created the space for the national government to monopolise virtually all legislative initiative.

3.4.6.2 Interrelated

The 'interrelatedness' mean that the exercise of autonomy by a sphere is supervised by the other spheres of government. The Draft Green Paper: Cooperative Governance (2010) articulated interrelatedness to mean that the local and provincial spheres of government are subject to the regulatory, supervisory and intervention authority of national government, which sets the frameworks within which they exercise their own powers, can monitor their activities and intervene in their affairs when circumstances permit. Mdiliva (2012, 34) stressed that interrelatedness does not imply making legally binding decisions that affect another sphere. It is rather about co-operation through 'joint planning, fostering friendly relations and avoiding conflict'. It ensures effective development and service delivery, and to avoid abuse of power. Supervision is anchored in the Constitution and the relevant legislation in three ways, namely monitoring, support and intervention (Constitution of Republic of South Africa, 1996).

For instance, in respect of local government, provincial government has similar, but not equivalent powers to national government. In a nutshell, the exercise of functions and powers by one sphere is always supervised by one or more spheres of

government. This enables oversight over development and service delivery and ensures that checks and balances are in place to avoid abuse of power. While local government has been allocated certain matters to deal with, municipalities are supervised by provincial and national governments. Similarly, national government exercises a degree of supervision over provincial governments. Supervision means that one sphere of government can, if need be, make final binding decisions affecting another sphere.

3.4.6.3 Interdependent

According to the Practitioners Guide to the Intergovernmental Relations System in South Africa (2007) cited in Mdliva (2012), 'interdependent' means that each sphere must exercise its autonomy to the common good of the country by co-operating with the other spheres. To the Draft Green Paper: Cooperative Governance (2010), interdependent implies that authority over service delivery functions is shared and spheres are jointly bound by the principles of cooperative government set out in the Constitution. Mdliva (2012) added that for the government to implement national priorities and address socio-economic gaps such as poverty eradication, employment creation and address service delivery gaps, all spheres should work in partnership. IGR are therefore not simply about exercising autonomous powers or supervising the exercise thereof, most of the challenges of integrated governance are met through co-operation. In the same line, the notion of interrelatedness is therefore not about making legally binding decisions that affect another sphere.

Instead, it is about co-operation through joint planning, fostering friendly relations and avoiding conflict.

According to Malan (2005) co-operative government is a partnership among the three spheres of government requiring each government to fulfil a specific role. Ile (2010) in Nzimakwe and Ntshakala (2015) argues that cooperative government aims to improve coordination and alignment of governmental activities and requires the different spheres to consult and inform one another on issues of common concern. Co-operative government does not ignore differences of approach and viewpoint among the different spheres but encourages healthy debate to address the needs of the people they represent by making use of the resources available to government. De Villiers (1994, 430) concluded that no sphere of government can function effectively without co-operation with the other because of the interdependency and interrelatedness of some governmental functions, spill-overs in services, scarce resources and poor economic conditions and popular accountability as well as grassroots pressure. In a nutshell, the more different levels of government relate, the greater the distillation of approaches and cross fertilisation of ideas and the better the results.

3.4.7 Key IGR institutions in South Africa

Young multi-tiered systems often face challenges in institutionalising IGR through institutions, forums and practices over a long period of time as may have been the case in established federations and decentralised unitary arrangements. According

to De Villiers (2012) the experiences of South Africa in setting up intergovernmental institutions and practices shortly after the promulgation of its 1993 Interim Constitution and the 1996 Final Constitution may be instructive to other emerging multi-tiered systems. These IGR institutions and forums are established to discuss matters of national interest within a specific functional area with provinces and, if appropriate, with organised local government. Malan (2005) viewed that these structures should also discuss performance in order to detect failures and to propose preventative or corrective action. In national IGR structures, development of policy and legislation relating to matters affecting the functional area is discussed as well as the implementation of these policies. Other matters for discussion in the national intergovernmental forums should be the coordination and alignment of strategic and performance plans as well as the priorities, objectives and strategies across national, provincial and local governments. The national intergovernmental forums should also report back to the President's Coordinating Council on any matter referred to it by the Council.

3.4.7.1 The National Council of Provinces

The NCOP has 90 members comprising delegations from each province. A provincial delegation comprises 10 delegates. There are four special delegates that is the Premier or person designated by the Premier and 3 delegates designated by the Provincial legislature, and six delegates who are permanent delegates to the NCOP. The National Council of Provinces is one of the two Houses of Parliament. The NCOP is constitutionally mandated to ensure that provincial interests are taken

into account in the national sphere of government. This is done through participation in the national legislative process and by providing a national forum for consideration of issues affecting provinces. The NCOP also plays a unique role in the promotion of the principles of cooperative government and IGR. It ensures that the three spheres of government work together in performing their unique functions in terms of the Constitution and that in doing so; they do not encroach in each other's area of competence. This ensures that synergy exists between the spheres on matters of concurrent competence. According to Mdliva (2012, 65), the NCOP, as one typical example of its functions, offers a schedule entitled 'Taking Parliament to the People'. The purpose of the schedule is to gather political and executive members of the government into a forum with representatives of the provincial residents, in order for them to discuss and debate key development issues together.

De Villiers (2008) submits that the composition and functions of the National Council of Provinces (NCOP) are unique and a thorough review of the institution is justified to establish if it is meeting the challenges for which it was established and to identify ways to improve its functioning. However, to De Visser (2005), the NCOP which according to the Constitution is supposed to represent provincial interests in the national decision-making process has largely been reduced to a rubber stamp by the process described above, even to the extent that questions have been raised about its usefulness as the second house of parliament.

3.4.7.2 The Courts

The IGR system must generally ensure cooperative service delivery in support of the progressive realisation of socio-economic rights. The Courts of South Africa especially the Constitutional court plays a fundamental role in IGR, particularly in the resolution of disputes that are of an IGR nature. Because IGR structures and processes are outlined in the Constitution, and because the rights enshrined in the Bill of Rights are justiciable, both fall within the jurisdiction of the court system and, finally, the Constitutional Court (Sokhela 2006). The judicial decisions in these two areas potentially have implications for the structure and functioning of the system of IGR. For instance, as arbiter of IGR disputes, a court could be asked to consider whether an intervention by the national government under section 100 were arbitrary. Or, it may be asked to decide whether a particular function is properly allocated to local government or should be carried out by the provincial sphere (Ajam and Muray). When courts are called upon to decide such cases and interpret the rules they will help to shape them. Although a court order formally binds only the parties before the court, its impact is always broader. This is because court decisions provide authoritative interpretations of the Constitution that bind other courts in future decisions. Cases thus often have a far reaching impact.

In the same context, if there are doubts as to whether a national, provincial or municipal by-law is consistent with the division of powers and functions in terms of the Constitution, a court can determine whether or not that law is constitutional

(Mdliva, 2012). If such a decision is made by a High Court or the Supreme Court of Appeal, it has to be confirmed by the Constitutional Court. Only the Constitutional Court may decide on disputes between national or provincial organs of state over their constitutional status, powers or functions. Disputes between a municipality and an organ of state in the national or provincial spheres over the status, powers, or functions of a municipality can also be heard by a High Court or the Supreme Court of Appeal.

3.4.7.3 Financial and fiscal commission (FFC)

One dimension of political dispute and a major and recurring challenge to political decision-makers is the autonomy particularly of the provincial and local levels of government. In this context the extent of financial autonomy is decisive for political competence (Brand, 2007). Only a fairly even distribution of state revenue can ensure efficient, good quality, collaborative and accountable service delivery. Because of the diversity of provinces and municipalities in most nations in general and South Africa in particular, especially in terms of their economic power, a financial equalisation system is necessary to balance the quality of life in the different regions of any nation. It is for these reasons that the fiscal and financial IGR is a subject of intense political debate in decentralised states. Clearly defined competencies for each sphere and financial regulations are constitutive elements of a functioning multilevel system, which in turn makes real service delivery possible.

According to Brand (2007) in order to prevent confusion between the national, provincial and local spheres of government, responsibility and accountability in financial intergovernmental relations must be clearly defined. Since local government is at the coalface in terms of practical implementation and delivery, this level of government must be properly resourced if the much lauded developmental state is to be realised in South Africa. In order to achieve stable and balanced fiscal IGR, the South Africa Constitution provides for the establishment of the FFC. The Financial and Fiscal Commission is an independent Commission appointed by the President. It makes recommendations regarding intergovernmental fiscal and financial matters to Parliament, provincial legislatures and other authorities. At least ten months before the start of the financial year, the FFC makes recommendations concerning the division between national, provincial and local spheres of national revenue, the determination of each province's equitable share and any other allocations to local government or municipalities. It also plays an important advisory role to national or provincial governments that want to assign functions and powers to local government.

The establishment of the FFC provide a piece of the machinery through which important intergovernmental fiscal decisions could be examined in an independent, impartial and knowledgeable manner. In order to guide its work, the FFC examined and adopted a set of norms for the intergovernmental fiscal system. The norms cited in its Framework document of 1995 include the following:

- Effective resource use to maximise the socio-economic benefits of the scarce resources available to the public sector
- Accountability to the electorate
- Nation-building and fiscal autonomy, in a manner which establishes a balance between the large degree of fiscal autonomy granted to provinces and local governments and the need to maintain national security, economic policy and essential national standards
- Transparency to promote credibility and stability.

The FFC is given a special role within the intergovernmental fiscal framework. This role is to be an independent and impartial statutory institution, accountable to the legislatures, with the objective of contributing towards the creation and maintenance of an effective, equitable and sustainable system of intergovernmental fiscal relations, rendering advice to legislatures regarding any financial and fiscal matters which have a bearing on intergovernmental fiscal relations. In a nutshell, the FFC recommendations provide a solid foundation for the financing of the different levels of government, with their extensive responsibilities for the delivery of major public services. Perhaps, the most important achievement was the establishment of an objective and equitable formula for the division of national revenue. Thus the National Treasury was moved to acknowledge the central role played by the FFC in the development of the initial patterns for the division of revenue.

3.4.7.4 Department of provincial and local government

According to Mdliva (2012), the Department for Provincial and Local Government plays a key role in guiding the evolution of IGR, in conjunction with the Cabinet Governance and Administration Cluster. It is the department responsible for the implementation of critical legislation dealing with intergovernmental relations. Part of its mission is to develop appropriate policies and legislation to promote integration in government's development programmes and service delivery and to provide strategic interventions, support and partnerships to facilitate policy implementation in the provinces and local government.

3.4.7.5 South African Local Government Organisation (SALGA)

Effective participation in the system of intergovernmental relations requires that local government acts as a collective to make the voice of local government heard and to make sure that local government is a full partner in cooperative government (Steytler and De Visser, 2007). Local government can only act collectively through organised local government structures.

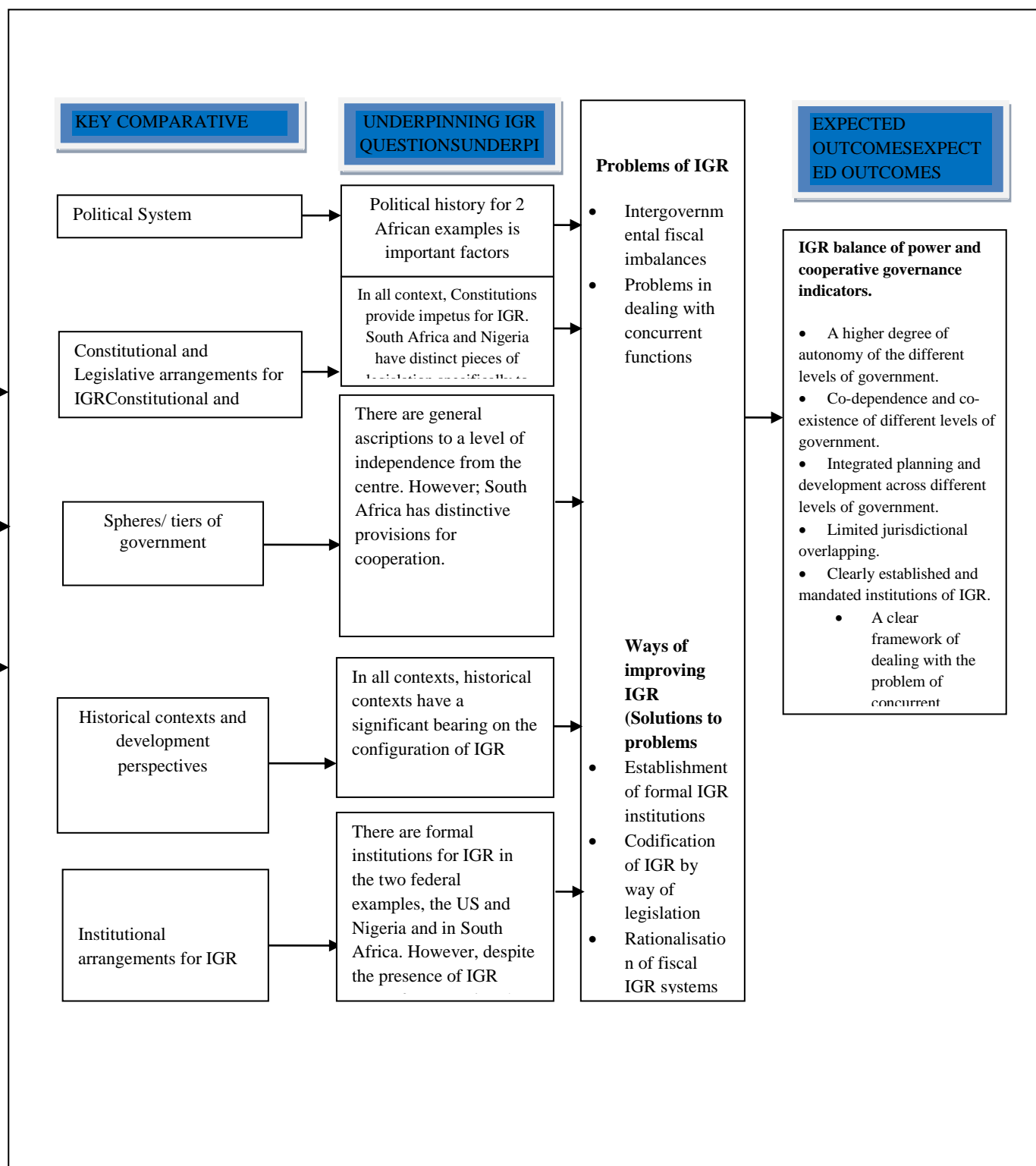
According to Dlanjwa (2013) SALGA, as a representative of the local government sector is a critical stakeholder in the implementation and fostering of integration and coordination of stakeholders in ensuring effective service delivery in the cooperative governance framework of South Africa. SALGA's role therefore include facilitating and representing local government's interests through lobbying, engagement and participation in the national and provincial structures of government, in order to

enhance coordination and integration for service delivery purposes. Amongst others, its role is to primarily assert local government's voice in intergovernmental interactions and service delivery.

3.4.8 Conclusion

This section examined the IGR and cooperative governance system of South Africa with the aim of unpacking its constitutional guarantees, operational frameworks, structures, challenges and weaknesses. The various formal and informal IGR and cooperative government frameworks discussed were found critical in facilitating greater engagement among the three spheres of government in order to promote a stable and responsive system of governance which enhances the values and principles of public administration. A key theme emerging from the analysis is that IGR and cooperative governance is at the heart of South Africa's service delivery requirements. However, there is need to continuously improve the system in order to adjust its responsiveness to the complexities of public administration and the changing demands for autonomy and improved capacities of sub national governments.

3.4.9 Consolidation of the analytical framework with comparative perspectives



Chapter Four

Research methodology

4.0 Introduction

The term research methodology has been handled differently by different scholars and in most cases demonstrating discipline oriented variations. McGregor and Murnane (2010) define research methodology as a branch of knowledge that deals with the general principles or axioms of the generation of new knowledge. In the same context, Rajasekar et al (2013) view research methodology as a systematic way to solve a problem or a science of studying how research is done. For the purpose of this study, a methodology is broadly conceptualised as a science concerned with methods, approaches, techniques and procedures of generating and establishing valid and reliable systems of knowledge of a given phenomenon. The research methodology, as actualised in this study gave a comprehensive coverage of various fundamental aspects which include the identification and justification of an appropriate research philosophy to underpin the study, defining the suitability and efficiency of methods and justifying the order of accuracy of the result of methods used.

This thesis applied the principles of a phenomenological research methodology using in-depth interviews were used. Explication of data using the approach propagated by Hycner's (1999) and improvements to the model by Smith (2009) and

Jameson (2007) was the bedrock of this qualitative research. Hycner (1999) avoided the term analysis as it often means breaking into units whereas explication relates to investigation of elements of the phenomenon, while maintaining the context of the whole. The next section looks at the research philosophy.

4.1 Research philosophy

As already indicated, this study is a qualitative research applying interpretive, descriptive and interpretive paradigms. Briefly defined, phenomenology is the examination and description of experience as that experience is in its own terms. A simple conception of phenomenology is a philosophical view, given by Waugh and Waugh (2004) achieved through the elimination of biases and assumptions on everything except perceived reality. Scholars relate the roots of phenomenology, from a philosophical view point, as both an analytical method and a framework to describe and explain psychological orientations and social relationships, to Edmund Husserl (1859-1938), often considered the 'father of pure phenomenology'. Phenomenology has been used by many scholars to counter the weaknesses of logical positivism. Through a process usually called the phenomenological reduction, the phenomenologist works to free himself from various prejudices, feelings, a priori conceptions and theories which might hide or discolour the phenomenon being studied (Seamon, 1977, Carter and Little 2007, Wynn and Williams 2012). The phenomenological research philosophy seeks to understand any phenomenon as it is experienced, without preconceived conceptualizations which might distort or

distance that experience. It is a descriptive method, attempting to reveal the context of phenomena through providing as comprehensively as possible human interrelationships and intentionalities being manifested in experience.

According to Aspers (2009) the methodological paradigm of phenomenology is founded in Husserl's philosophy of phenomenology buttressed in the belief in intentional reality, that humans consciousness is directed towards objects. The meanings attached to things is therefore not inherent in the objects, but is located in the inner life of the individual. Odysseos (2002, 373) added phenomenology's demand that one attend to 'the things themselves' offering an opportunity to critically examine the commitment to theoretical constructs that remain wedded to ontological perspectives that resist the ever-changing 'facticity' of social interaction. Thus to Johnson (2001) the exploration of the phenomenological occurs through the participants' experienced meanings of the life world and the researcher's own relationship with participants, meaning-making processes and the essence of the experiences shared by all. Scholars such as Davis (1995) and Aspers (2009) conclude that phenomenology summarises attempts at understanding and describing a phenomenon as it appear in the consciousness of an individual, to appreciate the interrelationship between world and life, and understanding how a phenomena interrelate with ways in which humans live in the world. As a result, Aspers (2009) concludes that scientific data, devoid of consciousness buttressed in a systematic science, is deficient of every possibility to be utilized or understood deeply in a valid manner.

Phenomenological research is thus designed to appreciate the world not through the examination of its structure but rather through accounting how individuals define and reflect on actions and situations. Phenomenology suggests a reduction of subjects to isolated variables or to mere members of a system while allowing researchers to study people as they define and first experience abstract concepts and physical phenomena. Phenomenology therefore, implies that a conclusion of a researcher even in positivistic paradigm can not an objective description of an objective reality, of a world that has to be discovered. Rather, a researcher's conclusion describes his/her own construction of reality.

According to Zurmuehlen (1980) and Blackwell et al (2009) Husserl conceived of an inter-subjective transcendental community in which subjective experience is common to other persons. In this conception, recognition would appear to be the touchstone for judging such subjective states. According to Husserl, people validate judgments by evidential experience (Aspers 2009). Therefore whereas an empirical researcher may contradict the element of pre-conceptions and subjectivity in this study, it is critical to understand that recently feminist and humanist scholars dismiss the likelihood of commencing without bias or preconceptions. They argue in favour of the centrality of clearly defining how meanings and interpretations are placed on findings, while making the researcher noticeable in the 'frame' of the study as a subjective and interested actor and not an impartial and detached observer (Aspers 2007). Thus an interpretive dimension is applied to this phenomenological study.

This enables the research to be considered as the foundation of practical theory, to challenge, support or inform action and policy.

4.1.1 Justification of the phenomenological research philosophy

Why making a case for phenomenological research in the Public Administration discourse? This question, which anchors this section, has been raised by a number of scholars such as Thani (2010) as they sought to explore the efficacy of phenomenology as a research philosophy to underpin Public Administration scholarship. The goal is to attain a paradigm shift from what Cameron and Milne (2009, 392) referred to as 'desktop research or secondary research'. Public Administration scholarship, this study included, can thus draw conclusions on the basis of experiences and real-world perceptions of affected people. Morcol (2005) in Thani (2010, 33) emphasised that: 'Public Administration theorists should include the embodiment of human knowledge in their theories'. Such human knowledge is extracted from human behaviour researches and that the study of human behaviour goes beyond just completing questionnaires (typical of quantitative studies), but entails understanding the perceptions of people. Scholars can only acquire knowledge subject to their interaction with the real world. In the same context Waugh et al (2004, 407) placed that:

phenomenologists reject the propensity to treat the subjective as an objective reality because consciousness is not itself an object and some conscious phenomena are not measurable and thus not amenable to empirical science ... They attempt to account for those subjective qualities that empiricists assume to be unreal or treat as objective, observable

phenomena. They seek to divest themselves of their assumptions concerning what is real and what is not and to begin with the content of the human consciousness as the focus of their investigations. In essence, they seek to shift from questions of reality to questions of the meaning of phenomena

On the strength of the above argument, it is prudent to cite Than's(2004, 32) submission that 'one may wonder in which research scenario this design can be more applicable than in the Public Administration context'.

The purpose of the phenomenological approach is to illuminate and identify phenomena through perceptions of actors or players in any particular situation. In this study, this translated into gathering perceptions and 'deep' information using qualitative approaches and presenting it as perceived by research participants. From an epistemologically viewpoint, phenomenology and its related approaches are rooted in subjectivity and personal knowledge while emphasising the centrality of personal interpretation and perspectives (Odysseos, 2002). Therefore, they were applied due to their perceived power in the understanding of subjective experiences, getting insights on people's experience of IGR and the public administration processes in Zimbabwe and addressing of how powers of government are distributed and shared across levels and of authority and functional overlaps.

With the growth of post-positivism, phenomenological studies have gained prominence in diverse fields as an appropriate approach in the exploration of study questions that led to a different way of constructing knowledge. In this study, phenomenology is grounded in the subjectivity of reality, pointing to a need to understand functional and operational realities of a system, distribution and diffusion of power in a political establishment i.e. the perceptions of citizens, as electors, over the system that governs them and bureaucrats over the systems and institution they are administering.

While, phenomenology can be applied to cases and samples of various magnitude and dimensions, the merits of this design to this study was that it strategically positioned the researcher to identify discrepancies and systems failure and weak points, and draw attention to diverse situations (positive inferences). As a multiple-participant study, the merits of inference increased rapidly as factors started to recur with more than one participant. The study equally preferred the phenomenological methodology because its methods are effective in examining perceptions and experiences of individuals from their perspectives, and hence challenging structural or normative assumptions.

Sokolowski, (2000) cited in Barsanti (2014) argues that phenomenology encourages researchers to cast their study beyond what is actually being studied only, but the process of the examination, as well. Such was the case with this qualitative inquiry, as the researcher sought a more naturalistic approach under the umbrella of

qualitative research (Lincoln and Guba, 1985). Since the phenomenological approach does not represent a rigid process, the researcher was not interested in separating thoughts and objects or experiences and participants. Hence, the researcher maintained that consciousness was always directed towards something and inferred that the descriptions of the lived experiences by the participants was, consequently, the experiences of something (Sokolowski, 2000) and this concept aligned with the purpose of this study as outlined in chapter 1.

Waugh et al (2004) observed that the phenomenological paradigm as applied to Public Administration have a greater currency relative to other qualitative and quantitative philosophies, for example, criticism to logical positivism points out to the limitations in empirical studies and proffered alternative models of examining a phenomena that cannot be observed or measured by scientists. As applied to this study phenomenology offered a method of dealing with governmental issues that analysts and policymakers confront, by depending on experts' understanding or those directly experienced with or those most knowledgeable about the problems of IGR in Zimbabwe. Phenomenology equally offered an approach of dealing with public administration issues by reiterating that public officials form a component of the public and have a given responsibility of dealing with them as fellow citizens and not just customers. It therefore created a viable reflex in data gathering and analysis through triangulation of the views of citizens, public administration officers and politicians, a feat that could not be attained through quantitative empirical studies.

Contestations of objectivity versus subjectivity have been placed at the centre of phenomenology in relation to logical positivism. Although other scholars may argue that there is an objective reality, Aspers (2004, 5) presented a claim that the world should be studied as experienced. Aspers' (2004) opinion is that the world is constructed by people living in it. As a way of understanding the perceptions of people, communication with them is necessary. IGR is much of a lived scenario as such relations have a normative dimension which is manifested through a particular public administration system's values and norms. The influence of these values and other generally observable human trends is only possible by engaging people with the experience of a particular system through in depth interviews. Waugh et al (2004) added that while the natural scientists bracket boundaries for their relevant section of the social world, the social scientists will not interpret the behaviour of other people without appreciating their realities or the nature of their world. While criticism on phenomenology is anchored on the element of subjectivity, this study upholds all social science's abstraction of the world is rooted in the problem under investigation and that the abstractions in empirical science are equally subjective.

4.2 Research methodology

The identification and discussion of the appropriate research methodology is a vital part of any scientific study regardless of the research area. Cresswell (2007) clarified the vitality of presenting a research methodology as a key strategy of increasing the

validity and reliability of social science studies. The greater part of this section is the presentation and justification of the appropriate research methodology. However, while there are a number of approaches, this study concurred with Bryman's (1988) view that the decision to choose a specific methodology should be based on its suitability to answer the research questions.

Various methodologies have been identified by scholars, for example Singh and Bajpai (2008) divided research into two groups that is qualitative or inductive and the quantitative or deductive methodology. The relevance of the hypothesis is the main distinctive point between the two. The thrust of the deductive methodology is to test the validity of assumptions or theories or hypothesis in hand whereas inductive studies contribute to the emergence of new theories and generalisations (Carr, 2006). Other methodologies include logical theoretical research and participatory action research. This thesis does not intend to test hypothesis, theories or assumptions making the quantitative methodology least applicable here.

According to Khothari (2004), Denzin and Yvonna (2000), qualitative research, which underpins this study, is a methodology associated with social constructivism that emphasises the social construction of reality. It focuses on recording and analysing deeper meanings, significance of the behaviour of humans and experiences, as well as behaviours, emotions and contradictory beliefs. Studies that use this approach are focused on gaining a complex and detailed appreciation of the experiences of people and not to obtain information that is generic across larger groups. On the contrary,

quantitative studies are usually linked to positivism and post positivism. It involves collection and conversion of data into statistical and numerical forms to allow statistical calculations and deductions to be made and conclusions to be drawn (Chenail 2010). Objectivity is central to quantitative studies. Consequently, scholars are careful to avoid their presence, attitude or behavior affecting the results, for example, by shifting the situation or factors under investigation or influencing the change in the behavior of participants. At the same time, they critically examine their methods and approaches and conclusions to avoid possible bias.

As indicated above this study uses the qualitative research methodology. According to Anderson (2010) the word qualitative emphasises the qualities of entities, processes and meanings that are not experimentally examined or measured in relation to quantity, amount, intensity, or frequency. Qualitative research therefore stresses the socially constructed nature of reality, the inseparable relationship between the researcher and the fundamental research variables, and the situational constraints that shape inquiry. Qualitative researches therefore reinforce a nature of inquiry that is value-laden. The thrust is to get answers on questions that stress how social experiences are constructed. On the contrary, quantitative researches are concerned with measuring and analysing causal relationships among variables and not processes. A qualitative study is thus regarded by behavioural and social scientists as more of a perspective on approaching investigation of a study problem as it is a method.

Denzin and Yvona (2000) and Chenail (2010) argue that while positivism is defined in design steps that are one-directional and linear, there is significant variation in the organization of qualitative researches. Generally, qualitative research describes and interprets human behaviour on the basis of the views of selected respondents or through an analysis of culture and/or space of occupation. There is a reflexive process anchoring all stages of a qualitative enquiry. This ensures that the researcher's presuppositions, interpretations and biases are succinctly evident. This ensures that readers are better placed to interpret the validity of the overall research. Richards (2006) concurred with the above view adding that qualitative research is usually not pre-emptive. Therefore, the differences in the discipline of study or the method, indications of form, quantity and scope must be obtained from the question, the chosen method, the selected topic and goals, and also, in an ongoing process, from the data. Thus this research methodology is both challenging and essential. Maxwell (2009) identified various components of qualitative research which are presented depending on the study philosophy, theoretical framework, selected methods and the general assumptions of the research.

According to Anderson (2010) one of the key differences between quantitative and qualitative methods (which motivated selection of the approach to this study) is flexibility where quantitative methods are usually inflexible. In quantitative methods researchers often ask all the study participants same questions in a defined chronology. The categories of the responses are usually close-ended and fixed.

While the major advantage of inflexibility in quantitative researches is that it allows thorough comparison of responses of all participants, it also requires an extensive understanding of important questions to ask, how to ask them, and a range of probable or potential responses. Conversely qualitative studies are more flexible in that they permit wider spontaneity and adaptation in the interactions among the researcher and participants. This explains why this research preferred unstructured in depth interviews whose context was respondent specific. Additionally, Corbetta (2003) also demonstrated that qualitative researches are interactive, open and theory is preceded by observations whilst quantitative researches are structured and observation is preceded by observations.

In addition, the qualitative research is preferred to this study, as it doesn't formally restrict the relationship of the participants and the researcher that is, it is less formal compared to quantitative studies (Chenail, 2010). This allowed participants the opportunity to respond more elaborately and in greater detail than could typically be the case with quantitative methods. In turn, the researcher had the opportunity to respond immediately to what participants said by tailoring subsequent questions to information the participant had provided.

4.3 Population of the study

A population of study is the total number of objects, people or variables which is the thrust of a study and from which a study wants to establish particular characteristics.

Ray and Mondal (2006) defined a population as a specified and identifiable category of people whose behavior the study is observing. Oswala (2001) defines a population as the totality of objects or persons under the study or which is the focus study is concerned. Therefore, in summary, a population can be understood as all the people or phenomena under study or a well-defined collection of individuals or objects known to have similar characteristics from which a sample is selected for the study. The population of this study was drawn from the following:

1. Members of the legislature. The legislature is established in terms of section 116 of the Constitution and comprise the following membership:

(a) a Head of State and

(b) a bicameral Chamber 'Parliament' comprising

- The 80 member Senate – an upper house which is made up of elected senators, members appointed on the basis of proportional representation, and traditional chiefs chosen by the council of chiefs.
- The 270 member National Assembly – a lower house consisting of 210 members who are elected by voters registered on the common roll for 210 common roll constituencies and 60 women chosen on proportional representation from each of the 10 provinces.

2. Members of the executive arm of government. The composition of the executive is provided in chapters, 2, 3 and 4, sections 88 to 113 of the Constitution. The Constitution vests executive authority in the president, who subject to the Constitution shall exercise such executive authority through the

cabinet directly appointed by him or her. The current cabinet consists therefore of the president, 2 vice presidents, 31 ministers and 10 ministers of state for provincial affairs for the 10 administrative provinces of the country.

3. Members of the judiciary. Chapter 8, sections 162 to 191 of the Constitution vests judiciary authority in courts of various levels and with jurisdiction over different cases. The President appoints the Chief Justice to head the judiciary and Supreme and High court judges in consultation with the Judicial Service Commission. Lower courts are presided over mainly by the magistrates. The judiciary has the prosecution branch headed by a Prosecutor General and the Attorney General's office
4. The 31 permanent secretaries for the 31 ministries and 10 provincial administrators who are the de facto secretariat of provincial and metropolitan councils
5. Mayors of urban councils. There are 32 urban councils consisting city councils, municipalities and town councils and 61 Rural District Councils (RDCs).
6. Civil society institutions such as residents and ratepayers' associations and consultancy experts.
7. Members of the academia

4.4 Sampling

The challenges of interrogating all the research variables requires that the researcher identify a sample or simply do sampling. In addition time, costs and accessibility often prohibits the collection of data from all the research elements and hence justifying the need to identify a representative sample. However, sampling is a complex issue in qualitative studies due to the presence of many types and techniques of qualitative research sampling in the literature and overlapping of types and techniques of sampling. Marshall (2013) equally emphasized that sampling has long been a central concern in the social and humanistic inquiry, albeit in a different guise suited to the different goals. According to Denzin and Lincoln (2005), qualitative researchers must confront three crises which are sampling centered i.e. representation, legitimation, and praxis. The crisis of representation refers to the difficulty for qualitative researchers in adequately capturing lived experiences. Further, the crisis of representation seeks to question if a qualitative study can use text to represent an experience authentically. The crisis of legitimation therefore refers to 'a serious rethinking of such terms as validity, generalizability, and reliability'. Finally, a crisis of praxis provokes qualitative researchers to ask, 'how are qualitative studies to be evaluated in the contemporary, post-structural moment?' (Denzin and Lincoln, 2005, 19-21). This study applied the purposive sampling technique and its relevance is explained in the section below.

4.4.1 Purposive sampling

Informant selection is highly relevant for qualitative research. Purposive sampling is often selected to obtain data in qualitative studies. Purposive sampling was identified as the most appropriate sampling technique suitable for the quality of data relevant for this research. It is a non-random sampling method in which the sample is arbitrarily selected because characteristics which it possesses are deemed important for the research (Ray and Mondal, 2006). Purposive sampling is most appropriate where small samples are intensively studied focusing on methods such as in-depth interviews (Curtis et al 2000, Palys 2008). In-depth interviews offer a distinctive way of examining complex behaviour as it is not stifled by the limitations of pre-determined classifications often found in quantitative deductive researches which insist on 'best fit' but rather, results in the production of huge volumes of data generated from a free flowing communication process (Punch 1998, Spring 2007). Tongco (2007) tells us that the inherent bias of the method contributes to its efficiency, and the method stays robust even when tested against random probability sampling. Therefore, choosing the purposive sample was fundamental to the quality of data gathered; thus, reliability and competence of the informant were ensured.

According to Patton (2002), Cresswell and Clark (2011) cited in Palinkas (2013, 3) the purposive sampling technique is extensively 'used in qualitative research for the identification and selection of information-rich cases for the most effective use of limited resources'. Applied to this study, this entailed the selection of people who are

knowledgeable and experienced with a phenomenon of IGR. According to Ritchie and Lewis (2003) the units of the sample are selected because they possess features that will allow a critical exploration of the pivotal themes which the study seeks to unpack. These may range from socio-demographic features, special experiences and behaviours etc. The purposive sampling selection criterion has two fundamental aims. Firstly, it seeks to ensure that various constituencies of the subject are covered. Secondly, it ensures that, within each key criteria, there is diversity so that the influence and impact of the characteristics concerned can be explored.

Purposive sampling was preferred in this study as it doesn't need an underlying theory or a fixed number of informants. In simple terms, the researcher makes a decision on what should be known and selects people to provide the information on the basis of experience and knowledge (Bernard 2002, Lewis and Sheppard 2006 cited in Tongco 2008). In purposive sampling, the investigator has some belief that the sample being selected is typical of the population or is a very good representative of the population. Thus only those people whom the researcher perceived appropriate for the research were selected and this was based on factors such as position in government service, qualification, key contributions to government service delivery improvement and other related factors. For example a chief consultant of the Democracy and Governance Institute was selected for the study because his organisation provides wide ranging consultancy services to

government and other development partners on diverse issues including IGR. At the same time, an Alderman was selected for in depth interviewing because he served extensively as president of the Zimbabwe Local Government Association (ZILGA), a representative body of local authorities in the country and therefore has intimate detail and experience of the nature of relations between central government and local government. Twenty respondents were selected for the study. The next section discusses the sample size of the study.

4.4.2 Sample size

According to Marshall et al (2013) besides the selecting of a study topic and a relevant design, the other task that is fundamental is to obtain an adequate sample. The estimation and justification sample sizes of interviews presents more than theoretical significance. According to Oppong (2013) the idea of sampling and its application to qualitative studies implies that only a section of the population referred to as the sample is considered for any given research study. In a nutshell, the objectives of any study and the features of its population influence the choice and number of people to select.

Fundamentally, qualitative studies are faced with a number distinctive problems at proposal and execution stages hinged around issues of the sample and its perceived notions of representative aspects to allow the generalisation of results. A sample was defined by Ray and Mondal (2006) as a selected number of units from a population to represent it. Onwuegbuzie and Leech (2007) argue that sample size

discussion are often dichotomized, where small samples are often linked to qualitative researches while larger samples are associated with quantitative researches. Although this represents a common way in linking sample size to study paradigms, this representation is very simplistic and misleading. In reality, there are situations where it will be proper to use small samples in quantitative research, as there are scenarios where it will be justifiable to have relatively larger samples in qualitative research. To Mason (2010), many factors influence sample sizes in qualitative studies. However, the overriding principle is the concept of saturation. This has been extensively explored and examined in depth by many authors but is hotly debated, and less understood.

This study used a sample size of 20 interview respondents consisting of two Ministers of State for Provincial Affairs (MSPA), three Members of Parliament (MP) of which two were members of the Movement for Democratic Change (MDC) which is the largest opposition party in Zimbabwe and one was a member of the ruling party ZANUPF, three members of the judiciary, three representatives of civil society of which two were drawn from ratepayers associations and one is an expert local government consultant, three members of the academia who are lecturers at three state universities, three permanent secretaries and three mayors from two city councils and one municipality. The sample was considered sufficient as the data was collected using the rigorous interviewing process. At 20, the study had reached saturation level and the consistency of arguments indicated that all the necessary

and relevant detail had been gathered. Any further data collection beyond this point only meant extra costs without corresponding value to the research.

According to Marshall et al (2013) while qualitative scientists are not likely to reach consensus on the exact sample sizes for qualitative researches, they are generally agreed that multiple factors affect the number of interviews that are required to reach saturation. Added to the scope and nature of the research, other factors influencing sample sizes required to reach saturation level are, number of interviews per participant, the quality of interviews, researcher's experience and sampling procedures. The researcher has wide data collection experience with extensive knowledge on research methodology. The researcher conducted one interview per participant with an average duration of an hour. Despite the assumed absence of rules on sample size as eluded by Marshall et al (2013), it is pertinent to note that all the relevant data for the study was collected and saturation was reached.

According to Schutz (2008) sample generalisability depends on the quality of a sample, which is assessed by determining the amount of sampling error which refers to the distinction between the features of a sample and the features of the population from which it was selected. From each category of the population, the researcher selected the best candidate in terms of both experience and knowledge using indicators stated earlier and hence sufficient guarantee to the quality of data

required. Therefore the implications are that, the larger the sampling error, the less representative the sample and thus the less generalisable the findings.

As partially explained above, a sample for a qualitative study is generally much smaller than that used in a quantitative study. This is due to a number of reasons and this study concurred with Ritchie, Lewis and Elam (2003) and Marshall (2013) that there is a point of diminishing return to a qualitative sample. This study observed that as more data was sought, it didn't necessarily lead to more information. The researcher attributed this to the fact that one occurrence of a piece of data, or a code, is all that is necessary to ensure that it becomes part of the analysis framework. This study holds that the frequencies are less vital in qualitative studies, as a single occurrence in data is possibly as useful as many in understanding the process behind a topic. This is because the researcher found qualitative studies to be focused on meaning rather than the making of generalised statements and hypothesis (Crouch and McKenzie, 2006, Mason 2010). Finally, qualitative studies are labour intensive, analysis of a large sample is time consuming and simply impractical which explains why this study chose a relatively small sample size of 20. Within various research area, this study included, various participants have diverse opinions, therefore samples of qualitative studies must be large in order to ensure that the majority or all important perceptions are uncovered. In the same context, if the sample size is too big, data often becomes unnecessarily repetitive and, ultimately, superfluous. In determining the sample, this study therefore ensured that

the sample is not too small that it is difficult to achieve data saturation, theoretical saturation, or informational redundancy (Flick, 1998 cited in Onwuegbuzie and Leech 2007)

As noted earlier, scholars such as Marshall (2013) and Mason (2010) have elucidated on factors that can influence a qualitative sample size, and therefore saturation in qualitative studies. Ritchie et al. (2003, 84) outlined seven factors that equally affected the size of the sample for this study:

the heterogeneity of the population; the number of selection criteria; the extent to which 'nesting' of criteria is needed; groups of special interest that require intensive study; multiple samples within one study; types of data collection methods use; and the budget and resources available.

From the review of other research work at doctoral level, this study observed that generally as a result of the variety of factors that determine sample sizes in qualitative studies, most researchers fail to identify guidelines for a sufficient sample size (in contrast to quantitative studies for example). It is from this perspective that this study agrees with Guest et al (2006, 59) who suggest that, 'although the idea of saturation is helpful at the conceptual level, it provides little practical guidance for estimating sample sizes for robust research prior to data collection'. This research was guided by the following suggestions adopted from Guest et al (2006), cited in Mason (2010). As noted earlier, the sample size for this study is 20 respondents but can be compared with the following for best practice.

- Ethnography and ethnoscience: Morse (1994, 225) 30-50 interviews
- Bernard (2000, 178) states that most studies are based on samples between 30-60 interviews for ethnoscience;
- Grounded theory methodology: Creswell (1998, 64) 20-30; Morse (1994, 225) 30-50 interviews.
- Phenomenology: Creswell (1998, 64) 5-25; Morse (1994, 225) at least 6.
- All qualitative research: Bertaux (1981, 35) fifteen is the smallest acceptable sample

Source: Guest et al (2006) cited in Mason 2010.

4.5 Data Sources and Research Instruments

According to Englander (2012) there are a number of methodological issues pertaining to the evaluative criteria and the reflective issues that concerns the phenomenological researcher and one of these is the data collection procedures. In relation to this, Wilkinson and Birmingham (2003) raised two fundamental questions related to the collection of data and these guided the choice of the appropriate instrument for this study:

- How do we obtain information from people with regards to their views and perceptions on a particular topic or issue?

- What is an efficient and effective method of eliciting those opinions, views and perceptions?

The researcher noted that there are a number of fundamental differences between collecting qualitative and quantitative data. Rather than generating statistical data to support or challenge a hypothesis, a qualitative study is aimed at producing a factual description on the basis of face-to-face knowledge of social groups and individuals in a natural setting. A qualitative study therefore becomes pertinent in generating insights into situations, conditions or problems concerning which one may have little knowledge. Qualitative data collection is therefore often applied in providing in-depth description of beliefs and knowledge issues, procedure, or for examining the justification of a certain behavior. This may include the opinions of participants on a particular issue.

Perhaps, a fundamental issue is to provide a brief conceptualisation of the phrase research instrument. Wilkinson and Birmingham (2003) define research instruments simply as devices for obtaining information relevant to your research project. Alternatively defined, research instruments are measurement tools (for example, questionnaires or scales) designed to obtain data on a topic of interest from research subjects, and there are many alternatives from which to choose. Thus there is no single research method or instrument par excellence. This implies that there is no particular study instrument that is superior to any other as each possesses its own

merits and demerits. Each is appropriate relevant to use in a given and justified single exercise and may not squarely apply to the other. This study concurs with Guest et al's (2006) conclusion that whatever differences in circumstances, is determined by the suitability of a method, technique and instrument developed in the most careful and thoughtful way.

A variety of methods can be used in phenomenological based research, but this study was conducted using in-depth interviews and analysis of secondary data sources. Ellenberger in Hycner (1999, 153-154) captures it as follows: 'Whatever the method used for a phenomenological analysis the aim of the investigator is the reconstruction of the inner world of experience of the subject. Each individual has his own way of experiencing temporality, spatiality, materiality, but each of these coordinates must be understood in relation to the others and to the total inner 'world'. Phenomenology focuses on providing detailed and rich comments concerning particular situations and conditions that do not lend themselves to direct generalisations in a similar way, which is claimed for a survey. The researcher was involved directly in the collection of data.

Generally, the procedures, illustrated by Moustakas (1994) were applied, consisting of identification of a phenomenon to study, bracketing out one's experiences, and collecting data from several persons whose experience with the phenomenon is deemed fundamental. The researcher then analysed the data by reducing the information to significant statements or quotes and combined the statements into

themes. Following that, the researcher developed a textural and structural description of the experiences of the persons and a combination of the textural and structural descriptions to convey an overall essence of the power relations in IGR in Zimbabwe.

4.5.1 Primary data

According to Giorgi, (2009) there are, in general, two methods of collecting data on human experiences of a particular phenomenon. First, one can use face-to-face interviews, and secondly, is by requesting a recorded or written account of an experience. Therefore, there is no prescribed quality of a good interview. However, there is one major criterion, which, according to Giorgi (2009, 122) is 'What one seeks from a research interview in phenomenological research is as complete a description as possible of the experience that a participant has lived through.' The face-to-face interview is often longer and thus richer in terms of nuances and depth. As noted above, data for this study was collected using in-depth interviews.

Boyce and Neale (2006) identified in-depth interviews as a qualitative technique that involves the conducting of intensive individual interviews with a relatively small number of key informants for purposes of exploring their perceptions regarding a particular programme, situation or idea. In-depth interviews can be used for a variety of purposes, including needs assessment, programme refinement, issue identification and strategic planning. They are most appropriate for situations in which the researcher wants to ask open-ended questions that elicit depth of

information (Guionet et al, 2011). Contrasted with closed questions, the use of open questions does not restrict the respondent to a list of probable answers to select from (Bryman, 2008). This gave respondents the latitude to respond to questions in words of their choice and allowed the researcher to critically explore the feelings of and perspectives of respondents. In summation, in-depth interviewing was found to encompass more than asking questions, but a systematic recording and documenting of responses which allowed for extensive probing for deeper understanding and meaning (Lisaet al., 2011). Longfield (2004) suggests that an in-depth interview should last an average of 1 to 2 hours depending on both the interest and patience of participants in the interview. For the purposes of this study, on average an interview lasted for an hour.

In terms of organising the interviews, the researcher organised a preliminary meeting with the key informants prior before the actual interview (using telephonic and electronic mail conversations). The preliminary meetings were held a week before the interview. A preliminary meeting, according to Wilkinson and Birmingham (2003) presents an opportunity to build trust with the study participant, consider and review study ethics and complete the informed consent forms. At the preliminary meeting a review of the key research questions was done with the participant. This was aimed at giving the participants sufficient time to ponder and dwell on the experiences. This approach aided the researcher to get a rich description from the interview without asking too many questions. However, some scholars such as Giorgi (2009) objected

to this suggestion but without dismissing it on the basis that the participant will self-interpret and conveniently rehearse the interview and this prejudice the description of its spontaneous, raw and pre-receptive signature.

The primary advantage of in-depth interviews from the perspective of the study was that they provided more detailed information compared to what could be obtainable using other data collection methods, for example, surveys. In-depth interviews also provided a relaxed environment and atmosphere where data was collected while respondents felt more comfortable having a conversation on their experiences and general viewpoints contrary to other methods such as completing questionnaires. However, there were also some notable disadvantages associated with the use of in-depth interviews. First, some responses were biased due to their affiliations or attachments to a particular system, for example respondents with an affiliation to ZANU PF insisted on the dissolution of MDC councils despite that being a direct contravention of the Constitution of Zimbabwe Amendment Number 20 of 2013. Second, interviews were generally found to be a time-intensive evaluation process due to the time taken in conducting them, transcribing them and analysing the results.

4.5.2 Secondary data

In the field of Public Administration, the separation of primary and secondary data is determined by the relationship between the person who collected the data and the person who is analyzing it. This is important as the same data could be primary data

in a particular analysis and secondary data on the other. Cnossen (1997) defined analysis of secondary data as 'second-hand' analysis. In summation, it therefore implies the analysis of data which was gathered by another individual, institutions or other organization such as an NGO or for some related or distinct purpose apart from the one being considered. To Schutz (2006), secondary data is data collected by someone other than the user. Various sources of secondary data were used and these included government documents such as policy documents, promulgated plans, minutes of government departments, reports etc.

4.6 Data presentation and analysis

According to De Vos (1998), Braun and Clarke (2006) data presentation and analysis in qualitative research is a challenging and highly creative process as the researcher is intimately involved with the respondents and the data that are generated. The data analysis process encompasses the development of answers to questions. This is done through interpretation and examination of data. Some of the key steps used in analyzing data consisted of the identification of issues, determination of the availability of relevant or suitable data, decisions on the appropriate methods of answering questions, application of the methods of the methods and evaluation, summarizing and communication of the results the results (Bryman 2008, Glorgi, 2009, Lisa et al, 2011). Given the role of political discourse in the enactment, reproduction and legitimization of power and domination and for purpose of presentation and analysis of data the researcher used thematic analysis

and critical discourse analysis as explained in items 4.7.1 and 4.7.2. However as the data was collected in audio form, one of the stages of thematic analysis was the transcription of data. The transcription was extensively detailed and captured all that was discussed in interviews.

4.6.1 Thematic analysis

According to Sandelowski and Barroso, (2007) presentation, analysis and synthesising qualitative research is a very complex and contested territory. First, there are less developed methods in this area, coupled with a few available completed reviews that can provide learning points. Secondly, the discipline on synthesising qualitative studies is a contested and debatable area. Braun and Clarke (2006) concur with Boyatzis (1998, 4) that thematic analysis is 'not another qualitative method but a process that can be used with most, if not all, qualitative methods...' The approach to this research concurs with this conceptualisation of thematic analysis, since the method employed draws on other established methods but uses thematic analysis only as a technique in order to formalise the identification and development of themes

Thematic analysis is a qualitative analysis method for identification, analysis and reporting of patterns (themes) within a data set. It emphasizes the organization and rich description of the data (Boyatzis 1998, Tuckett 2005). Thematic analysis goes beyond simply counting phrases or words in a text and moves on to identifying implicit and explicit ideas within the data. For purposes of this research, thematic

analysis was performed through the process of coding in six phases to create established, meaningful patterns. These phases are:

1. Familiarization with data;
2. generation of initial codes;
3. searching for themes among codes;
4. reviewing themes;
5. defining and naming themes, and
6. production of the final report.

As already noted, coding which entails the initial process of the development of themes within raw data by recognizing important moments in the data and encoding it prior to interpretation was used. The process of interpreting the codes encompassed comparing theme frequencies, identifying theme co-occurrence, and graphically displaying relationships among various themes. For most researchers, (this study included), thematic analysis is considered to be a very useful method in capturing the intricacies of meaning within a data set (Marume, 2013). It minimally organises and describes data set in (rich) detail. Thematic analysis was found relevant to this phenomenological study in that it focuses on the human experience subjectively. The approach emphasized the participants' perceptions, feelings and experiences as the paramount object of study.

4.6.2 Critical discourse analysis (CDA)

Critical discourse analysis (CDA) is a type of discourse analytical research that primarily studies the way social power abuse, dominance, and inequality are enacted, reproduced, and resisted by text and talk in the social and political context (Fairclough and Wodak 1997, Wodak and Meyer 2007, Rogers et al 2005). Rogers et al (2005, 368) concurred with this view adding that 'critical theories are generally concerned with issues of power and justice and the ways that the economy, race, class, gender, religion, education, and sexual orientation construct, reproduce or transform social systems'.

Fairclough (1993), Mogashoa 2014) perceives CDA as analysis of discourse aimed at systematically exploring opaque relationships determination and causality between (a) events, texts and discursive practice (b) wider cultural and social structures, processes and relations; to investigate how events, texts and practices arise and are ideologically influenced by the relations and struggles over power; and explore how the opacity of these relationships between discourse and society is itself a factor securing power and hegemony. Thus according to Van Dijk (2006), CDA is primarily interested in and motivated by the endeavour to understand pressing social issues.

CDA tries to avoid positing a simple deterministic relation between texts and the social. Wodak and Mayer (2009) argue that CDA emphasises the need for

interdisciplinary work in order to gain a proper understanding of how language functions in constituting and transmitting knowledge in organising social institutions. Taking account of the fact that every discourse is structured by dominance, that every discourse is historically produced and interpreted, that is, it is situated in time and space and that dominance structures are legitimized by ideologies of powerful groups, the complex approach advocated by proponents of CDA makes it possible to analyze pressures from above and possibilities of resistance to unequal power relationships that appear as societal conventions. McGregor (2010, 2) argues that CDA compels us to shift from perceiving language as abstract to taking our words as possessing meaning that is in a particular social, historical and political condition. Hence, CDA studies often extended but real cases of social interaction which is particularly in a linguistic form.

In using CDA as an analytical approach, the researcher was guided by the framework in Rogers et al (2005) cited in Mogashoa (2014). The first goal entailed description of the relationships between certain texts and interactions, political and social practices; the second goal was interpretation of how discourse practices are configured. The third goal was the description and interpretation in order to offer an explanation on how and why political practices are constituted, transformed and changed in the ways that they are.

C.D.A is preferred in this research as it takes an explicit position, and thus wants to understand, expose, and ultimately resist social and political inequality because of the following key tenets:

- It focuses primarily on, social problems and political issues, reconciled with current paradigms and fashions.
- Empirically adequate critical analysis of political and public administration discourse is usually multidisciplinary.
- Rather than merely describe discourse structures, it tries to explain them in terms of properties of social and political interaction and especially social and political structure.
- CDA focuses on the ways discourse structures enact, confirm, legitimate, reproduce, or challenge relations of power and dominance in society.

4.7 Validity and reliability

Validity and reliability must be addressed in all studies as accuracy, dependability, and credibility of the information depend on it. According to Anderson (2010) qualitative research is usually criticized and contested as small scale, lacking rigor and/or anecdotal and biased. However, when carried out properly, it is in depth, unbiased, valid, credible, reliable, and rigorous. Therefore in qualitative research, there is need for a means to assess the degree to which claims are backed by convincing evidence. Golafshani (2003) and Leung (2015) also argue that the use of reliability and validity are common in quantitative research and now it is reconsidered

in the qualitative research paradigm. Shenton (2003), Leung (2015) also agreed that the trustworthiness of qualitative research generally is often questioned by positivists, perhaps because their concepts of validity and reliability cannot be addressed in the same way as in naturalistic work. To Leung (2015) qualitative research as a whole has been constantly critiqued, if not disparaged, by the lack of consensus for assessing its quality and robustness.

Leung (2015) defines validity in a qualitative study to mean appropriateness and suitability of the processes, tools and data. This is dependent on whether the research question is valid to get the desired results, the selected methodology is suitable for answering the study question, the study design is valid, the sampling and analysis of data is appropriate, and finally, results, outcomes and conclusions are valid for the context and sample. However, in qualitative research, there's no expectation of replication. It is therefore common to see the terms quality, rigor or trustworthiness instead of validity, and dependability, instead of reliability in qualitative studies. Leung (2015) added that in assessing validity of qualitative research, the challenge can start from the ontology and epistemology of the issue being studied as seen between differing philosophical perspectives such as humanistic and positivistic studies.

There are a number of techniques to substantiate the validity of a qualitative study and these include use of contradictory evidence, triangulation, constant comparison and respondent validation. Silverman (2009) proposed five approaches in enhancing

the reliability of process and results: reputational analysis, constant data comparison, comprehensive data use, inclusive of the deviant case and use of tables. The validity and reliability of this study was tested using respondent validation and the use of comparison. Respondent validation was done through allowing participants to read through the data, analyse and provide feedback on the researcher's interpretations of their responses. The main advantage of this approach is that it provided the researcher with a method of checking for inconsistencies, challenged the researcher's assumptions, and provided an opportunity to re-analyze data. According to Leung (2015) the using constant comparison implies that a single piece of data is not considered on its own but compared with previous data thus enabling the treatment of data as a whole and not fragmenting it. Constant comparison enabled the researcher to identify unanticipated/emerging themes within the study.

4.8 Conclusion

The chapter discussed key methodological aspects of the study which include the research approach, research philosophy, methods, tools and techniques of the study from both a conceptual view point and as actualized in this study. While there may be a number of demerits inherent in the broad qualitative research perspective and its associated tools and techniques, the researcher found the use of in depth phenomenological interviews quite appropriate for the quality of data required for the study. Extensive interviews conducted, with an average length of an hour, provided a rich framework to unpack both the structural and normative paradigms and dynamics

of IGR in Zimbabwe. Data requirements in terms of quality as well as the research obligations on ethical standards were all met. The next chapter focusses on a critical analysis of intergovernmental relations in Zimbabwe.

Chapter Five

A critical analysis of intergovernmental relations in Zimbabwe

5.0 Introduction

This chapter focuses on presentation, analysis and discussion of the findings. Data was obtained through in-depth qualitative interviews and use of authoritative secondary data. Data was analysed using a six stage thematic analytical process and critical discourse analysis (CDA). Thematic analysis as applied to this study involved six key processes. The first was familiarisation and preparation of data for analysis through transcribing. The audio recordings of the 20 interviews conducted with respondents were listened to several times for accuracy and consistency in translation and transcription. All interviews were directly translated into English, verbatim, by the researcher. The importance of translating the interviews was to understand meaning rather than linguistic features of the responses. All translated transcriptions were done immediately after the interviews while the researcher had fresh memories of the interview. The second stage was generation of initial codes by documenting where and how patterns occur. This stage allowed for the determination of the relationship between the data, interview questions and the conceptual and theoretical frameworks of the study. This was done through the process called reduction where data was collapsed into categories for more efficient

and effective analysis and reducing complications. It also permitted the researcher to make inferences about the meaning of the codes.

The third stage was the searching of codes among codes. At this stage the researcher combined codes into overarching themes for accurate depiction of the data. This was particularly significant as it allowed the researcher to describe precisely what the themes mean, and identify missing issues from the analysis. The fourth stage was the reviewing of themes. At this stage the researcher was looking at how the themes support data. This allowed for a coherent recognition of how themes are accurately patterned to reflect the data. The fifth stage was the defining and naming of themes. At this stage, the researcher defined the context of each theme and the actual data being captured. The purpose was to develop a comprehensive and systematic analysis of the contributions of the themes to the understanding of data. The last stage was the production of the final report. The key aspects of this stage was to decide on which specific themes make meaningful contributions to understanding data and determine the extent to which the results are a true and accurate reflection of the sample

The purpose of the study was to analyse the dynamics of IGR in Zimbabwe and the findings were premised on the pretext of five research objectives namely: to explore the constitutional and historical contexts of IGR in Zimbabwe; to determine the influence of the unitary political system of government on IGR in Zimbabwe; to examine the impact of political party incongruence on IGR in Zimbabwe; to identify

and analyse the problems and challenges of IGR in Zimbabwe, and to recommend mechanisms of improving IGR in Zimbabwe.

5.1 Demographics of study participants

This section articulates the demographic characteristics of study participants in terms of relevant experience (years in government service) (Table 5.2.1) and educational qualifications of the respondents (Table 5.2.2). The working experience of respondents is a fundamental factor in determining the extent to which they appreciate the historical contexts of IGR with particular reference to institutional and legislative changes. Different political regimes had different approaches to IGR and such differences had different ramifications on the nature and context of the relations at any different time. For example, two respondents who worked under the colonial system gave a detailed insight and comparative analysis of IGR under the colonial system on one hand and the relations under the independent government on the other hand. This allowed for cross referencing in order to determine major changes, conformities and departures that have happened to the system including the underlying philosophies and ideologies.

Table 5.2.1: Experience of study participants (in years)

Experience of participants	Frequency	Percentage
Below 5 years	2	10
6-10 years	4	20
11-15 years	4	20
16-20 years	6	30
Over 20 years	4	20
Total	N=20	

As shown in Table 2 above, most respondents had more than six years experience, with only two respondents having less than five years of experience. This wider experience allowed for the diverse articulation of the intergovernmental system, reflecting on changes that have occurred over years and the bearing of that historical context on the current state of IGR. On the basis of their experiences, respondents extensively articulated the transformation of the IGR system of Zimbabwe and the major drivers of the changes and suggested ways of improving the current state of the relations.

At the same time, academic qualifications were found to be a key factor in influencing the quality of responses through broad articulation of the key variables of

the research and extrapolation of the IGR discourse beyond conjecture. In most interviews where respondents had a post-graduate qualification, the researcher noted that such respondents gave key insights into the study beyond asked questions, for example they ended up raising key methodological issues thereby helping to shape many aspects of the research. From table 5.2.2 below, 90% of the respondents were holders of a university degree, with 15% having doctoral degrees while only 10 percent of the respondents are holders of a diploma

Table 5.2.2: Classification of study participants on the basis of qualifications

Qualification	Frequency	Percentage
Diploma	2	10
University first degree	7	35
Masters degree	8	40
Doctoral degrees	3	15
Total	N=20	

5.2 Conceptualisation and relevance of IGR in unitary nations

Under this section the researcher unpacked the various conceptions of IGR in unitary nations with specific reference to Zimbabwe. The data presented here is a triangulation of views obtained from in-depth interviews and documentary review with the view of obtaining a balanced argument. This approach is particularly supported

by Chirisa's (2014) argument that field research data obtained from key informants can be regarded as claims and might not be a reflection of the truth hence the need to compare and relate it to other sources to come out with the truth. This is fundamental to establishing a true and balanced argument through interrogation of multiple and dependable sources of data to establish information.

The respondents demonstrated varied perspectives in their understanding of IGR giving a Zimbabwean context to both theory and practice. While they generally appreciated IGR to imply a horizontal and vertical diffusion of power and authority either across different tiers of government and/or within a particular tier of government, respondents strongly differed on the configuration of such relations especially the power wielded by the different levels of government in intergovernmental bargaining. Members of the academia interviewed argued that most unitary nations, Zimbabwe included, have often preferred to classify such relations as centre-local relations which however, presents a limited and narrow focus of such relations by restricting them to interactions between the central government and local government. One University of Zimbabwe lecturer in the Political Science department noted that:

Governments are calibrated differently from central to local level and IGR is a translation of how the different levels of government, some call them spheres while others call them levels, relate. There are various areas in which they relate, they can relate in terms of policy formulation, programme implementation and fiscal relations. So understanding of IGR is how are those areas where they intersect, where they interact, how are

they organized, how are they mediated in terms of conflict and how do they collaborate or cooperate in terms of making sure that the individual competencies from which they deliver are complemented, supported and work together.

In the same context, one Minister of State for Provincial Affairs interviewed simply defined IGR as the interface and the interrelationships between the central government and other tiers of government. A Member of Parliament (MP) in Bulawayo added that in terms of the Constitution of Zimbabwe Amendment Number 20 of 2013 government is constituted at three different levels/tiers that are central government, provincial and metropolitan government and local government. IGR therefore is an expression of the relationship between those three tiers of government and how they interface in terms of service delivery. However, the second tier of government (provincial and metropolitan councils) is yet to be established in terms of the Constitution of Zimbabwe as the relevant legislation governing provincial and metropolitan councils is yet to be enacted, implying that currently IGR are much defined at two levels that is the centre and the local government level. Other respondents, for example a member of civil society referred to the relations as centre-periphery issues, while a mayor interviewed preferred the term multi-level governance and centre-local relations to refer to IGR. Though these are not conceptual synonyms, the general view of the various respondents, despite use of different terminologies pointed to IGR.

However, respondents differed significantly in their conception of how the relations should be configured. Two Ministers of State for Provincial Affairs interviewed strongly insisted that the relations are ideally directed by central government which defines the broad national policy direction and whip sub national government in line with that vision. They argued that this ensures that the operations of sub national governments are in the context of the broader national vision. These two respondents cited above emphasised on the constitutional clauses of Zimbabwe which emphasised the unitary state and the indivisibility of the country through secessionism or provincial parochialism. The argument emphasised a top-down approach to intergovernmental relations often characterised by directives to sub-national governments but largely limiting the autonomy of the latter while centralising power in the national government. One minister emphasised that IGR must be configured in such a way that it gives the national government necessary powers to supervise and monitor sub national governments with the view of bringing their policies in sync with the former. He argued that the sub-national system of government in Zimbabwe is predicated on decentralisation and anchored on the principle of subsidiarity. This view largely reflects the argument by Chatiza (2010) that centre-local relations in Zimbabwe reflect a vacillation between devolution (administration of local affairs by locally elected people) and delegation (performing tasks transferred or assigned by the central government).

However, two members of the academia and one representative of civil society interviewed challenged the above conception of IGR by Ministers of State for Provincial Affairs as a way of reinforcing vested interests in existing patterns of patronage and central–local linkage. They argued that the existing conception of IGR as reflected in the views of the above two ministers is largely an expression of the ruling ZANU PF government’s strong centralist philosophy and practice. This view is widely held by functionaries of the ruling government as a means to maintaining and retaining power. One of the respondents from the academia further argued that it is misplaced to consider central government as a superior tier in the intergovernmental discourse as all the tiers are equal before the law. While appreciating that central government has broader national responsibilities, this should not be justification to distort intergovernmental relations in favour of the central government. Rather, as alluded to by one MP, IGR should be characterised by bargaining and mutual exchanges and not conceptions of superiority of one tier over the other. Tiers of government should be driven by the desire for cooperative governance as a key ingredient of integrated development and planning.

In triangulating the overall responses, 40% held the view that IGR should be directed by the central government in a unitary nation in order to maintain unity and promote the indivisibility of the nation. These were mainly the Ministers of State for Provincial Affairs, one MP, a permanent secretary, one mayor, a member of the judiciary and a retired government bureaucrat. They strongly supported a system where central

government institutes mechanisms of controlling the policy context of sub national government in order to bring them in harmony with national processes. To this category of respondents, central government must develop sufficient systems to monitor sub-national governments and ensure that they act according to the dictates of the centre. Machingauta (2010) reflects on such argument where he noted that the hierarchical nature of the relationship between central and local government allows central government to supervise local government with a view to bringing it into harmony with national policies. Supervision enables the supervising authorities to prevent unlawful use of funds and other property of local authorities, to prevent corruption, or to improve the performance of local authorities, among others'. This largely reflected regulated federalism (1963-1981) in the US where the federal government through congress made imposition of legislation and policy on state governments. This increased the dependability of the state level on the federal government and the consequence was the erosion of state autonomy.

However, 60% of the respondents differed widely with the above views arguing that the current conception and practice of IGR was distorted, biased and reinforced the interference of the central government with the affairs of sub-national governments. This category of respondents contrasted the views held above as a representative of strong unitarism that was antithetical to devolution of power and thrived on patronage. A mayor and two academics interviewed argued that the Constitution of Zimbabwe Amendment Number 20 of 2013 strongly supported a devolved system of

government which cannot be sustained under a highly centralised unitary government system. A member of the judiciary added that while central government monitoring systems on sub-national governments is important, there is need to balance the performance and transparency expectations of central government with the need for discretion and innovation by sub-national governments. However, the question is whether the current tight strictures on the functioning of local government will enable those local authorities to realize their potential to facilitate development and sustain democracy. The scope of innovation and responsiveness to local needs is directly to the measure of local discretion offered by the legal framework. He further argued that both conception and practice of IGR should reflect a paradigm shift from the previous context where sub-national governments were creatures of statutes to the current constitutional framework that enshrined local government and provincial and metropolitan councils in the Constitution while emphasising devolution as a cardinal constitutional provision. The former Minister of Local Government, Public Works and National Housing Ignatius Chombo cited by De Visser (2010), reiterated the above observation when he noted that, 'central government must of necessity nurture a conducive environment that enables local authorities to optimally tap into the local resources, material, capital and human'.

In a nutshell, the current conception of IGR in Zimbabwe represents two distinct and conflicting schools. On the one hand are proponents of a strong central government. This school or category of respondents support centralism and are opposed to

devolution. They are less enthusiasts of a strong sub national government system but rather argue that a strong central government should censure decentralised government for performance through various monitoring systems. This category rationalize centralist models of governance arguing that decentralization in a unitary nation is a creature of central governments who retains the prerogative of determining the quality and quantity of authority to devolve to local governments. They argue that decentralization of functions to sub national governments should be followed by the institutionalization of a package of control systems and supervisory mechanisms by central government to ensure that sub national governments behaves within the parameters set in the relevant laws.

In support of the above category of respondents, Crook (2001) identified three ways by which central government can exercise control over local governments. The first one is the control of local government income and expenditure. In income terms, central government may decide which taxes local governments can access or to set tax rates or to decide the form of intergovernmental transfers. In expenditure terms, central government may seek to control local government access to borrowing for capital purposes and to set limits to current expenditure levels or prohibit certain expenditures or to require localities to meet a greater or lesser proportion of the costs of certain services out of their own resources. Secondly, there is control through a process of administrative regulation or prescription about the ways in which particular local functions or services should be provided. The third dimension

is control over the access permitted to local governments collectively and individually to central state decision. Machingauta (2010) also identified four dimensions of central government supervision on local government almost similar to the Zimbabwe Institute and he argued that, 'the hierarchical nature of the relationship between central and local government allows central government to supervise local government with a view to bringing it into harmony with national policies. Supervision enables the supervising authorities to prevent the unlawful use of the funds and other property of local authorities, to prevent corruption, or to improve the performance of local authorities, among others'. The four dimensions of supervision of local governments by the centre he identified are the establishment of local government institutions and regulating their institutional framework. Secondly, national governments' regulatory role in streamlining local government functions through the laws that establish local government and others that have a functional relationship with local government. The third manner of supervision is the continuous monitoring of local government functions through requests for information and access to local government records as well as investigations into allegations of corruption and other forms of improper conduct. In this regard, supervision may involve the suspension and or dismissal of elected councillors for improper conduct or poor performance. Lastly, is the intervention of central government by appointing administrators, commissioners or caretakers to act as council pending investigations (section 80 of the Urban Councils Act Chapter 29:15)

On the other hand, are proponents of devolution. This category of respondents argued that the current conceptions of IGR in Zimbabwe should be grounded in the Constitution of Zimbabwe, particularly the devolution clauses. The basis of their argument is that devolution provides room for innovation and experimentation to sub national government. They attacked a centralist model as a threat to democracy and a nemesis of the Constitution. The major voices in this category were academics, a member of the judiciary, permanent secretaries, a mayor and a representative of the civil society. They argued and maintained that an empowered sub national government is better placed to engage with local systems of power for socio-economic transformation and sustainable governance. This school concurred with Steytler (2005) and de Visser (2008) who argued that in the debates leading to the Constitution of South Africa Act Number 108 of 1996, there was heated debate over the form of sub national government that the country desired. However those in support of a devolved and empowered sub national government and opposed to centralism raised three fundamental points. The first is that a devolved sub national government is a critical element in deepening and widening democracy while secondly being a laboratory for local decision making and experimentation. The third is that devolved sub national governments are an essential element to direct and coordinate regional decision making and service delivery. On the basis of the above two schools, this study argues that the current conception of IGR should largely reflect the Constitution which strongly advocates for the devolution of power as

opposed to centralism. The views of the first category are thus in contravention of the letter and spirit encapsulated in the Constitution

The relevance of IGR remains undisputable and respondents raised a number of fundamental factors that make IGR both inevitable and desirable. Fundamentally, respondents argued that IGR promotes a coordinated and integrated approach to government service delivery thus helping to limit service delivery overlaps and conflicts. Countries that lack a well established IGR system are likely to suffer losses related to duplication of service, costs related to overlapping responsibilities, lack of focal points of accountability and a number of related government service delivery malfunctionalities. A permanent secretary interviewed noted that:

The relations between the different spheres of government are vital in any system of government, unitary or federal. While Constitutions assign specific mandates to different spheres of government, the full potential of a level of government to serve citizens cannot be realised if there is no coordination among the various government entities in planning and service delivery. High chances of conflict between the national government and sub national governments, is much likely to compromise functions of governments if the IGR system is not well organised As such, there is a need for an intergovernmental coordinating mechanism.

Two MPs and a member of the judiciary interviewed also argued that Constitutions have their own leakages and slippages and in certain instances different levels of government may be assigned similar functions which then create power struggles

that disturb sustainable service delivery. Their argument was that in most political jurisdictions with more than one level of government, jurisdictions of governments as defined in law and applied in practice are much likely to be transcending. This, if not properly governed through clear principles of IGR and cooperative governance, may provoke conflict that can derail government service delivery.

Various respondents identified the following as the key principles and fundamentals guiding IGR in Zimbabwe:

- recognizing the sovereignty of the Zimbabwean people;
- inclusive and participatory governance;
- promotion of national values, constitutional governance principles, and service delivery equality;
- respecting the constitutional status of the government levels and institutions;
- objective and impartial decision-making;
- minimizing intergovernmental disputes and facilitating a harmonious resolutions of disputes;
- promoting accountability to the people

When asked to identify some of the objectives of IGR, respondents, particularly members of the academia cited the following:

- to facilitate the steady implementation of the devolution principles enshrined in terms of the Constitution of Zimbabwe Amendment Number 20 of 2013;

- to facilitate cooperation and engagements between national and sub national governments;
- to promote coordination of government policies, legislation and functions; and
- to promote accountability between among the three levels of government.

Key respondents including two Ministers of State for Provincial Affairs, two MPs, a mayor and a member of the academia concluded that managing IGR is an important aspect in Zimbabwe. Zimbabwe has constitutionally entrenched orders of government and there are few issues in public policy that do not cross jurisdictional lines, few areas in which the actions of one government do not affect other governments. Consequently, relations with other governments are a major concern of all the Zimbabwean jurisdictions and governments should develop mechanisms to coordinate their response to intergovernmental issues.

The need for managing intergovernmental relations is driven by a range of factors, including constitutional ambiguity, fiscal relations, public policy interdependence, investment and trade, infrastructure management, environmental protection, policing and security, and the sharing of resources (Poirier and Saunders, 2008 and Agranoff and Radin, 2014). Partisan and group-based competition for political control and differing views on how to achieve national and regional objectives affect the modalities of interaction between intergovernmental partners. Edwards (2008) also seems to concur with the above justifications and submits that IGR are intended to promote and facilitate cooperative governance and decision making by ensuring that

policies and activities across all spheres encourage service delivery to meet the needs of citizens in an effective way. There are two dimensions of IGR which are vertical and horizontal as shall be explained below and in distinguishing the two, Ile (2007) argues that vertical IGR are important for the establishment of lines of authority and maintaining accountability and responsibility as well as facilitating control. Horizontal IGR on the other hand occur in governmental bodies between individuals and institutions in the same hierarchical level, for example between ministers and cabinet in the national sphere of government.

On the basis of the above permutations, this thesis defines IGR in unitary nations with specific reference to Zimbabwe as vertical and horizontal interactions and networking among different tiers of government and other organs and institutions of the state in the course of formulating and implementing government policy. This implies that there is vertical and horizontal IGR. Vertical IGR are interactions between two or more levels of government in a hierarchical order. A typical example is where central government gives policy directives to local government in a typical top-down approach. At the same time, vertical IGR can be bottom-up where, for instance, local government responds to policy demands of the central government through annual performance reports, financial statements or responding to circulars issued from the centre. In a similar context, horizontal IGR are the interactions of different organs or institutions at the same level/tier of government. This could for example be interaction between the executive, legislative and judiciary arms of

central government or various local government units. The major drivers of such interaction would be sharing experiences and challenges, distribution and rationalising the use of resources, addressing policy inconsistencies or integrated planning and development. A typical example is the meeting of various functional heads of government departments at district level as members of the District Development Committee to spearhead planning and development in a district, meeting of members of the legislature, executive and the judiciary arms of government for the presentation and adoption of the national budget. The next section looks at vertical relations as a component and dimension of IGR.

5.2.1 Vertical IGR

Respondents were asked to examine vertical IGR processes in Zimbabwe and reflect on the co-existence of the different levels of government. Largely, the focus revolved around how the different tiers of government relate and are coordinated in a hierarchical manner. Authoritative and dependable secondary data sources were also consulted to reflect on the configuration of such relations in Zimbabwe and other jurisdictions on the basis of expert and reviewed arguments.

An academic from the University of Zimbabwe (UZ) interviewed noted that vertical IGR focuses on the diffusion of power among the three tiers of government as established in terms of section 5 of the Constitution that is the national government, provincial and metropolitan councils and local government. She defined vertical IGR as the interactions among the three tiers of government and generally how the

system is synergised and synchronised from the national to the local government level. The need for vertical IGR stems from what De Villiers (1994, 30) contextualised as 'the simple truth...that no level of government can function effectively without the co-operation and co-ordination of the other levels'. Two Ministers of State for Provincial Affairs and a mayor argued that the possession of power is an important feature of these relations. The central authority will wield more power than provincial authorities which will, in turn, wield more power than local authorities. The national government of Zimbabwe is the central authority of the country and the first tier. It is made up of three arms: the executive authority, the legislature and the judiciary. The second tier of government consists of provincial and metropolitan government and administration system. In terms of the Constitution of Zimbabwe (Amendment No. 20) section 267, provinces of Zimbabwe are identified as: Bulawayo Metropolitan Province, Harare Metropolitan Province, Manicaland, Mashonaland Central, Mashonaland East, Mashonaland West, Masvingo, Matabeleland North, Matabeleland South and Midlands; whose boundaries are fixed under an Act of Parliament [section 267 (1)]. An Act of Parliament (a) must provide for the division of provinces into districts and (b) may provide for the alteration of provincial and district boundaries; after consultation with the Zimbabwe Electoral Commission and the people in the provinces and districts concerned [section 267 (2)]. Local government is the third tier of government and consist of Urban and Rural District Councils with jurisdiction over urban and rural areas respectively.

An MP from Bulawayo and a mayor interviewed argued that there is a hierarchical relationship between the three tiers of government with a typical command structure. Over the years, the system has been run using an instructional approach expressed through central government directives on local government which in the process compromised the autonomy and discretion of sub national governments. Respondents differed extensively on the rationality of an instructional and directive approach that has been used by central government in managing intergovernmental issues.

The researcher noted that the differences in the perceptions of respondents were mainly between political party functionaries and bureaucrats on one hand and members assumed to belong to different political parties on the other hand. For instance, Ministers of State for Provincial Affairs and an MP who are political functionaries of the current ruling ZANUPF supported the instructive top-down IGR system as part of the central government's approach to monitoring sub national governments to enhance performance and weed out corruption. They argued that the national government has the national mandate from the electorate and therefore the processes of sub national governments should subside before it. As one minister noted, 'without necessary system of monitoring sub national governments, everything will be left to chance and that's the equivalence of anarchy'. However, this argument was contrasted by an opposition MDC MP in Bulawayo who argued that the rationale of such an instructional approach is detrimental to the autonomy of sub

national government and its major driver is ZANUPF's desire to destroy opposition political party led sub national governments particularly local authorities. At the same time, and without defeating or confirming any of the views above, bureaucrats, in particular permanent secretaries argued that most of the directives had serious political overtones and were general difficult to implement without risking polarising the nation. A mayor who is a strong proponent of devolution noted that:

The relationship has always been instructional and summarised by directives from central government. While in principle the Constitution emphasises a distinctive governmental system allocating a higher degree of autonomy to sub national level supported by devolution principles, in practice the system follows classic centralist approaches where provincial and local governments are totally subordinate to the national government, with some powers allocated to them, but all decisions and actions being subject to a national override.

Various cases and precedence justifies a notable centralist tendency of central government in dealing with vertical IGR. A mayor who is a member of the opposition political party, MDC cited the firing of democratically elected councillors and mayors by central government with recent cases being the dismissal of all councillors and the mayor of Gweru City Council by the Minister of Local Government in 2014, and the suspension of the mayor of Harare in 2015. Other cases are the dismissal of the mayor and councillors for Harare city council, Chitungwiza municipality and Mutare city council in 2005. In all these cases the fired mayors and councils were replaced with central government aligned commissioners pending elections. In some cases, it took more than two years for the elections to be conducted in contravention of the

relevant laws. Other powers of the central government include unrestricted access to local government records and financial processes, powers to rescind resolutions, approve by laws and budgets and such powers has often been abused along political party lines. A member of the civil society and an academic concurred with the above view and argued that the dismissals were meant to advance the political interests of ZANUPF as it sought to gain control of local authorities through centrally appointed commissioners. They found the reasons given for the dismissal of mayors to be flimsy and lacking merit. However, MSPA strongly disagreed with the above perspectives arguing that there has always been sufficient justification to cause the suspension, chief among the reasons being gross incompetence and rampant abuse of council's property. However, they could not produce sufficient evidence to confirm that indeed acts of corruption and gross incompetence existed. This compelled the researcher to conclude that the suspensions of democratically elected mayors by ZANUPF led central government was aimed at destroying the popularity of MDC at the local government level and hence amounted to the subversion of the democratic will of the people for political expedience

Blunt (2011, 03) likened the Ministry of Local Government's relationship with the opposition led councils to a 'rider and a horse, respectively', local authorities being the latter. Madhlekeni and Zhou (2012) however noted that what appears to be misconstrued by many is the fact that the governing legal and institutional framework of local governance in Zimbabwe provides room for the responsible Minister to

legally enable or disable local authority administration. They further noted that while IGR under the colonial system was characterised by draconian and racial legal and institutional frameworks, the post-independence legal and institutional framework of sub national government did not depose nor loosen the central government's stranglehold on the sub national systems of government. Rather the post-independence era has been characterised by what Olowu (2001) classified as centralism through decentralism where purported decentralisation initiatives promotes centralisation in the actual practice of government. The next section examines horizontal IGR in order to determine how institutions at the same tier of government are organised laterally.

5.2.2 Horizontal IGR

Respondents were asked to examine the horizontal IGR system specifically focusing on the co-existence of institutions and organs of the state at the same level. The researcher relied much on primary data in making arguments but also infused secondary sources of information to draw representative conclusions. A MSPA cited Cabinet as an example of a formal framework for horizontal relations where ministers meet to deliberate policy matters and ways of strengthening the government service delivery machinery. Reports however indicate that cabinet meetings are overshadowed by the current national president, Robert Mugabe, who, as confirmed by one MSPA and supported by 70% of the respondents exhibits dictatorial tendencies and discourage robust debate on national issues. To further strengthen this view, cabinet meetings have never been convened in the absence of the

president since independence in 1980. Provincial governments may interact with each other though respondents noted that this has been so minimal in Zimbabwe. MSPA argued that horizontal IGR are only defined between constituent units and have been considered as less important and as a result is less developed especially at sub national level. This view was shared by most respondents who however emphasised that cabinet remains the only example of a consistent vertical IGR platform with weekly meetings confirmed by MSPA who are also members.

Seventy percent of the respondents comprising mainly of the academics, civil society, permanent secretaries, one MP and a member of the judiciary argued that the political system of Zimbabwe instituted greater centralization of political power, ensuring the supremacy of central government over any local administrative settings. This has resulted in much concentration and effort being invested towards developing mechanisms of ensuring a tighter grip of central government on sub national governments. Generally, horizontal interaction is limited due to the highly centralized legislative, administrative, judicial and financial authority and the absence of sub national autonomous governments. The major platforms for horizontal IGR are cabinet (as already noted), the district development committee which brings heads of government ministries and departments together at district level and structures of organised local government such as the Zimbabwe Local Government Association (Zilga), Urban Councils Association of Zimbabwe (UCAZ) and the Association of Rural District Councils in Zimbabwe (ARDCZ). Most scholars have

argued that horizontal IGR is much defined in federal inter-state relations and less in unitary nations where relations are vertical, hierarchical and with a command and directive orientation. One Permanent Secretary noted that:

From an institutional perspective, horizontal IGR is less developed in Zimbabwe despite huge potential to provide a platform for the sharing of experiences between provinces, local authorities or other institutions at the same level of governance. There has been an extensive focus on vertical IGR with the goal of strengthening central government's influence of the other tiers of government.

Haile (2014) argued that the study of IGR is typically vertical, that is, the relationship of a government at one level with governments at other levels: the national government with the sub national governments. But intergovernmental relations can be horizontal as well. Horizontal IGR are relations indicative of governmental interactions at the same tier of government, for instance between arms of central government or various provinces or government departments at the same level of governance. They however differ considerably from vertical relations as they are usually not characterised by the formal conceptions of power. Peters and Piere (2012) equally stress that the relationship between politicians and bureaucrats in horizontal governance, are not primarily characterized by command and control, but rather by shared beliefs, interdependency, and cooperation. Haile (2014) further notes that horizontal relations between constituent units typically arise to deal with

geographic trans-border issues like rivers, transport, local taxation, and service provision.

It is from the above perspective that Gerber and Loh (2014, 270) concluded that although researchers have made progress in understanding motivations behind horizontal collaboration, there is little research that explores the spatial dynamics of such interactions. Gerber and Loh (2014, 270) questioned: 'Does the idea of collaboration travel horizontally, passed from neighbor to neighbor, or is vertical leadership from state, county, or regional actors more important' in influencing decisions to share resources and functions and what factors influence choices to collaborate? On the basis of the above views, the researcher concludes that concluded that there is serious engagement in vertical IGR in Zimbabwe as the national government seeks to increase its grip over sub national government

5.3 Calibration of tiers of government as reflected by respondents

This section focused on getting the views of the respondents on the calibration of the three tiers of government, their operational frameworks and how the system is synergised and synchronised from the national to the local level. It also focused on the processes of individual tiers in order to determine how institutions within that tier coexist in horizontal IGR from the perspectives of the respondents. Particular focus was given to the mandate of each tier of government triangulated with the entire political and administrative system in order to establish the extent to which the entire government machinery is configured to promote integrated planning and

development. Devolution principles as provided in the Constitution and the progress made by the government in implementing these key constitutional reforms was analysed from the perspectives of the respondents. In a nutshell, this section focuses on vertical and horizontal IGR as established and enforced through existing government apparatus and the extent to which government operates as a whole.

In interrogating respondents on the calibration of tiers of government, 55% were of the view that the Constitution clearly establishes a three tier government framework defining how each level is composed. This category comprised two MPs, two MSPA, two mayors, and one representative of civil society, one permanent secretary and a member of the academia. Their argument is that the establishment, in terms of the Constitution, is elaborate and clearly defines the jurisdiction of the different tiers. A MSPA noted that:

There is clarity in terms of how government is constituted as the Constitution defines the three tiers quite clearly. The arms of the state and how they are structured from national to local levels, the judiciary and parliament have clearly established jurisdictions but the conversation is centred on how the central government relates to sub national governments.

In checking the backgrounds of most of the above respondents, the researcher found that 73% of them were members of the various thematic committees of the Constitutional and Parliamentary Affairs Committee (COPAC), a committee of

parliamentary established to spearhead the development of the current Constitution of Zimbabwe Amendment Number 20 of 2013. This explains why they have a strong grounding in the Constitution. However, their arguments were strongly contrasted by 35% of the respondents comprising two members of the judiciary, one permanent secretary, two members of civil society, one member of the academia and one MP who argued that the current Constitution is vague and ambiguous in its allocation of powers and mandates to different levels of government. They further submitted that in the current state there is duplication of roles that naturally causes conflicts, ambivalence and confusions in the practical operation of government. They strongly supported the idea of revisiting the Constitution in order to streamline the functions of the different tiers of government. A lecturer at Midlands State University, for instance noted that in one of his studies he found out that the practical operation of provincial councils and local authorities is going to cause problems related to the delineation of functions of these two bodies of government. The remaining two respondents were however indifferent on the issue rather insisting that government should expedite the process of aligning legislation with the Constitution as that will be the basis of determining the extent to which functions of the different tiers overlap. Their view was that what are contained in the Constitution are broad policy guidelines leaving the specific factors of government operation and relations to be dealt with in the Acts of Parliament. In this context they therefore argued that it is incomplete to assess IGR by simply considering the clarity or lack of it, of constitutional clauses

establishing tiers of government as these are made clear by Acts of Parliament and ultimately the practical operation of government

The next sections discuss respondents' perceptions in relation to the individual spheres of government in terms of how they are established, intra-tier governmental relations and the lines of relationships with other tiers of government.

5.3.1 National government

This section examines the national government in terms of how it is constituted and the relationship of its different arms using primary responses from key informants and the Constitution and other secondary sources. Major focus was on horizontal IGR and the role of the national government in the configuration of other tiers of government. As noted, the national government is the first tier comprising of three arms that is the executive, the judiciary and the legislature. Separation of powers is a key constitutional principle. The structure and exercise of legislative authority and the delegation of legislative authority is provided in part 5 of the Constitution. Members of the judiciary, MSPA and MPs interviewed cited the major role of parliament as: protecting the Constitution and promoting democratic governance in Zimbabwe, ensuring that the state and government at every level act constitutionally and in the national interest and ensuring the accountability of all institutions and agencies of the state and government at every level.

The above respondents further submitted that in order to perform the above functions effectively, parliament establish such a number of portfolio committees to

oversee the various state, and government agencies and departments in the exercise of their mandates. These are committees designated in line with government portfolios to examine expenditure and policy administration by ministries and departments of government. This is a key area of IGR with vertical and horizontal dimensions. Horizontally, parliament considers and approves submissions of the other arms of government, for instance they approve the national budget as presented by the Minister of Finance and Economic Development and before any bill is approved into law, it must be approved by parliament. Vertically, parliament can summon any institution at any level of government to make representations on issues of a national interest. An MP who is a member of the portfolio committee on Youth, Indigenisation and Economic Empowerment, for instance, indicated that the committee summoned members of the National Indigenisation and Economic Empowerment Board and the Zimbabwe Youth Council to explain the alleged abuse of the youth fund released by the central government in 2010.

When requested to assess the capacity of parliament to perform the above functions, MPs, MSPA and the academia bemoaned that the oversight role of Parliament over the executive remains acutely weak as the former has demonstrated its inherent weaknesses in making the executive accountable. Instances given are the deployment of the Zimbabwe National Army in the Democratic Republic of Congo (DRC) in 1998 without a resolution of Parliament. A sitting MP who was a member of the lower house in 1998 remarked that for the 22 years she has served as MP, one of the major lessons that she has learnt is that the Parliament of Zimbabwe under

the prevailing model and system is too weak and incapable of holding the executive accountable. She surprisingly indicated that she learnt about the deployment of the national army in DRC in a newspaper and she could not explain when asked by her constituency. She cited a number of scenarios where executive arm of government could rail road bills and other important government decisions without any reprimand from the legislature. The worst case scenario is where ministers simply bunk the question and answer sessions of Parliament. Or where they don't turn up to make representations before portfolio committees of Parliament as required. In a nutshell she found parliament to be a 'toothless bulldog' and the weakest arm of the central government in horizontal IGR

A detailed discussion of the legislature as an institution of IGR is given on section 5.10.1. The second arm of the national government is the executive. The composition and exercise of executive authority is provided in chapters, 2, 3 and 4, sections 88 to 113 of the Constitution. The Constitution vests executive authority in the President, who subject to the Constitution shall exercise such executive authority through the cabinet directly appointed by him or her. Section 104 (1) provides that the President appoints ministers and assigns functions to them such as the administration of any Act of parliament, ministry, or department. The cabinet consist of the president, as the head (chair), vice presidents and such number of ministers appointed by the president. The president presides over cabinet meetings and in his absence the vice president takes over and in the absence of both, ministers present

shall elect one from amongst their numbers to be chairperson to preside over the meeting.

Seventy percent of the respondents inclusive of the MSPA, MPs and one member of the judiciary submitted that the executive through cabinet have for years dominated both vertical and horizontal IGR in Zimbabwe. In horizontal IGR terms, cabinet ministers and the President have largely influenced the decisions of other arms of government in a number of ways. This has been worsened by a weak parliamentary system that has failed to hold executive members accountable. Added to this, the President also appoints senior members of the judiciary which compromises the independence and integrity of the latter especially when dealing with cases where the former is an interested party. However, two members of the judiciary strongly disagreed with the view that the appointment of the judiciary by the president of the nation compromised their independence. They argued that the president only appoints at the recommendation of the judiciary service commission. They insisted that the judiciary is an independent arm of government established by the Constitution and hence the influence of the president, if any, is very marginal. However, the member of the judiciary whose perception is that the executive influences the judiciary cited the ongoing debate on the appointment of the Chief Justice pending the retirement of the current incumbent, Justice Godfrey Chidyausiku in 2017 February. The above respondent argued that the process is fraught with irregularities that are deliberately aimed at leveraging a candidate of choice to the executive. History has also shown that some members of the judiciary

are former members of Parliament appointed by the ruling ZANU PF and later promoted to be judges. An example is Justice Rita Makarau who is secretary to the Judicial Service Commission (JSC), chairperson of the Zimbabwe Electoral Commission (ZEC) and aspiring Chief Justice.

Members of the academia and civil society argued that there is need for a paradigm shift from the current presidential to a parliamentary system as the current system gives all powers to the President to control all executive facets of the nation while weakening the legislature. An MP from Bulawayo remarked that 'what has happened in Zimbabwe is that Parliament has simply become a rubber stamp for executive action. The President and Cabinet of Zimbabwe are not in practice accountable to the legislature. When the President and Cabinet decide on a certain course of action there is, in practice, very little that the legislature can do about it.' Parliament is therefore a weak arm in the intergovernmental system as the substantiality of its decisions is subject to the whims of the executive. Cases in point as raised by MPs include scenarios where the executive has entered into international agreements and borrowing without the authority of Parliament. In 2017 government through the executive secured a 98 million US dollar loan facility for agriculture mechanisation from the government of Brazil. The mechanisation program was however hijacked by the ruling ZANU PF and beneficiaries were selected along party lines. One MP from Harare was quoted saying, 'Parliament is not aware of the modalities of the facility. It was secured by the executive for the benefit of ZANU PF membership. Our Parliament is simply powerless and lacks the muscle to protect the tax payer against

massive corruption by the executive'. A detailed analysis of cabinet as an institution of IGR is given on section 5.10.2

The third arm of the national government is the judiciary. Chapter 8, sections 162 to 191 of the Constitution vests judiciary authority in courts of various levels and with jurisdiction over different cases. The President appoints the Chief Justice to head the judiciary and Supreme and High court judges in consultation with the Judicial Service Commission. Section 164 emphasises the independence and impartiality of the courts as the cornerstone of any credible justice delivery system. Members of the judiciary emphasised that the independence and impartiality of the judiciary is deemed core to the rule of law and democracy by the Constitution and therefore interference with the functions of the courts is criminalised. However, the civil society and members of the academia interviewed bemoaned that while the judiciary is expected to anchor the intergovernmental system through dispute resolution, this has not been the case in Zimbabwe as Judges have in so many instances appeared to be taking orders from the executive arm of government thereby shattering the reputation of the judicial system. One MP from the opposition representing a constituency in Gweru gave an example of Justice George Chiweshe, who in 2008, as chairperson of the ZEC withheld presidential election results for five weeks presumably in the interest of manipulating the outcome of the plebiscite in favour of the President and contestant Robert Mugabe. He later on ordered an election run-off after the opposition MDC candidate Morgan Tsvangirai defeated Robert Mugabe but could not get the fifty percent plus one required to form a government. The elections

were condemned by many observers as violent, marred by a litany of irregularities and with a lot of pointers to rigging in favour of Robert Mugabe. The MP cited above further made the following remarks:

the President and Cabinet exercise immense power over the judiciary and the independence of our judiciary is not due so much to constitutional safeguards as to the characters of the men who presently preside over it. We urgently require sufficient reforms for an effective balance of power primarily between the executive and legislature and further provisions of law to ensure that the judiciary's independence relies not only on the calibre of the judges but also on constitutional safeguards.

Seventy percent of the respondents further cited instances where the judiciary have been influenced by the ruling ZANU PF to deliver judgements in the interest of the latter especially where the other party is opposition. This has given a rise to political biased judgements. Typical cases notable are the arrest and trial of Morgan Tsvangirai (leader of the MDC) on treason charges at the High Court, case number HH 169-2004 CRB 224/02. The conviction and sentencing of MDC political activists by Justice Chinembiri Bhunu to 20 years on allegations of killing a police officer on 10 December 2016 was also seen to be biased towards ZANU PF. Although this was refuted by 2 out of 3 members of the judiciary interviewed, the researcher still found the arguments valid on the strength of cases given and observable trends.

As noted earlier, Judges are appointed by the President in consultation with the JSC. At the same time, the retirement age of a Judge is 70 years unless the JSC

recommends that the Judge remain in office. However, according to a member of the civil society and confirmed by the three respondents from the judiciary, the 1987 case involving Dr Enock Dumbutshena is a classic scenario indicative of many contexts where the executive overrides the decisions of a statutory organ of an arm of government. When Dr Enock Dumbutshena reached the age of 70 years in 1990 he wished to continue in office and had the support of the JSC. However, the President decided not to extend his tenure of office and as a result denied Zimbabwe the service of an outstanding Chief Justice. A key informant from the judiciary felt that the provisions of section 187 of the Constitution on removal of judges substantially weighted too much in favour of the executive given that the President has extensive authority in both appointment and removal of judges. This thesis strongly submits that if the doctrine of separation of powers is to be respected the Judges themselves, should have a say in the dismissal of their fellow Judges. This will be key in achieving a sustainable IGR system that serves the nation and not the political interests of a few elites while disadvantaging citizens, especially those aligned to opposition political parties

Overall, on the basis of the triangulation of the views of respondents and secondary sources of information this study argues that the bulk of intergovernmental problems within the national government and between the national government and sub national institutions are largely because the former is unaccountable. While in principle, Parliament and the public have the ability to veto government's internal budget, for instance, the public can not scrutinise how much money government

receives internally and how it spends the same. One MP reiterated that at present there is no accountability regarding how government spends all the foreign exchange this country earns. It is no secret that with the foreign currency shortage experienced in Zimbabwe, the spending and allocation of foreign exchange gives immense power to the national government. Despite earning vast amounts of foreign exchange the industry and commerce face enormous challenges in obtaining foreign exchange for the importation of equipment. For years there has been a shroud of secrecy over the expenditure of foreign exchange. Accordingly, the only way of making government accountable is to ensure that there is transparency how foreign exchange earnings are spent.

In a nutshell, there is serious flaw in the present IGR practice at the national government level in that it has totally subverted the concept of separation of powers. The executive is overwhelmingly powerful at the expense of both the legislature and the judiciary. There is abundant literature pointing to the manipulation of other arms of national government and sub national governments by the executive. Chatiza (2010), Machingauta (2010) and Madhekeni and Zhou (2012) have argued strongly that there is strong domination of the IGR discourse by the national government, particularly the executive arm. The overall thrust and explanation to this is multifaceted but largely points to a weak parliamentary model that vest too much power in an executive president, the electoral system, corruption and manipulation of constitutional and arrangements for IGR to sustain partisan political interests. To achieve horizontal intergovernmental balance of power, key informants from the

academia, MPs from the MDC and members of civil society interviewed argued that there is need for reforms to curtail the President's powers vis a vis both the legislature and the judiciary. For example, the President should be given limited legislative ability but should have the power to veto laws passed by Parliament. Cabinet should not be chosen from the ranks of MPs as is presently the case. MPs should be able to vote with their consciences and not face expulsion at the whim of the leader of their party, who also happens to be the President. Judges should receive life tenure so that they too cannot be relieved of their duties at the whim of the President. A detailed analysis of the judiciary as an institution of IGR is given on section 5.10.2.

The next section focuses on the dynamics of provincial and metropolitan councils as an intermediary tier of government bridging the gap between the national government and local government.

5.3.2 Provincial and Metropolitan councils

This section sought to establish the composition and constitutionality of provincial and metropolitan council as an intermediary tier of government in IGR. The section examined the dynamics of this tier of government in the context of devolution provisions of the Constitution. While this level of government is yet to be established in practice, the study sought the views of the respondents in relation to why the national government is delaying the enforcement of constitutional provisions anchoring this tier. The perspectives of respondents have far reaching implications in

determining the IGR. Authoritative secondary sources of data such as the Constitution were also analysed.

The second tier of government consists of provincial and metropolitan government and administration system. From the respondents, the MSPA and an academic from the ZOU detailed the historiography of provincial authorities in Zimbabwe. They stressed that provinces and provincial authorities, developed in Zimbabwe over the years, for example, by 1890; Zimbabwe (then Southern Rhodesia) was made up of two roughly equal provinces; namely, Matabeleland and Mashonaland. Between 1972 and 1985 Zimbabwe had been divided into eight provinces. It should be pointed out that in each of the 8 former provinces there had been a provincial authority with jurisdiction over African tribal trust and purchase lands and only over African local councils between 1972 and 1985. They did not have jurisdiction over the European areas and urban local authorities. In 1985, government passed the Provincial Councils and Administration Act, Chapter 29.11 establishing Provincial Councils chaired by the Provincial Governor and Resident Minister appointed by the president. Other members were: all mayors and chairpersons of councils in the province, one councillor for each local authority (council) in the province, one traditional chief representing the interests of the provincial assembly of chiefs and three other persons appointed by the President of the republic, each to represent the following interests: politics, youth, women. This was however repealed and replaced with new provisions enshrined in the Constitution of Zimbabwe (Amendment No. 20),

2013 which provides for eight provincial and two metropolitan councils (Bulawayo and Harare).

Sixty percent of the respondents comprising of one member of civil society and 3 MPs, two MSPA, two members of the judiciary, one permanent secretary, two mayors and one lecturer from MSU, some of whom were active participants during the 2009-2013 Constitution making process argued that the provincial and metropolitan councils are products of a robust political debate and active participation of citizens during the era of the Global Political Agreement in Zimbabwe (GPA) (2009-2013). They noted that there was serious tension over the context and composition of provincial and metropolitan council with ZANU PF arguing for a less influential intermediary level of government, rather preferring a scenario where this level of government will be staffed by presidential appointees. Typical of the South Africa context during the 1994 Constitutional debate as submitted by De Villiers (2008), where South Africa's system of provincial councils was viewed by experts and politicians at the time as the most appropriate for South Africa, which is a large, multi-ethnic country featuring important regional differences, opposition political parties in Zimbabwe equally felt that the provincial authorities should be sufficiently anchored to articulate critical regional and ethnic variations and contexts. However, four respondents from the above category who are two MPs, one academic and a member of the civil society argued that the ZANU PF government felt that this could have negative implications on nation-building and could promote among others, provincial parochialism, additional costs of governance, mutually destructive norms

in the various provinces that is policies and legislation in one province which adversely affects another province's welfare etc.

However, 40% of the respondents strongly differed with the above cited view that provincial and metropolitan councils are products of a robust and inclusive debate. They argued that the engagements were between political players especially ZANUPF and MDC who were partners under the GPA and largely excluded the citizens. To them, the provincial level of government needed to be carefully configured and properly constituted to contribute meaningfully to the national development discourse. Two academics interviewed argued that the intermediary level of government is too broad beyond the scope of the national fiscus and considering the perennial budget deficits and declining growth targets since 2009, it will be difficult to fund them. They argued that provincial and metropolitan councils were reduced to an extension of national government since more than 90% of their membership would be sitting politicians at the national government and thus they will simply carry the views and resolutions at the national level to the provincial level. Two respondents from civil society also weighed in and argued that the process excluded civil society and citizens and this level of government is largely a compromise between MDC and ZANU PF. They raised several views pointing that the current composition of this level of government is not suitable and sustainable for national development. One member of civil society who saw provincial and metropolitan councils in a less favourable light noted that:

In terms of the size of the country, in terms of the size of the population and in terms of the size of economy, it is actually an unnecessary level of government fraught with duplication of functions. This level of government came out of a compromise of different political parties and it only serves to multiply the risk of secessionism because the demanded level of autonomy threatens national integration. It makes this country a semi federal nation. This middle of the road governance structure called Provincial and Metropolitan councils came out of complex political dynamics but is huge in terms of budgetary demands therefore not implementable in the current economic dispensation.

Generally, the issue of provincial authorities with constitutionally guaranteed autonomy has always been a centre of controversy and debate. In South Africa, for instance, Steytler (2005) argued that there were contestations over the efficacy of this sphere with some seeing them as critical levers for the deepening democracy and as laboratories of local decision-making and experimentation while others understood them as costly and fraught with duplication of services and a serious risk to national unity and integration and therefore not necessary.

A MSPA who countered the views of the above academics and civil society members with a less favourable view of provincial and metropolitan councils noted that:

The provincial level in our country has never been created as sufficiently autonomous from the centre up until the promulgation of the 2013 Constitution. The provincial level was (up to 2013) a coordinating mechanism and was essentially presided over and supported by the Ministry of Local Government, Public Works and National Housing as a

deconcentrated level of government. It had serious limitations in terms of its scope for promoting democracy and diversity as the Provincial Governors were simply ZANU PF party functionaries accountable to the president and not the local citizenry. The majority of the members again were presidential political appointees and therefore its scope for robust debate was heavily compromised.

However, respondents who are in support of the second tier of government as presently constituted in terms of the law bemoaned that three years after the promulgation of the Constitution, relevant legislation for the establishment of Provincial and Metropolitan councils in terms of section 270 (2) (refer to excerpt below) is yet to be developed.

<p>(2) An Act of Parliament must provide for the establishment, structure and staff of provincial and metropolitan councils, and the manner in which they exercise their functions.</p>

Source: Constitution of Zimbabwe Amendment Number 20 of 2013

Various views were raised by respondents to explain the delayed implementation of the above provision but mostly converged on two factors that is the absence of political will to establish provincial and metropolitan councils on one hand and a limited fiscal space to finance this new level of government on the hand. On the absence of political will, MPs and two mayors from the MDC, supported by an academic from MSU stressed that during the Constitution making process, ZANU PF did not support this form of provincial government in terms of its composition and

related constitutional guarantees of autonomy but rather supported a weaker and deconcentrated provincial system which could generally be less influential in the national policy making matrix. On the contrary, opposition political parties who were advocating for devolution lobbied extensively for provincial authorities with power to articulate development interests in their areas of jurisdiction and widely constituted and politically diversified to broaden the scope of the debates. In the 2013 harmonised elections for instance, ZANU PF lost all the parliamentary and local government seats in Bulawayo and Harare and that will effectively mean a complete loss of control of the metropolitan councils when constituted. Given the importance of Harare and Bulawayo, not only as the two largest cities in Zimbabwe but the major economic and political cities of the countries with headquarters of largest commercial and industrial enterprise, loss of political control of these two cities has far reaching implications for the party. Effectively that will leave ZANU PF controlling the national government and less influence on the provincial and local government tiers. Therefore, fearing this loss of political control of provincial and metropolitan councils and local government, the ZANU PF led national government have been lethargic to enact legislation to govern provincial and metropolitan councils. This thesis therefore holds that in the context of different political parties in power at different levels of government, there is likely to be pressure on the constitutional, institutional and financial arrangements for devolution to sub national tiers.

Other respondents among them two academics, two members of civil who earlier on represented a dissenting view on the suitability and feasibility of the current context

of provincial and metropolitan councils supported by two permanent secretaries argued that another factor is the cost implication of provincial and metropolitan governments. The economy of Zimbabwe faced the worst economic decline in the period 2000 to 2008 until the demonetisation of the Zimbabwe dollar and the adoption of the multicurrency regime in 2009. The World Bank (2009) noted that the political and economic crises that characterized the economy of Zimbabwe between 2000 and 2008 contributed to the nearly halving of its gross domestic product (GDP), (the sharpest contraction of its kind in a peacetime economy) and raising poverty rates of more than 72%, with a fifth of the population in extreme poverty. Presenting the 2012 national budget, the then Minister of Finance, Honourable Tendai Biti stressed that since 2000, the economy of Zimbabwe has been in what he called a 'parlous and atrophying situation and what are needed are difficult but curative and palliative strategic choices'. Added to this government has been operating on yearly national budgets of between 4.6 billion (in 2009, 2010) and 3.6 billion in 2015 (the budgets are in US dollars) while the population of the country is around 14 million people according to the 2012 census statistics. Since 2009 government has revised down projected national economic growth targets with the worst being 2016 where the minister of finance revised down economic growth projections from 2.7 to 1.4 in the 2016 midyear budget review statement citing a constrained fiscal space. In the same review it was noted that more that 97% of the budget is going towards salaries of civil service and grant aided institutions.

The above respondents therefore argued that considering the limited fiscal space, government has serious challenges in mobilising the resources to finance the provincial and metropolitan councils. The major sources of the funding for this level of government is provided in section 301(3) of the Constitution of Zimbabwe Amendment Number 20 of 2013 which states that 'not less than five percent of all the national revenues raised in any financial year must be allocated to the provinces and local authorities as their share in that year'. However, the national government is yet to honour this constitutional obligation given the stressed fiscal obligations stated above. A permanent secretary also noted that:

The reality is that there is no money, we have a budget of \$4 billion in a country with 14 million people and we are a developing country. We need a lot of infrastructural development, we have a huge education sector that needs funding, we have expended a huge health sector and a huge security sector that again requires funding where then do you think the 5% will come from?

The African Development Bank (2016) confirmed poor economic growth in Zimbabwe which slowed from 3.8% in 2014 to an estimated 1.5% in 2015 as a result of weak domestic demand, high public debt, tight liquidity conditions, drought, poor infrastructure, institutional weaknesses and an overvalued exchange rate with projected negative inflation in 2016 and 2017. Additionally, the country remains trapped in debt, exacerbated by the lack of a diversified export base and declining terms of trade that make it difficult for the country to adjust to changing world

demand for tradable goods. These structural weaknesses have constrained the country's ability to generate high and sustainable growth that is necessary to mitigate the debt distress. The fiscal space remains constrained due to underperformance of domestic revenues, increase in public expenditures, depressed exports, limited foreign direct investment (FDI) and other capital inflows into the country. This has undermined development expenditure and social services provision in both urban and rural areas, exacerbating the incidence of poverty. Financing for the establishment of provincial and metropolitan council therefore remains largely impossible.

On the basis of the above views, this thesis submits that IGR in Zimbabwe is much defined between the central government and local government as the provincial and metropolitan councils are yet to be constituted in terms of the law. However, what we have is a de facto provincial level of governance administered by political functionaries, particularly the MSPA supported by provincial administrators who are civil servants. While the provincial level of governance is important in articulating regional and ethnic diversities in IGR, the ZANUPF led government is lethargic in implementing constitutional provisions for the establishment of this devolved system of government as it goes against its centralist philosophies. This is worsened by the current national economic difficulties. The next section focuses on local government as a tier of government in terms of how it is constituted and its role in influencing the dynamics of IGR

5.3.3 Local government

This section sought to determine the perceptions of the respondents on the constitutionality and composition of local government as the third and lower tier of government in the political matrix and IGR. The interviews also reflected on the historical contexts of local government and the configuration of IGR under different regimes. Primary data was triangulated with secondary sources to produce a balanced argument.

The unitary system of government in Zimbabwe is underpinned by local government as the third tier of government. As explained in chapter one, the history of organised local government in Zimbabwe dates back to the advent of colonialism. However, the 3 mayors interviewed argued that it is parochial to appreciate local government in Zimbabwe from 1890 because African political systems had organised local government arrangements before the colonisation of the continent which were presided over by African traditional leadership systems. However, for the purpose of this study local government and its role in the IGR discourse as a level of governance is analysed from 1890 at the colonisation of the country. The above respondents confirmed the widely held view that the nature of colonial local government structures was dualistic in nature with distinct local government structures for the whites and blacks while insisting that the advent of independence heralded a new political dispensation aimed at breaking the racial colonial local

government system replacing them with more democratic and representative structures of governance.

Academics interviewed argued that the local government system of Zimbabwe has a complex history which can broadly be categorised into two distinct phases that is the colonial phase and the post-independence phase. The colonial local government system was governed by a system of harsh ordinances which sought to distinguish local government for whites and blacks. As a result, African areas were marginalised and subjected to a torturous system of IGR presided over by white Native Commissioners who later became District Commissioners in native areas. A lecturer in the Local Governance Studies Department at MSU further noted that the major forms of local government in the African areas were the Native Councils established in 1923 and the African Councils of 1957. These were preceded by native reserves created at conquest, particularly the Gwaai and Shangaani which were established through the 1895 Matebeleland Order in Council. In terms of IGR, the African forms of local government were subjected to the heavy handed central government through the Native Commissioners who had administrative, judiciary and political control over them. Their thrust was to ensure the perpetuation of white political control of African areas. This view was complemented by one key informant who was an employee of an African Council as follows:

The concept of a dualised local government was extensively entrenched under the white colonial system. Local government units in African areas were poorly capitalised and lacked the support from the national government for capacity building and improved service delivery. In addition Native Commissioners who presided over them were conduits of communicating the interests of the white colonial economy in the African areas.

In direct contrast to the African areas, a lecturer from ZOU who also served in the African Councils under the colonial system noted that the colonial system established Road Councils which later became Rural Councils for the white commercial farming areas in 1920. The thrust of the Road Councils was the single function of building and maintaining infrastructure in white commercial farming areas. In 1969, the Rural Councils assumed broadened responsibilities across a number of areas spanning health, social amenities, housing etc. As distinct white run entities, the Rural Councils were substantially autonomous from the rest of the government apparatus and were better capitalised to provide services on a sustainable basis. He further argues that while there were Africans resident in Rural Council areas as farm workers, these were not intended beneficiaries of the better social services and healthcare systems in these areas. Herbst (1990) argues that Rural Councils were not subject to central government strictures that applied to African Councils and were well capitalised for efficient service delivery.

Mayors who were part of the study argued that in the urban areas, urban councils in their various forms were elected by the whites and enjoyed substantial autonomy to

provide reasonable services to the white community. It is from against this background that this study found that IGR were dualistic as well with IGR systems involving the central government and sub national government system in white areas such as rural councils on one hand and the central government and sub national governments in native areas such as native councils on the other hand. Colonial rule created what Matyszak (2008, 1) called a 'bifurcated state' distinguished between citizens and subjects. Citizens, largely limited to the urban and European areas and 'enjoyed rights in the civil sphere whereas subjects languished under the despotism of customary law, institutionalised through the indirect rule of chiefs in rural areas.' A lecturer at ZOU further stressed that in major urban centres such as Salisbury, a number of local Town Management Boards were created and local government legislative and policy changes were more pronounced in African than in European areas. This was, as seen by Chatiza (2008) part of managing the Native question and relegating the African economy to subsidiary levels relative to the white economic sector.

Mayors and academics interviewed added that the presence of Africans in urban areas was purely a basis for the availability of African labour for the Europeans. Resultantly, local government institutions in African areas lacked autonomy and did not pursue local interests, lacked local legitimacy and resources, compared to those in European areas. There were distinct places of residence for whites and blacks and in Salisbury (colonial name for Harare) popular low density areas such as

Hatfield, Avondale were areas for whites whereas blacks lived in African townships such as Highfields, Mbare etc. Muchadenyika (2014) argues that in cities, African housing was tightly controlled and restricted to those formally employed. This form of rural-urban migration controls was a way of trying to manage urban African population and the under provision of services in African areas. Jonga (2014) further avers that both rural and urban areas were administered to the advantage of the whites while blacks were relegated to third class citizens. In a nutshell, all African areas, whether in urban or rural areas were subjected to excessive central government control, lacked autonomy and resources to provide resources on a more sustainable basis.

The local government system in post-independence Zimbabwe as seen by 55% of the respondents comprising, among others, one MSPA, one mayor, one MP, two permanent secretaries is predicated on a decentralized mode of governance premised on the virtues of the principle of subsidiarity. Respondents argued that at independence the government embarked on a number of reforms aimed at breaking the racist colonial system. These include the creation of the new Ministry of Local Government, repeal of harsh colonial local government legislation and ordinances, the enactment of the District Councils Act, the Prime Minister's Directive of 1984, the establishment of Provincial Councils through the Provincial Councils and Administration Act chapter 29:11, the RDC Act chapter 29:13 of 1988 and a number of decentralisation reforms aimed at bringing government closer to the people.

However, 45% of the respondents emphasised that the above perceived decentralisation reforms were a smokescreen and were designed to realise the opposite of what they purported to be their intentions.

The configuration of local government was meant to capture the new political dispensation and fundamental electoral changes such as adult universal suffrage and the one city concept were introduced. One respondent noted that decentralisation was adopted for a multiplicity of reasons which among others included the desire to bring government closer to the people and enhance citizen participation, broaden the scope of sub national government service delivery and limit the pitfalls of centralism and inflexible government systems. Kurebwa (2014, 4) added that the objectives of decentralisation were multifaceted but largely a realisation that there is 'very little space or no space in centralised governments for disadvantaged people to participate in governance systems'. One respondent concluded that decentralisation was therefore perceived to be a positive step towards poverty alleviation, expensive and inflexible government systems and generally new phenomena in governance by placing local authorities closer to citizens and hence reducing the proximity between the consumer and provider of services to nil.

While local government was strengthened by a number of decentralisation reforms, in principle, respondents reiterated that there is need to assess the impact of the

decentralisation reforms on the autonomy and competences of local government in practice in order to make a distinction between rhetoric and reality.

5.4 Current state of intergovernmental relations in Zimbabwe

This section sought to evaluate the state of IGR in Zimbabwe. The major thrust is to examine the extent to which such relations, as shaped by the governing legislation and enforced through the established institutions promote cooperative governance. The researcher sought to determine notable trends in the interaction of different levels of government across different policy field and the possible explanations to them.

Respondents noted that IGR in Zimbabwe is an extensively contested area and has proved to be a challenging discourse. It has equally provoked a lot of scholarly interest though studied as central local relations in most instances, which is a reflection of how the relations are conceived in most unitary nations. Politicians, academics and civil society represented by two MPs, two MSPA and three academics argued that the distinction and sharing of power, functions and resources between different levels of government in Zimbabwe have always been a centre of controversy with central government trying to maintain its control over sub national government and the later demanding more space to perform its functions with minimal influence and control of the centre. Data specifically collected from three academics indeed point to a centralist and domineering national government that is often sceptical to decentralise power and allow sub national governments to perform

functions with minimum interference of the centre, a position that was endorsed by two members of civil society and two MPs. However, this was contrasted by MSPA and one mayor, two permanent secretaries and one member of the judiciary. This category of respondents argued that central government was not sceptical at decentralisation but was simply applying the necessary due diligence required when devolving power to sub national institutions which involve among other measures the need to assess the capacity of sub national institutions to manage the decentralised functions. The researcher also discovered a technicality in the Constitution which makes devolution discretionary as the primary consideration is the competence of the sub national governments (refer to an excerpt of the Constitution below).

264 Devolution of governmental powers and responsibilities

(1) Whenever appropriate, governmental powers and responsibilities must be devolved to provincial and metropolitan councils and local authorities which are competent to carry out those responsibilities efficiently and effectively.

Source: Constitution of Zimbabwe Amendment Number 20 of 2013

Crooks (2001) conclude that, 'the politics of central–local relations explains what interests might gain or lose from any set of institutional opportunities, policy initiatives and resource allocations and relates these factors to the political purposes of decentralization.' Various scholars have classified the IGR differently but overly agreed that the relations reflects a tendency towards centralism, for example Nyikadzino and Nhema (2015, 49) see the relations as 'highly centralised' while Chatiza cited by De Visser (2010) classified the relationship as 'vexing' considering

the differences in political and socio-economic ideologies between central government on the one end and sub national governments on the other end.

Seventy five percent of the respondents comprising two MPs, one MSPA, three members of the judiciary, two permanent secretaries, three members of the academia, two members of civil society and two mayors argued that the process of decentralization in Zimbabwe from both a political and administrative perspective, though anchored at creating autonomous sub national governments expended much rhetoric. They viewed current sub national government challenges as direct offshoots of the structure and nature of IGR. This category of respondents generally used various terms to describe the current state of IGR with a director in a civil society organisation considering the relations to be 'fractured' while a mayor of a city council referred the relations between central government and sub national governments as a typical 'parent child relationship'. A permanent secretary contextualised them as 'severely affected and constrained by conflict, political interference, and bankruptcy decentralization'.

To the above category of respondents the conversation around the state of IGR has various dimensions i.e. whether there is a mature relationship or a parent-child contextualization between the national government and sub national governments. The context of IGR in Zimbabwe is punctuated by a seemingly parent-child relationship where central government takes a more active direct role in activities of sub national governments in various policy and programming areas or even in terms

of overall governance. Thus central government has often been found encroaching what one would narrowly consider to be what sub national governance should be. Therefore in interrogating the nature of IGR, one mayor said it's centralized whereas an academic at ZOU said there is limited local democratic space.

On the basis of the above views, this study submits that Zimbabwe inherited a centralized economy where the Rhodesian government was running the country from Harare, so the ZANU PF government adopted that same centralised framework. Thus while on paper there is decentralization and now devolution in terms of the Constitution, in reality there is a tendency towards recentralization and therefore the continuation of the state that is managed from the centre. So basically looking at the nature of IGR, one may conveniently consider them fractured, not from a normative definition but from a practical perspective. The major limiting factor has been that, Zimbabwe has focused less on developing a framework for sustainable IGR through legislation resulting in fragmented relations and a domineering central government which has often resulted in command and directive relations. Central government's heavy handedness has been significantly notable in sub national governments especially those under the control of opposition political parties. The UN-HABITAT (2008) supported this view noting that oppositional political support grew exponentially in urban areas such that by year 2002 all major urban centres were political opposition territory. In areas where the ruling ZANU PF party has lost control, sub national governments, local political and governance processes are subdued by national politics. This often reflects serious manipulation of local political

systems to reflect national engagement spearheaded by the ruling party controlled central government. The next section focuses on the influence of the unitary system of government on IGR.

5.5 The influence of the unitary form of government on IGR

Under this section, respondents were asked to examine the influence of the unitary form of government on IGR. This is because governments are organised in various forms but the most common are the unitary and federal political systems. There is vast extant literature indicating that different political systems influence IGR differently. Section 2 of the Constitution of Zimbabwe Amendment Number 20 of 2013 specifically provides that 'Zimbabwe is a unitary, democratic and sovereign republic'. Although the issue under discussion is IGR, Ile (2007) argued that for these relations to be clearly articulated, it is critical to define and analyse the system of government. Gerring, Thacker and Moreno (2007) hold that much has been written about the putative virtues and vices of unitary and federal systems but little empirical testing of the impact of such systems on governance has been conducted. This section therefore sought to establish the influence of unitarism on IGR in Zimbabwe.

Sixty percent of the respondents hold that in most unitary nations power resides in parliament which has the power to amend legislation and decide on the autonomy of sub national government. In this category are three MPs, two MSPA, two permanent

secretaries, one member of the judiciary, one mayor and two academics. This equally implies that sub national governments may make policy and administer it but subject to the parameters set by the national legislature. Mahler (1995, 30) hold the same view that a unitary system 'usually comprises one level of government above the local level...Parliament has the power to grant the cities or counties more influence, or to take away policy jurisdiction they may already control'. An MP added that the authority to make or amend legislation has the effect of reconfiguring sub national government and local politics in the context of the interests of the political party with the majority at national level. At the same time, it has the potential of creating or fuelling conflicts where government is constituted by different political parties at different levels.

The respondents cited above noted a number of instances where the Parliament amended legislation or delayed the implementation of certain constitutional provisions where such were deemed to be in favour of, or furthering the interests of opposition political parties, usually enjoying majority at local government level. ZANUPF has used its majority in Parliament in a number of cases to sustain its political interests. Recently, ZANUPF railroaded a bill giving the President power to appoint the Chief Justice. Another case is the Local Government Laws Amendment Number 1 of 2008, which repealed executive mayoral model and replace it with ceremonial mayors as a way of pacifying and neutralising the influence of opposition political parties, particularly the MDC at local government level. They further noted

that the government of Zimbabwe is lethargic in implementing devolution provisions in the Constitution fearing that devolution will further alienate the ruling party from local communities and create strongholds for opposition parties.

Two members of the judiciary interviewed argued that since independence Zimbabwe has had a prototype unitary system of government and all amendments to the Constitution and other legislation enacted by Parliament before 2013 sought to enhance the powers of the national government over sub national governments or to subdue sub national government. This explains why Chatiza (2010) viewed the model of decentralisation in Zimbabwe as classical deconcentration as local government's operational context consign it an extension of the national government in local spheres. An academic with ZOU pointedly argued that during the development of the Constitution of Zimbabwe Amendment Number 20 of 2013 two conflicting approaches to the configuration of IGR (the classic centralist and semi federalist perspectives) were noted. ZANU PF favoured a centralised system whereas opposition political parties especially the MDC lobbied for the latter. The centralists wanted a system of government where sub national governments would be subordinate to the national government, performing delegated functions. The semi federalists, on the other hand, lobbied for a system of government with constitutionally guaranteed powers and functions and a strong judiciary to deal with spillovers, and scenarios where one level of government encroaches into the jurisdiction of another.

An academic lecturing in the Department of Local Governance Studies at MSU with extensive experience in the analysis of political systems cited the doctrine of sovereignty as the starting point in the conceptualisation of unitarism and argued that the central government in unitary nations is the overriding authority and is not subordinate to any institution or individual. He argued that the most distinctive features of unitarism differentiating it from federalism is that in a unitary nation there is only one line of state authority that allows for the uniform application of laws across the entire country. The authority of the national government is usually exclusive and sub national governments operate as delegated levels of the centre. Most unitary nations are highly centralised and often subdue sub national governments. The discretion of sub national levels of government is subject to variations by the central government legislature which decides on not only the legislative parameters in which the sub national governments operate but their autonomy and discretion. In Zimbabwe, for instance the Urban Councils Act, chapter 29:15 and the Rural District Council (RDC) Act, chapter 29:15 heavily centralise local government through unfettered ministerial discretion in local affairs. The legislation gives central government extensive powers to dissolve councils, suspend councillors and mayors, rescind/ reverse resolutions of council, approve council budgets and to appoint senior council employees.

Academics and members of civil society interviewed however argued that there has been a general paradigm shift in the configuration and calibration of IGR in many

unitary nations. This is largely epitomised by extensive devolution trends, with some unitary nations such as Britain, South Africa, and Ghana among others, adopting extensively devolved government systems through amendments of their constitutions or the development of new constitutions. Malan (2005) identified fifty provisions in the Constitution of South Africa that resembles a federal nation and these include sub national governments with constitutionally guaranteed autonomy, provincial and local governments with legislative authority and their own executive systems and extensive clauses on IGR and cooperative governance. This has largely invalidated the notions of high centralisation characteristic of classic unitarism. In Zimbabwe the Constitution, Amendment Number 20 of 2013 introduced a devolved system of government and established a robust provincial level of government. A member of the civil society however stressed that devolution was a compromise after relentless advocacy of opposition political parties, civil society organizations and residents' associations. However, three years down the line, central government is yet to operationalise and implement devolution provisions in a move that has been described by a member of the judiciary as a threat to constitutionalism.

The Local Government Project (2013, 3) downloaded from http://archive.kubatana.net/docs/locgov/bpra_devolution_framework_130909.pdf concurred with the above sentiments of the respondents and further reinforced a

possible crisis of constitutionalism as a result of government's seemingly unwillingness to operationalise devolution clauses where it noted that:

While the constitutional provision for devolution of power to the provinces is salutary and a major victory for all progressive democratic forces advocating for equal access and distribution of national resources, transparency and sustainable people-centred development; the victory could turn out to be pyrrhic. Why and how could this be so? It is because the actual provisions of devolution of power remain undefined and subject to an Act of Parliament yet to be crafted and passed. The Act will either grant effective power to the provinces thus enabling the success of devolution or curtail it hence consigning devolution of power to a stillbirth in Zimbabwe.

Two mayors and three representatives of civil society interviewed cited a number of cases, expressive of a crisis of constitutionalism, where central government attempted to override the resolutions of local government in the process violating the Constitution. A case in point is in 2016 when the Harare City Council held a Special Council Meeting in which it approved the appointment of James Andrew Mushore as the substantive Town Clerk for the city of Harare. Just a few hours after passing this resolution, the Minister of Local Government, Public Works and National Housing Hon Kasukuwere reacted by writing a letter to the Mayor directing council to rescind its decision to appoint the substantive Town Clerk. The failure by the Mayor to comply with the order led to his suspension. Residents, through the Harare Residents Trust, took this to be a tendency of the overbearing national government and challenged the reversal of the appointment of the Town Clerk and suspension of

the Mayor citing section 276(1) of the Constitution which states that 'a local authority has a right, to govern on its own initiative, the local affairs of the people within the area for which they have been established and has all the powers necessary for it to do so.

In the same context, two MPs, a member of the judiciary and three mayors interviewed cited a number of legislation created by the national government which either undermined the service delivery competences of local government or compromised its autonomy. They argued that a phenomenal rise in the support base of opposition parties in major cities was met with a raft of national government policies aimed at weakening opposition party controlled councils, deliberately frustrate them and find a scapegoat to dismiss councillors and mayors or dissolve councils and replace them with handpicked commissions. In the same vein, Machivenyika (2014) argues that 'post-2000 developments showed the intensity of the outcome of political decentralisation as the opposition MDC controlled local government. Central government reacted by heavily interfering in local government defeating the whole purpose of decentralisation'. As a result, a number of new laws were enacted by parliament where ZANU PF was in most cases controlling the majority; new directives were issued all with a negative effect and influence on the policy and administrative capacity of sub national government. A mayor gave the example of the Local Government Laws Amendment Number 1 of 2008 which amendment section 38 of the Urban Councils Act, chapter 29: 15 replacing executive mayors with ceremonial mayors.

An MP who was in parliament at the time of the enactment of the above amendment commented that the 'replacement of executive mayors with ceremonial mayors is as follows. The amendment had nothing to do with promoting sustainable governance by improving the policy making competences of urban councils. It had nothing to do with improving mayoral capacities but it had everything to do with protecting the interests of the ruling ZANU PF while rendering a political blow to democratically elected opposition political party controlled urban councils'. International best practice has shown a bias towards executive mayors. At the same time comparing the two models, the executive model is much more effective in promoting sustainable urban governments. Ceremonial mayors are elected from fellow councillors by the councillors in their first meeting and hence the mayor is simply one among equals and can be conveniently called a collegial mayor. He/she is likely to pay much allegiance to fellow councillors first. On the contrary, executive mayors are universally elected leaders of the city with a city-wide focus. This enhances their articulation of governance, budgetary and policy issues of the city.

Matyszak (2013) reinforced the views of respondents above arguing that in recent years, Zimbabwe's legislation has been characterised by poor drafting. The resultant difficulty in determining the intention of the legislature has been exacerbated by the introduction of a new Constitution for the country, which renders many laws unconstitutional. He further notes that most amendments to the existing laws are of questionable legality, and hastily introduced, with less parliamentary scrutiny. This

results in contradictory provisions, inadvertent omissions and portions which are redundant. The next section focuses on devolution of power and its ramifications on the configuration of IGR.

5.6 Devolution of governmental powers in the Constitution of Zimbabwe from the perspective of respondents

The section sought to establish the extent to which governmental power is devolved in the political system of Zimbabwe and assess the extent to which Zimbabwe has honoured its constitutional obligations on devolution. Respondents differed on the nature and context of devolution in Zimbabwe. Two distinct perspectives emerged from the interviews. The first perspective considered devolution of powers to be compulsory and was supported by 65% of the respondents. A member of the judiciary sharing the above perspective noted that there are a number of instances and provisions in the Constitution where obligation is placed on the national government to devolve powers to its lower tiers. To the above respondent, the preamble to chapter 14 of the Constitution clearly makes devolution an obligation and as confirmed by the researcher it states that ‘there must be devolution of power and responsibilities to lower tiers of government in Zimbabwe’. In support of the above perspective, The Centre for Applied Legal Research’s Law and Development Bulletin (2013) noted that:

Chapter 14 of the new Constitution of Zimbabwe introduces a ‘devolved system’ of governance for the first time in the country’s history. This system, at least conceptually, is different from the ‘centralized system’ of

governance that existed previously. Under a devolved system, it is expected that certain aspects of political, administrative, and fiscal management powers will be transferred and shared between the central government and the newly constitutionally-established Provincial/Metropolitan and Local Authority tiers of government.

However, 35% of the respondents differed from this perspective citing that the Constitution is not consistent and explicit on devolution. One academic at the University of Zimbabwe who did research work on devolution argued that devolution is at the discretion of the national government after consideration of the capacities and competences of sub-national governments. In cross examining the Constitution, the researcher found out that this perspective is based on section 264 (1). This category of respondents viewed this section as the arm being used by the national government to delay implementation of devolution clauses of the Constitution among a myriad of other reasons. In juxtaposing the two perspectives, the researcher noted that the point of contestation is the interpretation of the preamble to chapter 14 on one end and section 264(1) on the other. However, common practice as explained by one key informant from the judiciary is that the preamble guides interpretation of clauses in the chapter as it gives the overview of the chapter. At the same time this researcher having being a consultant during the Constitution making process submits that devolution was an agreed principle which should not be distorted by a technicality in the Constitution. It is a fact that parties to the Constitution making process agreed that governmental powers should be

devolved to capacitate the policy and administrative machinery of sub-national governments and improve their position in intergovernmental bargaining. Hence any excuse is a deviation from the spirit and letter of the Constitution.

Seventy percent of the respondents raised several points to justify the centrality of devolution in promoting an efficient and effective governmental system and achieve intergovernmental balance of power. Among others, they argued that it strengthens and broadens local democracy through the establishment of viable institutions, recognise the right of communities to manage their affairs, it promotes vibrant local decision making systems, it promotes democratic, accountable, transparent and a coherent government system among other factors. According to the UNDP (2015) the principles of devolution call for restructuring of government authority to promote a system of co-responsibility between institutions of governance across the different tiers of government, with the objective of increasing the overall quality and effectiveness of the system of governance, while increasing the authority and capacities of sub-national levels. This is intended to result in enhanced democracy by bringing government closer to the people; protecting democracy by establishing vertical checks and balances between the three tiers of government; and enhancing public service delivery by distributing authority of fiscal management and improving efficiency in resource allocation. However, 30% of the respondents who negatively perceived devolution submitted that such a model of decentralisation was not suitable for a relatively small country like Zimbabwe with a population of around 14 million people. Their argument is that devolution is ideal for nations that are

geographically expansive, ethnically diverse and with larger populations such as Nigeria. One MSPA insisted that, 'if not handled the nation may end up devolving 'poverty' as there is need for a correlation between the power dynamics and economies of the local communities'. This study submits that there is need for extensive research of the various models of devolution and determine the one ideal for Zimbabwe considering the socio-economic and political dynamics of the country.

As noted earlier, there is a tendency towards centralisation or recentralisation in Zimbabwe. This is in direct contrast to the devolution tone set by the Constitution. A number of views were raised by respondents in attempting to explain why the national government has not devolved powers yet, in line with the spirit and letter of the Constitution. An academic at MSU opined that the national government has centralised power for a range of reasons inter alia, the rhetoric that devolution threatens national unity and stability and equitable development. Chirisa et al (2013, 86) reinforced the diversity of viewpoints in relation to the efficacy of devolutions as follows:

At the centre of the devolution debate are issues of spatial and territorial organisation, natural resources management and fiscal resource allocation. Devolution protagonists argue for space for increased popular participation and substantive powers to the local people in their quest for identity and self determination. Nevertheless, fears against the adoption of devolution emerge from the viewpoint of regional disparities and unevenness.

In support of the views above, Jonga (2014) argued that the fundamental problem of decentralised local governance in developing countries is the fear of national leaders that the transfer of power represents a zero sum game in which local leaders (who might also be politicians in a different party) gain power and resources at their expense. This could be a real problem in view of the highly personalised nature of politics especially in many African countries and the tendency for the opposition to gain in strength especially in the major capital cities. An example is the MDC in Zimbabwe that has won all local government elections in Harare and Bulawayo since the year 2000 to date.

A member of the civil society noted that the national government has always tried to promote the rhetoric that devolution has the potential to divide the country by promoting provincial parochialism. She added that natural resources disparities in the country are to result in differential development levels in various provinces, for example Manicaland province has vast diamond deposits in the Marange area and a cool climate, various tourist and resort centres while at the same time the majority of its areas are in productive agricultural zones which receive fairly high rainfall, for instance the Chipinge low lying hills are in natural farming region one with the best in terms of rainfall and stable climatic conditions. At the same time an academic with ZOU argued that the ZANU PF regime has always wanted to maintain a centralised political system which resonates with its thrust of clinging to power. One MP from Bulawayo observed that:

It's a question of politics. During the debate leading to the 2013 Constitution, ZANU PF was against devolution and its decentralization aspects. Opposition political parties who were signatories of the GPA supported and lobbied for devolution. The demise of the GPA and the 2013 elections resulted in ZANU PF victory as it retained 63% control of Parliament. Therefore, ZANU PF is simply abusing its majority in parliament to stall the devolution of power as required by the Constitution.

Academics, members of civil society and MPs from the opposition MDC party who saw ZANUPF's commitment to devolution in a less favourable light submitted that the widely held ZANUPF government's philosophy that devolution promotes divisionism is a scapegoat. The basis of their argument is that the preamble to Chapter 14 of the Constitution unequivocally acknowledges the desirability of ensuring that devolution does not compromise preservation of national unity and should promote the prevention of all forms of disunity and secessionism; the need for democratic participation in government by all citizens and communities and the equitable allocation of national resources and the participation of local communities in the determination of development priorities within their areas. The Centre for Applied Legal Research's Law and Development Bulletin (2013) argued that there are generally two requirements that must be met before governmental powers and responsibilities are devolved to provincial and metropolitan councils and local authorities. First, it must be appropriate to do so and; secondly, the provincial and metropolitan councils and local authorities to whom governmental powers and responsibilities will be devolved must be competent to carry out the responsibilities efficiently and effectively as provided for in Section 264 (1). However, a MP from

Harare stressed that there is need for all stakeholders to agree on the indicators of appropriateness and competences of provincial, metropolitan and local authorities as these clauses may either be wrongly interpreted or manipulated by politicians to derail the devolution agenda and thereby consigning it to a stillbirth or a pyrrhic victory.

5.7 Fiscal decentralisation and intergovernmental fiscal equalisation

This section sought to explore the framework of fiscal decentralisation and intergovernmental fiscal equalisation in Zimbabwe especially in the context of section 301 of the Constitution (refer to excerpt below). This stems from the fact that inadequate funding for sub local governments has remained the greatest challenge to their service delivery role in Zimbabwe. Unless properly addressed in the devolved system, the provincial councils could easily succumb to the same malaise and thus render the devolution concept unworkable.

Eighty percent of the respondents except for mayor, an MP, a member of civil society, and a MSPA who were indifferent argued that vertical fiscal imbalance exists in most developing countries because rarely can lower level government systems generate sufficient revenue to match expenditure responsibilities and the main mechanism for intergovernmental transfers is grants from central to local governments. An academic with the University of Zimbabwe identified three forms of grants in Zimbabwe which are conditional, unconditional and equalisation grants. His

conception of the different forms of grants is that unconditional grants are general purpose grants aimed at addressing vertical imbalances, whereas conditional grants have specific conditionalities which may relate to performance. Lastly equalisation grants address horizontal imbalances between local authorities for purposes of equalising the capacity of local governments to deliver a national standard level of public goods and services while closing the vertical fiscal gap. Fjeldstad (2001) reinforced the above arguments and stated the general nature of intergovernmental fiscal relations is surprisingly similar across a wide range of countries. Almost without exception countries assign more expenditure functions to sub-national governments than can be financed from the revenue sources allocated to those governments. The result of this mismatching of functions and finances often referred to as 'vertical imbalances' is that sub national governments are generally dependent upon transfers from higher levels of government. The provisions of section 301 of the Constitution below therefore refer to different forms of grants noted above with section 301(3) being a typical equalisation grant.

301 Allocation of revenues between provincial and local tiers of government

(1) An Act of Parliament must provide for—

- (a) the equitable allocation of capital grants between provincial and metropolitan councils and local authorities; and
- (b) any other allocations to provinces and local authorities, and any conditions on which those allocations may be made.

(3) Not less than five per cent of the national revenues raised in any financial year must be allocated to the provinces and local authorities as their share in that year.

Source: The Constitution of Zimbabwe Amendment Number 20 of 2013

Three academics interviewed concurred that fiscal decentralisation and fiscal equalisation have an inter-jurisdictional perspective as opposed to an inter-personal redistributive programme. The concern is to address vertical imbalances and those disparities between communities in access to public services rather than with differences in individual household income. The OECD (2012) concurred with the above views adding that fiscal decentralisation and equalisation transfers financial resources to sub national governments to enable them to provide their citizens with similar levels of public services at similar levels of taxation. Fiscal equalisation can be viewed as the natural companion to fiscal decentralisation in that it seeks to correct disparities and any imbalances that may result from sub-central fiscal autonomy. However, this has not been the case in Zimbabwe as most decentralised functions have not been accompanied by the requisite fiscal resources to finance them. As such, the national government transferred a number of former centrally controlled and executed functions without accompanying them with either the fiscal resources or the taxing authority for sub-national governments to perform the functions efficiently.

After independence, the national government committed itself to support local government in a number of ways and areas which among others include a health grant promised to local authorities, educational grant and many other forms of financial support aimed at improving the fiscal scope of local government and enhance local level service delivery capacities. A permanent secretary explained that

the health grant was particularly conditional, with a number of stringent requirements such as a restriction on local government from reviewing health fees without consulting or specifically the approval of the central government. She however, argued that in a number of instances central government has often failed to meet its fiscal commitments to local authorities in terms of the health grant and nothing was remitted from 2007 to date. Nevertheless, according to the Training and Research Support Centre (2001, 6) international experience indicates that 'Money should follow functions': that is, it is necessary to agree on health service functions, assign responsibilities for expenditures based on functions, then assign revenue authorities. Revenue authorities should then be provided to cover costs and avoid unfunded mandates.

The table below shows health grant disbursements for Gweru City Council for the period 1994-2016. Mayors interviewed indicated that there have been variations in disbursements and the increase in amounts disbursed is not necessarily a reflection of improved national government commitment but rather the effect of inflation that affected Zimbabwe from 1997 reaching a three digit figure around 2001. They further argued that intergovernmental financial transfers began to decline with the worsening of the macro-economic conditions caused mainly by the flight of donors following the implementation of the land reform programme and the decline is especially evident in the Public Sector Investment Programmes (PSIP). In this context Marumahoko and Fessha (2011) argued that in the late 1990s the term PSIP

began to be applied to imply conditional grants to urban local authorities to assist with the renewal of urban infrastructure. In explaining the purpose of the grants three mayors and two permanent secretaries stated that the grants were used in capital-intensive projects such as expanding the sewerage works of urban councils, which private financiers were reluctant to fund because the balance sheets of most urban local governments made them non-creditworthy. Conversely, the drastic reduction in intergovernmental financial transfers has not been accompanied by an increase in the revenue powers of urban councils.

Health grant disbursements for Gweru City Council from 1994-2016

HEALTH GRANT DISBURSEMENTS	
(1994-2016)	
YEAR	AMOUNT(ZW\$)
1994	721,971.00
1995	855,460.00
1995	266,900.00
1996	400,486.00
1997	809,789.00
1998	978,640.00
2000	5,266,540.00
2001	7,148,315.00
2002	140,309,075.00

2003	155,879,600.00
2004	170,786,950.00
2005	165,887,960.00
2006	289,760,980.00
2007	0.00
2008	0.00
2009	0.00
2010	0.00
2011	0.00
2012	0.00
2013	0.00
2014	0.00
2015	0.00
2016	0.00

Mayors, who are leaders of local authorities, argued that the failure of central government to meet its health grant obligations to local authorities has seriously crippled the health delivery capacity of councils which explains the dilapidated health infrastructure and poor quality of services. A local government consultant summed up the implications of central government's failure to meet the commitments to statutory grants as follows:

As transfers were often received late as re-imbursing of costs already incurred when the disbursements were inadequate, it meant that local authorities were practically subsidizing central government especially in the health services where councils should recoup 50 % from central government and most often they do not. This meant that central government's failure to own up to its mandates is transferred to be the burden of local authorities who already have their own mandates choked by underfunding and charging of uneconomic rates. Social service delivery suffers and development programs stall and stagnant.

On the basis of views and arguments submitted above, this study argues that intergovernmental transfers are an important source of sub-national government financing. Transfers are used to support a wide range of functions such as health, education, transport etc. An analysis of data from 1990 to 2016 reveals no increases on intergovernmental transfers and grants to sub-national governments despite declining revenue from local tax payers. This has left sub-national governments dealing with serious budget deficits from declining revenue. While the constitutional framework on intergovernmental transfers is clear, the national government is yet to honour the obligation, partly because of the absence of the enabling primary legislation to implement the constitutional clauses and partly because of the debilitating macro-economic challenges eroding the capacity of the national government to mobilise the grants. If the national government continues disregarding its obligations for intergovernmental transfers, this may result in the serious collapse of service delivery in local authorities. The next section focuses on the codification of IGR through legislation.

5.8 Codification of IGR by way of legislation in Zimbabwe

The section sought to explore the benefits of enacting a statute or legislation in which the philosophy and essential institutions responsible for the conduct of intergovernmental relations are set out. Section 265(3) of the Constitution of Zimbabwe (refer to excerpt below) provides for legislation to regulate IGR in Zimbabwe. The central question posed is whether legislation should be enacted to provide for a formal framework for the conduct of IGR or whether, as in the case of the established federations IGR, policies and processes should be allowed to develop spontaneously over time as the need arises. This section largely relies on primary data triangulated with a review of experiences of countries with codified IGR systems such as South Africa.

<p>(3) An Act of Parliament must provide appropriate mechanisms and procedures to facilitate co-ordination between central government, provincial and metropolitan councils and local authorities.</p>
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Source: Section 265 (3) of the Constitution of Zimbabwe Amendment Number 20 of 2013

Sixty percent of the respondents underscored the need for legislation setting up a framework for the conduct of IGR and institutions facilitating interaction of the three tiers of government in addition to ongoing informal forums and interaction. The above respondents argued that the complexity of modern government demands extensive cooperation, consultation and integration of different levels of government in order to improve the standard of service delivery, maximise the use of scarce

resources and provide minimum standards of services to all persons regardless of where they reside in a country. A study conducted by De Villiers (2012) concluded that multitiered systems such as South Africa, Kenya, Iraq and Ethiopia show that there is extensive investment into the drafting of constitutional arrangements, but insufficient attention is often given as to how, in practice, the respective levels of government would cooperate, coordinate and integrate in the discharge of their functions immediately after the constitution takes effect. De Villiers (2012, 672) further supported the importance of legislation to govern IGR as follows:

Young federations and decentralised unitary systems (“multitiered systems”) must often, soon after the enactment of a new constitution, respond to a challenge that they are generally unprepared for – how to facilitate, co-ordinate and integrate the activities of the respective levels of government by way of intergovernmental relations so as to ensure all levels maximise their available resources and optimise service delivery.

Of the 60% in support of the codification of IGR, a local government consultant observed that in the current context; where IGR is neither codified nor governed by any legislation, the relations reflected the scenario whereby intergovernmental relations are principally conducted in informal arrangements with no statutory basis, with maximum flexibility in regard to regularity of meetings; and where little, if any, public accountability applied. In the absence of formal legislation or a clear statutory basis, the relations are devoid of a clear philosophical base. He added that while meetings take place, though, with varied regularity between, for example, the president and MSPA; between national and provincial ministers; between directors

and technical experts; and between MSPA and local governments, the system of IGR remains disorganised and lacked reliability. His view is that without codification of IGR, the entire government system would grind to a halt. Hence a sound system of cooperative government and effective IGR is best guaranteed through legislation.

A permanent secretary added to the above submission noting that:

Due to the concurrency in functions, there tends to be considerable overlapping of roles and responsibilities of various levels of government which may create a fertile terrain for IGR contestation and disputes. Codification of IGR therefore provides a systemic framework for how governance is managed in a decentralised system. This framework supports the constitutional requirement for different tiers to assist and support each other, consult on matters of national interest and co-ordinate their actions.

With specific reference to South Africa, Malan (2012) argues that the process of co-operation takes place within a legislative and institutional framework anchored on a strong constitutional foundation. The Constitution and supporting legislation, such as the Intergovernmental Relations Framework Act, 13 of 2005, solidifies former informal institutions and structures and provides the minimum forums and procedures for co-operation. The Department of Provincial and Local Government of South Africa (2008) concluded that the Intergovernmental Relations Framework Act of 2005 provides a viable institutional approach to foster cohesive and co-operative government in the implementation of policy and legislation, as well as in the effective provision of government programmes and services. Sustainable IGR in Zimbabwe

can best be guaranteed through legislation to formalise and institutionalise the relation.

However, 40% of the respondents strongly contrasted the view that in the absence of codified IGR, government service delivery may grind to a halt citing experiences from other countries. They argued that most nations in the world such as the UK and most unitary countries have informal IGR frameworks. Their argument is that legislation is only fundamental where relations between the different levels of government are extremely polarised or where there is a sharp political incongruence. Without dismissing the importance of legislation to govern IGR, an academic in this category of respondents stressed that creating a legislation to govern IGR is not a guarantee for smooth relations as there are number of factors that determine the context of such relations. There are normative factors for instance. The set of norms and values of the system within which intergovernmental activity is taking place have a significant role in determining the level of cooperation. This study values the centrality of legislation in governing intergovernmental activity and determining the level of cooperation. However, such legislation should be complemented by political, economic and social factors in order to achieve cooperative governance and stable IGR. The next section looks at the structural and institutional framework for IGR in terms of roles and functions.

5.9 Roles of structures and institutions that facilitate and promote IGR in Zimbabwe

The purpose of this section is to examine the role of various structures and institutions in facilitating and promoting IGR in Zimbabwe. Key institutions to be studied are parliament, the cabinet and the judiciary among others. The objective is to determine the extent to which they serve in promoting sustainable IGR. Please note that these institutions are not explicitly stated in the legislation as IGR institution but this study found them to be critical IGR bodies on the basis of comparative analysis and reflecting on their roles in Zimbabwe. These institutions are Parliament, Cabinet, the judiciary and local government associations

5.9.1 Parliament and relevant parliamentary committees

The purpose of this section is to examine the role of parliament in IGR. The Parliament of Zimbabwe is the supreme legislative body with legislative supremacy and ultimate power over all other political bodies. As noted earlier, Parliament is a bicameral body with Senate (the upper chamber) and the House of Assembly (lower chamber). The composition and functions of Parliament are established in terms of sections 116-154 of the Constitution of Zimbabwe Amendment Number 20 of 2013. Members of Parliament (MPs) interviewed summarised the role of Parliament as spanning the legislative areas, to scrutinize the policies and activities of the executive, to hold the executive to account for its actions and to act as a forum for democratic participation by all members of society. Embodied in this statement are

the roles recognized in most legislatures the world over, and these are legislative, executive oversight, Electoral College, forum for public debate and representative roles.

An MP from Harare argued that the oversight role entails a critical IGR function through reviewing, monitoring, and supervision of the executive arm of government in various forms and using various techniques. These include investigations by parliamentary committees to annual appropriations hearings. The basis of Parliament oversight role is derived from the Constitution, public law, and chamber and committee rules and is a central part of the system of checks and balances between the Legislature and the Executive. McEwn et al (2015, 20) noted that Parliamentary oversight is a critical mandate of any legislature and refers 'to the capacity and behaviour of elected members individually or collectively to check, question, examine, debate, challenge, influence, change, support, criticise, censure or generally hold to account those in public office. Legislative oversight may be practiced through internal parliamentary procedures (committees, written/oral parliamentary questions, debates, amendments, legislation, consent for the budget, hearings, etc.) or external procedures (auditors, ombudsmen)'. However, an academic at the ZOU viewed that the capacity and effectiveness of parliamentary oversight and IGR scrutiny is subject to a range of structural and institutional factors such as the type of electoral system, internal discipline of political parties, skills and expertise of MPs, capacity of the support staff of Parliament etc.

In the context of the above, Jessie Majome, Member of Parliament for Harare West Constituency cited from www.jessiefmajome.org.zw/ downloaded on 25/10/16 argued that the Constitution empowers the Parliament of Zimbabwe to authorize collection and the use of public funds and monitor expenditure of public funds. Equally important, Parliament has a say in government projects and plans by monitoring and approving the national budget. Hence, issues of holding government accountable are at the centre of any functioning democracy. The oversight role is meant to protect public funds from abuse. A MSPA noted that:

One important role of Parliament is to approve the national budget. The budget is introduced in the National Assembly by the Minister of Finance, seeking the approval of the former, thereafter Parliament proceed to discuss the fiscal allocations to separate government departments. Having satisfied itself, Parliament approves the budget. This ensures that public funds are appropriately directed at socio-economic and political transformation of citizens. This, in principle, reflects horizontal IGR between arms of government by ensuring that the processes of national institutions are subjected to critical checks and balances necessary to achieve sustainable government service delivery,

In terms of the representation role of Parliament, MPs interviewed stressed that the majority of MPs are directly elected. Therefore MPs can raise constituency issues on behalf of the electorate during question time. To further enhance the representation role of Parliament, Parliament Constituency Information Centres provide MPs with a venue to meet their constituencies. An academic at MSU added that Parliament as a forum for vibrant debate presents a fertile ground for MPs to engage in debate over strategic issues affecting people. The Executive is compelled to respond to motions

raised by MPs. The Executive also has an opportunity to bring in policy issues for debate by the MPs. Lastly Parliament automatically becomes an electoral college in the election of a President in the event of vacancy by reason of death, resignation or removal from office in terms of the Constitution. A member of the civil society added that Parliament has an ultimate role of representing the people and ensuring government and all institutions exercises their mandates within the Constitution. This key result area is achieved through passing legislation, overseeing government activities, and the facilitating of public involvement and co-operative government. She added that Parliament facilitates national engagement in the legislative agenda, has the responsibility to promote the principles of co-operative government and IGR, and ratifying international treatise binding to the nation. Lastly, Parliament assists and protects the judiciary and state institutions, to ensure their independence, impartiality, dignity, accessibility and effectiveness.

However, despite a clearly stated mandate of Parliament with possibly far reaching implications for IGR and cooperative governance, two out of three of the interviewed MP argued that, surprisingly parliament remains a weak sister among major political institutions and state organs. They noted that most crucial IGR decisions are dominated by the executive, with the opportunities for Parliaments and parliamentarians to engage in scrutiny of the processes being relatively limited. McEwen et al (2015) concurs with this view and submitted that IGR are dominated by executives. Legislative oversight encapsulated in the capacity and behaviour of parliamentarians to check, question, examine, debate, challenge, influence, change,

support, criticise, censure or generally hold to account those in public office is therefore challenging for all parliaments. However, the three MPs agreed with the views of McEwen that Parliamentary scrutiny of IGR is shaped by a number of factors including:

- (i) the timing of, and access to, relevant information relating to intergovernmental cooperation and co-decision
- (ii) tools and procedures available to Parliament to engage in scrutiny and influence outcomes;
- (iii) transparency and publicity of the intergovernmental and scrutiny processes.

In the context of the above argument and using the example of Parliamentary Portfolio Committee on Finance and Economic Development in its mandate of monitoring the national budget (one key areas of government), two MSPA, three academics and two members of civil society supported by two MPs cited above argued that parliamentary frameworks for monitoring the behaviour of the executive are weak, inadequate and not sufficient in promoting an efficient IGR system. The Parliamentary Portfolio Committee on Finance and Economic Development has the primary mandate to provide leadership on parliamentary budget oversight. The committee is overly responsible for the work of the Ministry of Finance and Economic Development which formulates the budget and manages the economy. It is therefore expected to be robust in engagements with the ministry in the preparation and

implementation of the national budget. The power to oversee the formulation and monitoring the implementation of the national budget is entrenched in the law. Section 28 (5) of the Public Finance Management Act Chapter 22.19 provides that the Minister responsible for Finance may, through the Parliamentary Portfolio Committee on Finance and Economic Development, seek the views of Parliament in the preparation and formulation of the annual budget, 'for which purpose the appropriate portfolio committee shall conduct public hearings to elicit the opinions of as many stakeholders in the national budget as possible'.

However, members of the civil society commented that the public hearings on the budget are rarely conducted on time and hence limiting the input of the people in the budget making process while at the same time raising questions over the oversight role of Parliament and its portfolio committees in general and the portfolio committee on finance specifically. The researcher has also observed that over the years, such hearings are conducted close to the end of the year when the budget is about to be presented. While funding constraints are notable, a permanent secretary submits that the committee should at least invite stakeholders to make written and/or oral submissions at Parliament on the performance of the current budget and the structure and priorities for a coming budget. www.sapst.org downloaded on 26/10/16 made reference to specific gaps noted in the handling of the 2015 national budget noting that:

The 2015 Budget is coming against the background of failure by Parliament to effectively provide oversight on the implementation of the current Budget despite the existence of a sound policy and legal framework that empowers the law making body to do so.

The MSPA, two MPs and an academic from MSU concluded that Parliamentary Portfolio Committee on Finance and Economic Development in general and other portfolio committees in particular must provide strict monitoring of expenditure by ministries. The Public Finance Management Act Chapter 22:19, for instance legally empowers the committee to demand monthly and quarterly reports on budget performance from ministries which the committee can scrutinise and hold government accountable. Regrettably though, a MP from Bulawayo submitted that the portfolio committees have rarely been demanding the reports, leaving taxpayers not sure if all revenue is accounted for, all expenditure has been properly incurred and any limits and conditions on appropriations have been observed. Given the high domestic and external debt of the nation, the Parliamentary Portfolio Committee on Finance and Economic Development should lead the enactment of legislation limiting borrowing by the State, the public debt, and debt and obligations whose payment or repayment is guaranteed by the State.

Various scholars have concluded that parliamentary scrutiny of IGR is fundamental in a democracy and as part of the oversight function of a legislature. McEwen et al (2015) states that in democratic governments, elected MPs bridge the gap between citizens and government, provide representation of the diversity of views of the

electorate. They deliberate, scrutinise and enact legislation, and debating, influencing and scrutinising public policy. Parliaments also provide democratic scrutiny of national budgets and expenditure behaviour of the executive and hence holding governments accountable for their actions, decisions and policy implementation. De Villiers (2012) concurs with McEwen et al (2015) above and added that while, primarily, the focus of parliamentary scrutinising seems to orbit around checking, debating, scrutinising and influencing the conduct of the executive, they also influence decisions and actions of governments at different levels where these affect the finances, capacities, policies and competences of constituent units.

Generally, many scholars such as Birrell (2012), McEwen et al (2012), De Villiers (2012) argue that the capacities of parliamentary scrutiny of IGR and their powers to influence governments and hold them accountable vary across nations. McEwen et al (2012) cited the Parliamentary Powers Index (PPI) as an index or yardstick that provides a snapshot of variations in the influence of a parliament on a range of factors and variables such as the executive, institutional autonomy, authority in specific areas, and capacity of national parliaments. They note that when using the PPI, a parliament scores high points if, among a myriad of strengths it can impeach a president or prime minister without the involvement of other institutions; can summon the executive members, institute independent investigations of executives or government agencies and charge them where and when appropriate; appoint a prime minister or approve candidates for ministerial appointments. In the European

Union, for instance, France and Ireland were found to have the weakest Parliaments, while the Germany, Italy and Greece have strong Parliaments. Equally using the PPI, this study argues that the Parliament of Zimbabwe can be considered to be in the weakest category in practice as Parliament does not approve candidates for appointment as ministers, have limited practical powers to charge ministers for contempt of Parliament etc.

This study considers the Parliament of Zimbabwe to be a crucial institution of IGR. However, the current capacity of Parliament to significantly influence IGR is curtailed by an overbearing executive arm of the national government. As such Parliament cannot effectively sanction ministers who bunk key parliamentary proceedings such as question and answer sessions. In the same vein, the ability of Parliament to effectively monitor executive conduct in relation to fundamental areas such as spending have come under serious scrutiny. This calls for the broadening of the jurisdiction and powers of Parliament to be able to effectively monitor the government service delivery system and appropriately represent the people. The next section looks at the judiciary as an institution of IGR.

5.9.2 The role of the judiciary in IGR

In a political system with at least two levels of government, disputes between different tiers of government are inevitable. Laws must provide mechanisms for their identification, prevention, and resolution. This section focuses on the role of the Courts in addressing disputes between central government and sub national

governments. Members of the judiciary interviewed argued that the courts, though often neglected in discussions of IGR as they are not direct players or lobbyists in the intergovernmental system and because they can only decide cases that are presented to them have an important role to interpret the Constitution, Acts of Parliament and statutes. Courts have a fundamental role in resolving intergovernmental disputes, for example where the powers and functions of a particular tier of government is encroaching into the jurisdiction of another tier. One respondent who is in the secretariat of the Judicial Service Commission noted that the significance of the courts in IGR in Zimbabwe is becoming more important than before especially in the context of the following two important developments among others:

- (i) The rise of opposition politics in Zimbabwe in the mid 1990s which resulted in ZANU PF losing control of sub national government especially major towns and cities. This has increased intergovernmental conflicts typical of most government frameworks where there are different political parties controlling different levels of government in a country. The ZANU PF controlled central government has resultantly amended legislation, created new statutes with a negative impact on local government autonomy and discretion. In the same context democratically elected councillors and mayors have either been suspended or dismissed over the years paving the way for the appointment of handpicked commissions.

Contestations over interpretation of key constitutional clauses such as the provisions of section 274(2) and 274(4) have also been referred to courts for resolution.

- (ii) The promulgation of the Constitution of Zimbabwe Amendment Number 20 of 2013. Section 2 of the Constitution establishes the superlative position of the Constitution specifically stating that the Constitution 'is the supreme law of Zimbabwe and any law, practice, custom or conduct inconsistent with it is invalid to the extent of its inconsistency.' A significant number of legislation is yet to be aligned with the Constitution posing serious challenges in operationalising the law. A typical point is section 214 of the Urban Councils Act, chapter 29:15 which gives the Minister of Local Government power to suspend and dismiss councillors on grounds of mental or physical health incapacity, violation of the provisions of the Prevention of Corruption Act, abuse of council property etc. However this is in contrast with section 278(2) of the Constitution which states that 'An Act of Parliament must provide for the establishment of an independent tribunal to exercise the function of removing from office mayors, chairpersons and councillors.' Cases have been noted where the minister have attempted to use section 214 of the Urban Councils Act, chapter 29:15 in suspending councillors and mayors in violation with section 278(2) of the Constitution

In the context of the above argument Matyszak (2013, 3) concluded that IGR disputes have been 'exacerbated by the adoption of a new Constitution for Zimbabwe, not only because the provisions of several Acts of Parliament are now subject to constitutional challenge, but also because of the absence of statutes, and the required insertion into extant laws of amending provisions, which ought to have been introduced before the Constitution became effective, but were not. As a result, the interpretation of statutes has become more akin to divination than jurisprudence.'

Wise and Brown (2001) equally identified a number of conflict drivers in IGR noting that there are certain common features of central – sub national government structures that make disputes inevitable. These include:

- (1) central government imperative focus on uniformity and equality against the imperative of sub national governments to focus on local adaptation;
- (2) a sectoral perspective and approaches by agency and personnel of central government versus the generalist perspective and approaches of sub national officials;
- (3) the frequent mismatch between assignments and delegation of responsibility by central authorities to sub national units and the resources central governments allow or provide to those same national units required to fulfil those assignments;

- (4) differences in perspective over the capacity of central government and sub national government in formulating and implementing policy in various functional areas; and
- (5) differences in policy priorities, sequencing, and administrative approach in the execution of policies.

A mayor, two permanent secretaries and two members of the academia interviewed argued that due to the inevitability of disputes in IGR, courts have an important role to play in interpreting the law and resolving differences through court orders. They cited a number of IGR related conflicts between different levels of government in Zimbabwe and the role that was played by courts in resolving them. A typical case cited is the election of mayors. Further studies by the researcher revealed that after the promulgation of the Constitution of Zimbabwe Amendment Number 20 of 2013, a problem arose in interpretation of the Constitution in relation to the appointment of mayors. The centre of contestation is the interpretation of section 265(2), section 274(2) and 274(4) of the Constitution. Section 265(2) states that 'All members of local authorities must be elected by registered voters within the areas for which the local authorities are established while section 274(2) provides that 'Urban local authorities are managed by councils composed of councillors elected by registered voters in the urban areas concerned and presided over by elected mayors or chairpersons, by whatever name called.' The Ministry of Local Government stated that section 265(2) was unambiguous and clear that all members of council, the mayor included must be elected by registered voters in the city and in the absence of

direct elections, the mayor must be a councillor first. However, opposition political parties with the majority in cities argued that the provisions were silent on mayors thereby giving the elected councillors room to outsource a mayor. However, Matyszak (2013) argued that after an application seeking to counter a directive from the Ministry of Local Government on appointment of a mayor brought by the MDC to the High Court was dismissed on procedural grounds by Justice Bere (who ruled that the matter 'was not urgent' and thus could not be heard) the MDC retreated and accepted the position of the Ministry on mayoral appointments. However, despite the withdrawal of the application before the High Court and the subsequent prevailing of the Ministry of Local Government's position Matyszak (2013, 2) concluded that the interpretation of the Ministry of Local Government 'is not the only, or even the best, interpretation of section 265(2), and all indications are that the meaning placed upon this provision by the Ministry is not the one intended by the legislature'

A mayor also cited the power of the Minister of Local Government in relation to the suspension of mayors and councillors. Prior to the promulgation of the Constitution of Zimbabwe, councillors were suspended and dismissed in terms of section 114 of the Urban Councils Act, chapter 29:15. Section 114, cited above, stipulated the authority of the minister in relation to, and circumstances under which a councillor could be suspended. Such circumstances included cases where the minister has reasonable grounds that a councillor has, among other allegations, contravened the provisions of the Prevention of Corruption Act, Chapter 9:16 or has committed an

offence involving dishonesty in connection with the funds or other property of the council, or has been responsible through serious negligence, for the loss of any funds or property of the council; or for gross mismanagement of the funds, property or affairs of the council. On the strength of the above allegations, the minister would proceed to suspend a councillor by written notice to him or her and barring the councillor concerned from exercising all or any of his functions as a councillor. After the suspension of a councillor on any or all of the terms stated above and within forty-five days, the minister would cause a thorough investigation to be conducted to determine the substance and veracity of the allegations. If, following investigation, the minister is satisfied that the allegations and grounds of suspicion have been established as fact, he/she would, by written notice to the council and the councillor concerned, dismiss the councillor.

A mayor who was previously suspended by the minister and two members of the judiciary argued that the minister used the power in section 114 stated above to dismiss a number of councillors from opposition political parties while using section 54 of the same Urban Councils Act to suspend mayors. In some instances the dismissal were not supported by circumstances of section 114 (1(a)(b)(c)(d)(e) but trumped up charges that lacked veracity. Examples of mayors and councillors who were fired included suspension of Elias Mudzuri, mayor for Harare City Council in 2003. The following is an excerpt of a private correspondence of 20 April 2013, obtained by the researcher relating to the suspension of the mayor:

The suspension of Harare mayor Elias Mudzuri, on April 29 for alleged mismanagement of the city is an effort by the ruling party ZANU-PF to regain control of the capital city. The Minister of Local Government, Public Works, and National Housing, Ignatius Chombo, by applying Section 54 of the Urban Councils Act, seems to be trying to pave the way for Mudzuri's dismissal despite having no legal basis to do so. We are not certain how Mudzuri will react to this attempt...he has been counseled to challenge the suspension in High Court.

Other councillors suspended and subsequently fired were Casper Takura and Warship Dumba of Harare City Council fired in 2010, Mayor Hamutendi Kombayi and all councillors for Gweru City Council suspended in 2015, Mayor Manyenyeni suspended in 2016. In all these cases, respondents argued that the suspensions were a violation of the provisions of the law as the grounds were often skewed and malicious and only serving to undermine the democratic will of the people. 60% of the respondents agreed with a press statement issued by both suspended Mayor Hamutendi Kombayi and councillors for Gweru City Councillors on 15 August 2015 below:

We, the legitimate and incumbent councillors of the City of Gweru and His Worship the Mayor City Father Hamutendi Kombayi, view our recent suspension by the local Government, Public Works and National Housing Minister, Saviour Kasukuwere as unjust, politically motivated and unconstitutional in terms of section 278(2) of the Zimbabwean constitution. We performed our duties and responsibilities competently and effectively throughout our tenure of office, and we wish to make it clear that our hands are clean with regards to the alleged corrupt activities. We vehemently deny the issues of gross incompetency and

mismanagement of funds raised by the Minister. The action by the Minister is a clear contempt and disregard of the principles of democracy and good governance.

However, 40% of the respondents including two members of the judiciary, two MSPA, a MP, a mayor, one representative of civil society and an academic dismissed the statement as a farce intended at gaining political sympathy. They argued that there were reasonable grounds of suspicion and the minister was overly justifiable in dismissing them. This category of respondents strongly argued that corruption was rampant in local authorities calling for the heavy handedness of the national government to deal with the cancerous scourge. One of the councillors expelled was involved in extortion of public funds as he personally collected revenue from council market stall which is beyond his mandate as a local government policy maker.

Despite the strong view of 40% of the respondents above, a Bulawayo High Court judge, Justice Francis Bere, in August 2015 nullified the suspension of Gweru City Council Mayor and councillors, arguing that the minister acted unlawfully in suspending them and ordered their immediate reinstatement. The High Court held that it is clear that the provisions for the removal of mayors and councillors from office under section 114 of the Urban Councils Act cited above were ultra vires section 278 of the Constitution of Zimbabwe Amendment Number 20 of 2013. It is important to note that in its ruling, the High Court cited above did not consider the

criminality of the cases but ruled in favour of councillors on the basis of the technicality of procedures which should be followed when suspending or dismissing mayors and councillors.

However, despite the High Court ruling, the mayor and councillors are yet to be reinstated more than a year after the court ordered their reinstatement. Section 278 of the Constitution sets out the sole grounds on which mayors and councillors can be removed from office and states that an Act of Parliament must provide for the establishment of an independent tribunal to remove them. At the time of writing, no Act had been enacted providing for the setting up of such a tribunal. The High Court in Bulawayo held that in the absence of an Act of Parliament allowing an independent tribunal to be established, as envisaged by the Constitution, the mayors and councillors of Gweru could not be dismissed and so there could be no valid reason for their suspension. The High Court in Harare, on the other hand, said the mayors could be suspended but the suspension would lapse after 45 days unless the law was amended to provide for the establishment of a tribunal to decide whether or not the mayor should be removed from office. An MP summed up that in the meantime, the ZANU PF dominated legislature is expediting the bill to amend the Urban Councils Act and the RDC Act to among other things, restate the constitutional grounds for dismissing councillors and mayors and giving the minister powers over the dismissals.

A key informant in the judiciary added that the case of the suspension of Harare City Council mayor Bernard Manyenyeni on 20 April 2016 and his reinstatement equally demonstrates the role of the judiciary in resolving IGR disputes in Zimbabwe. The grounds of the suspension were that the mayor as head of council proceeded to employ the town clerk without seeking the approval of the local government board, a statutory body established in terms of the Urban Councils Act, chapter 29:15. Section 132 of the Urban Councils Act gives the Local Government Board the power to approve a person for appointment as town clerk, and requires councils to recommend to the board the names of suitable candidates for appointment. However, the mayor ignored this requirement arguing that the Urban Councils Act stated above is yet to be aligned with the Constitution and added that devolution provisions in the Constitution invalidated the local government board as it is unequivocally stated that a council has a right to govern in its own initiative. In his letter of suspension, the Minister said:

The grounds for your suspension are that you have, without legal basis, made an employment offer to a person for the position of town clerk without the necessary approval of the local government board as required by the Urban Councils Act, as read with section 265(1) (b) of the Constitution of Zimbabwe ... You will be brought before a competent authority to answer the allegations above. During the period you shall not receive any allowance and you shall not carry out any council business within or outside council.

Commenting on the validity of appointing town clerks without seeking the consent of the local government board, a member of the judiciary submitted that in terms of the

Urban Councils Act, chapter 29:15 which has not been aligned to the Constitution, appointment of senior council officials goes through the local government board where a council initiate the recruitment process by conducting interviews in line of the regulations and then submit three candidates to the board for approval. However, what Harare City Council did is to follow the Constitution where they used the devolution clauses to proceed with the recruitment. Technically the Constitution is the supreme law of the country and these other pieces of legislation becomes inferior to the constitution and when they are found in conflict with the supreme law they are automatically null and void.

The High Court in Harare held that it was within the powers of the minister to suspend the mayor for 45 days within which investigations into allegations of misconduct should be done and failure of which the mayor is reinstated at the lapse of 45 days by operation of the law. This contrasted the position of Bulawayo High Court Judge Justice Francis Bere cited above. The reinstatement of the mayor was commented by respondents as landmark though they expressed concern over the wanton suspension of democratically elected mayors and councillors at the behest of ZANU PF led central government.

This study values the contributions of the Courts in resolving intergovernmental disputes in Zimbabwe. However, in most cases the decisions of the judiciary have often been biased towards the ruling ZANUPF government and in the ensuing tilting

the intergovernmental balance of power against the opposition political parties with a stake in government. Courts have either delayed hearing urgent applications by the opposition parties or made controversial judgements in favour of the ruling ZANUPF party.

5.9.3 Cabinet meetings

Respondents argued that cabinet presents a viable framework for horizontal intergovernmental engagement at the national government level with far reaching implications on vertical IGR. Cabinet holds meetings every week that are chaired by the President of the country to discuss sectoral issues reflecting the different mandates of different ministries. Such meeting deliberate policy issues as relating to the operational challenges of individual ministries through their structures at national, provincial and local levels. In the same context, horizontal engagement with other ministries on policy issues is discussed in cabinet as a way of enhancing coordinated government service delivery capacities. A MSPA stated that ministries are engine rooms of the development and execution of government policy. It is important to promote inter-ministerial engagement as a way of enhancing integrated government service delivery. He added that there are a number of cases of policy inconsistencies as between different ministries and these are best ironed out through engagements between the ministries concerned. If such engagements fail to yield positive results, then the matter can be brought for deliberation in cabinet.

Typical examples of the above stated cases include contestation over the interpretation and enforcement of the Indigenisation and Economic Empowerment Act chapter 14:33 between the Ministry of Youth Empowerment and Indigenisation and the Ministry of Finance and Economic Development. The former was agitating for the centralised approach to enforcing the Act while the latter proposed an organic approach supervised by sector ministries after due diligence of foreign owned entities within their purview to avoid capital flight. The tiff was resolved by cabinet which endorsed the approach of the Ministry of Finance. The Ministry of Local Government, Public Works and National Housing have also clashed with the Ministry of Lands over the collection and expenditure of development levy in the resettlement farming areas. The matter is still ongoing debate at cabinet level with the former arguing that they must be given the right over the development levy as they are responsible for infrastructural development in these areas.

Two permanent secretaries and a MSPA further argued that in practice as government ministries execute their mandates at national and sub national level; their activities are bound to encroach into the jurisdiction of other ministries. This is a source of conflict between different ministries. At the same time, legislation and protocols mandating the activities of ministries often clash, contrast or may promote duplication of functions. Cabinet has a duty to harmonise such policies or find a mechanism of reducing such conflict. A typical example is the role of Youth Development Officers (YDCs) in promoting development activities in wards. They

often find themselves in conflict with local authorities' departments dealing with social services or related development aspects of wards and even ward councillors. This is further exacerbated by the perception that YDCs are ZANU PF activists seeking to promote party programs at local levels. Where the councillor is coming from the opposition political party, there is bound to be conflict. At the same time it may also cause problems where the ministers are coming from different political parties as was the case during the era of the inclusive government under the Global Political Agreement between 2009 and 2013.

MPs who were key informants in the study were supported by academics in the view that Members of the Cabinet are collectively and individually accountable to Parliament for the execution of duties and performance of functions. However, ministers of Zimbabwe have often snubbed Parliament in key policy issues, a feat that has literally relegated Parliament to a toothless 'bulldog'. An MP in Bulawayo submitted that a case in point is the introduction of bond notes as a surrogate currency of the US dollar in November 2016 without parliamentary approval. Despite MPs especially from the opposition parties protesting against the move, cabinet through the Minister of Finance and the Reserve Bank of Zimbabwe Governor went ahead and announced the introduction of the notes. This according simply confirms that IGR is heavily tilted in the favour of the cabinet. Gregory et al (2011) reiterated the importance of cabinet in IGR on the basis of the study of Canada's IGR system. Their argument is that cabinet engagement should necessitate the coordination of

functions of different ministries at sub national levels. Such coordination should focus on limiting jurisdictional overlapping and harmonising the activities of different ministries to achieve integrated service delivery.

5.9.4 Local government associations

There are three local government associations in Zimbabwe. These are the Association of Rural District Councils in Zimbabwe (ARDC), the Urban Councils Association of Zimbabwe (UCAZ) and the Zimbabwe Local Government Association (ZILGA). The first two represent the separate interests of RDCs and urban councils respectively. A key informant heading the secretariat of one of the associations holds the view that the idea was to create different frameworks to articulate the different interests and uniqueness of rural local authorities on one hand and urban local authorities on the other hand while ZILGA is the umbrella body for all local authorities in the country. These bodies function as inter-local government frameworks for facilitating IGR and cooperation achievable through regular meetings and exchange of ideas among leaders of local authorities. Representatives of civil society and the academia identified wide ranging aims of local government associations which include, among others, facilitating and representing the interests of local government through policy engagement with provincial and national tiers of government, asserting the voice of local government on legislation and lobbying for a favourable environment for optimal local government functionality. According to a lecturer at Great Zimbabwe University, the specific purpose of organised local government is 'to represent the local government fraternity at national, regional and

international fora, lobby government and other statutory institutions on policy matters and initiating and implementing capacity building programmes for councils'

One of the fundamental achievements of the associations as noted by a mayor was the successful lobbying for the enshrinement of local government in the Constitution of Zimbabwe Amendment Number 1 of 2013. Previously, local government was a creature of statutes without Constitutional recognition. Sokhela (2006) concurred with the above views where he argued that the thrust of organised local government is to build integrated and sustainable local government that acts as one voice in intergovernmental bargaining and generally representing, promoting and protecting the interests of local government. Dlanjwa (2013, 33) summed the mandate of organised local government as 'representation, advocacy and lobbying; an employer body; capacity building; support and advice for member municipalities; strategic profiling; and knowledge and information sharing' and identified these as pillars that defines the context of local government associations in intergovernmental bargaining.

However, a member of the judiciary stated that in terms of constitutional, policy and legislative framework, it is important to note that local government associations in Zimbabwe lack constitutional recognition and are not provided in mainstream local government legislation. Rather, they are registered under the Private and Voluntary Organisations Act chapter 17:05 as voluntary organisations. At this juncture it is important to compare the constitutional basis of organised local government in

Zimbabwe and South Africa and determine their potential to lobby national institutions and government for improved scope of local government operations.

According to section 163 of the Constitution of South Africa, an Act of Parliament:

provide for the recognition of national and provincial organisations representing municipalities and determine procedures by which local government may consult the national and provincial government, designate representatives to participate in the National Council of Provinces (NCOP) and nominate persons to the Financial and Fiscal Commission (FFC).

The above culminated in the enactment of the Organised Local Government Act [Number 52 of 1997]. Added to this, organised local government in South Africa is also provided in the Intergovernmental Relations Framework Act 13 of 2005 and the Municipal Systems Act of 2000. In IGR terms this legislation seeks to broaden the scope of local government in South Africa for intergovernmental bargaining. Section 3 of the Municipal Systems Act of 2000 specifically states that organised local government must 'develop common approaches for local government as a distinct sphere of government; enhance co-operation, mutual assistance and sharing of resources among municipalities; find solutions for problems relating to local government generally; and facilitate compliance with the principles of co-operative government and intergovernmental relations'.

South Africa therefore particularly presents a broader and robust policy environment for organised local government and its bargaining power in intergovernmental

processes well above Zimbabwe. Fifty five percent of the respondents argued that the absence of organised local government in mainstream local government laws and the Constitution of Zimbabwe undermines its ability to influence the policy systems of the national government. What the associations can only do is lobbying and advocacy which has often not realised best results for the sector. There is therefore a clarion need for the empowerment of organised local government through law in order to improve its scope to leverage other tiers of government for optimal local government functionality.

While seemingly concurring with the above 55%, 45% of the respondents argued that the presence of loosely connected local government associations posed a serious threat to the collective local government voice in intergovernmental bargaining. The proposal is for the harmonisation of the different associations to constitute ZILGA which would articulate the general interests of local government entities whether rural or urban. They stressed that the unification of the two associations to constitute ZILGA is in line with international best practice as espoused in the SADC and AU local government protocols and the harmonisation agenda being pursued by the Ministry of Local Government in Zimbabwe on matters of local governance. While it is *prima facie* that the associations should represent local government in national bargaining, this study found that the associations lack collective strength to articulate their issues with one voice and hence their effectiveness is discounted. The role of the associations is often hampered and

exacerbated by the seeming power struggles where urban local authorities have often wanted to take overall control over ZILGA given their financial strength. This has simply made ZILGA redundant as local authorities have preferred to articulate their critical issues either as ARDC or UCAZ. Despite the separate approach and lack of a strong collective voice through ZILGA, the recommendations for a united local government front are critical as Dlanjwa (2013, 25) concluded that it is 'essential to ensure that local government acts as one body and one voice, which will enhance its ability to be effective in IGR'.

As aforementioned, respondents argued that one of the key functions of organised local government is to assert the voice of local government using different approaches in provincial and national tiers and to measure the impact of proposed or implemented legislation at local government level. Despite a number of weaknesses, a mayor who was a key informant to the study noted that local government associations in Zimbabwe have been an essential vehicle in lobbying for the enshrinement of local government in the Constitution in 2013. This is despite the several failures by the associations to engage central government and lobby against a number of legislation and amendments that generally weakened the service delivery potential and capacity of local government. Examples of that legislation include the Local Government Laws Amendment Number 1 of 2008 that ushered in ceremonial mayors to replace executive mayors and other laws that resulted in the stripping of vehicle licensing powers of councils, the transfer of water rights from councils to

ZINWA. A representative of civil society stated that the associations vigorously lobbied for local government to be enshrined in the Constitution. The argument was that local government should be given the similar constitutional status with other tiers of government to leverage its position in intergovernmental bargaining. Since colonisation of the country in 1890 the local level of government was not constitutionally protected.

This study argues that it is ZILGA's role to facilitate and represent local government's interests through lobbying, engagement and participation in the national and provincial structures of government, in order to enhance coordination and integration for service delivery purposes. However, this is only achievable through extensively building and development of the capacity of ZILGA for enhanced intergovernmental engagement. The current state where local government associations are disarrayed is not healthy in determining the force of their collective voice in intergovernmental bargaining. The next section focuses on how exclusive and concurrent powers are dealt with in intergovernmental relations.

5.10 Exclusive and concurrent powers among tiers of government in IGR

Government powers and functions are either exclusive or concurrent. In defining both exclusive and concurrent powers, an academic at ZOU views an exclusive function as one where a single tier of government has responsibility for policy, legislation, and administration or performance assessment of a function. In contrast

a government function is concurrent when more than a single tier has responsibility for policy making, legislation, administration or monitoring of that function. He added that a critical feature of the Constitution is the injunction that different tiers of government should exercise powers and functions conferred to them in a spirit of cooperation as opposed to competition. Apart from the exclusive competencies, some powers of the national government are concurrent with provincial and metropolitan councils and local government competences, for instance, the power to legislate. In the views of a MSPA concurrent powers are not explicit in the Constitution, but they include the rights and powers of the three levels of government to levy rates and collect tax, making and enforcement of bylaws and the provision of general welfare. He added that in concurrent functions there is significant overlapping of roles and responsibilities between national government and sub national governments within a particular sector, for example water management, health, transport or education, creating policy tensions and presenting a fertile breeding ground for intergovernmental contestation and disputes. A permanent secretary cited water management as a good example, where the responsibilities of the Zimbabwe National Water Authority (ZINWA) and local government are ambiguous and often overlapping leading to conflicts. Another example is the Environmental Management Authority (EMA), a statutory body created by central government to manage the environment and conduct environmental impact assessments, which has often clashed with councils as they also perform a similar

function bringing confusion over the operational parameters and accountability systems between the two.

It is in the context of the above views of respondents that

<http://www.thepresidency.gov.za> downloaded on 14/07/2016 concluded that because of their complex nature, concurrent functions tend to blur lines of accountability. Managing the structural tensions inherent in concurrency and promoting cooperative government is thus critical for sustainable IGR in Zimbabwe. The structural tensions should be examined to assess their impact on the alignment of policy and planning. While progressive realisation of socio-economic rights demands integrated service delivery, provincial and local governments should also be given relative latitude of autonomy to craft their own legislation, policies and budgets within the broad context of national legislative and policy frameworks. Section 276 (1) of the Constitution of Zimbabwe specifically provides that 'a local authority has the right to govern, on its own initiative, the local affairs of the people within the area for which it has been established, and has all the powers necessary for it to do so'.

One academic from ZOU interviewed noted that the ideal of joint decision systems are interlocked levels of policy making epitomised by a strong predominance of shared rule systems that necessitates cooperative styles of cross level engagement. One such mechanism, as partially noted above, is the sharing of responsibility in the policy field of concurrent legislation. Detteberk (2012) concurred with the above view

and added that as different levels of government ideally work in the same area, all parties have common and conflicting interests, but should cooperate to strike a balance between uniform (framework legislation) and adaptation to regional circumstances. Whilst in most policy areas, policy making is situated in the national government; it should engage the formal participation of sub national governments. This promotes uniform legislation while leaving implementation and administration of the legislation with some latitude of autonomy to sub national governments. All the three levels of government in Zimbabwe are conferred with legislative authority by the Constitution. A member of the judiciary argued that while sections 116 and 117 of the Constitution of Zimbabwe Amendment Number 20 of 2013 vest legislative authority in the legislature, section 134 of the same Constitution also give subsidiary or subordinate legislative authority to sub national governments to pass bylaws, rules, regulations etc. Sections 228 and 88 of the Urban Councils Act chapter 29:15 and the Rural District Councils Act chapter 29:13 respectively outlines the powers of both urban and rural local authorities to legislate. However, the provinces and local authorities can legislate only to the extent that the national government has not regulated a matter.

In the context of the above view, an MP in Harare argued that there is relatively clarity over the exercise of legislative authority in the country. While all the three levels of government are conferred the power to make laws by the Constitution, in practice such legislation may conflict especially where the enabling laws for the exercise of such legislative authority is vague and ambiguous. There is notable

difference though in the order of laws passed by the different tiers and the jurisdiction of their application is clearly defined in the Constitution and other relevant legal instruments. The second schedules of both the Urban Councils Act chapter 29:15 and the Rural District Councils Act chapter 29:13, for instance, is clear over matters upon which local authorities can legislate.

National governments generally take the lead in policy formulation, determination of regulatory frameworks, developing normative principles and values and monitoring overall implementation. Provinces and local governments on the other side are mainly responsible for implementation in line with the nationally determined frameworks. This division of responsibilities means that provincial and local authorities' budgets for these functions are far larger than the budget of the relevant national department (<http://www.treasury.gov.za>).

The following section focuses on political party incongruence and IGR. While previous sections have touched on the aspect of incongruence in passing, the section is not a repetition of data that has already been presented and analysed but rather a consolidation of such data in order to define the dimension of this study.

5.11 Political party incongruence and IGR in Zimbabwe

MPs and MSPA interviewed argued that critical political developments in Zimbabwe from the late 1990s, especially the advent of MDC and vibrant political opposition to the ZANU PF government, that have been in power uninterrupted since 1980,

provide a viable test-bed for examining the significance of political parties as an independent variable capable of explaining change in the nature and form of IGR. From 1980 to 1999, the political composition of government at its different levels in Zimbabwe was largely congruent. Whilst the Zimbabwe African People's Union(ZAPU) posed a serious political competitor to ZANU PF at independence, the signing of the unity accord of 1987 resulted into the merging of ZAPU under ZANU and between 1987 and 1999, political opposition to ZANU PF was spontaneous and posed less threat to both the latter and IGR. The advent of the MDC changed the political landscape and significantly reconfigured IGR in Zimbabwe. While ZANU PF retained the control of central government, especially the presidency, the MDC won the majority of local government elections especially major cities and towns. A MP noted that:

The new political dispensation of party incongruence had multifaceted implications on IGR. First, it fuelled horizontal and vertical conflict in government and secondly, it exacerbated the programmatic differences between tiers of government.

McEwen et al (2012, 190) reflect on the correlation between political party incongruence and IGR and argued that the former configures IGR from both an organisational and a programmatic sense. Firstly, political parties can provide vital organisational linkages bridging jurisdictional divisions. When operating in different constituent governments or different governmental levels, 'they fulfil an important integrative function and facilitate policy co-ordination by providing channels for

information exchange and conflict resolution.’ Secondly, it can worsen programmatic differences between different levels of government and this ‘can complicate the intergovernmental co-ordination of legislative and policy outcomes necessitated by overlapping competencies and spillover effects.’

Politicians from two major political parties (ZANUPF and MDC) interviewed agreed that the extent to which IGR is influenced by political party incongruence is dependent on the degree of incongruence. Two paradigms of incongruence were identified by the above respondents. The first paradigm is complete incongruence where there is no overlap in the composition of government by political parties and where the different tiers of government are composed by different political parties with different political ideologies. Secondly, partial incongruence, that is where there is fair or equal representation of political parties at similar level of government with such equality of representation repeated across all other levels of government as is the situation in most coalition governments. Respondents found IGR in Zimbabwe to be reflective of the second scenario considering the fair representation of ZANU PF and MDC as the major parties across the different levels government. Though it has not disabled vertical integration of IGR, political party incongruence has largely promoted very conflictual relations that resemble political party identities. Barrel (2012, 270) seems to agree with this view noting that the ‘context of deep ideological and historic cleavages between parties has a major influence on attitudes towards IGR.’ In the same context, the ZANU PF controlled central government has largely

resorted to the issuing of directives and reducing intergovernmental transfers to opposition party controlled local governments. Typical of such a directive was issued by central government in 2013 towards the national harmonised elections directing all local authorities to cancel all domestic water consumption debts accumulated from January 2009 to July 2013. Added to this has been the dishonouring of statutory intergovernmental transfers such as the health grant with the seeming intention of financially crippling opposition party led councils and present them to the electorate as failures. Thus McEwen et al (2012, 92) concluded that the 'effect of party incongruence on IGR may thus depend on which particular parties make up the incongruent relationship, and the nature of party competition between them.'

5.12 A summary of problems and challenges of intergovernmental relations in Zimbabwe

There was a consensus among respondents that problems and challenges of IGR lie at the heart of many political and administrative systems and Zimbabwe is not an exception. Intergovernmental management has a number of complexities stemming from a number of factors. The complexities permeate all tiers of government as decisions and tradeoffs need to be made. As government is configured vertically among the three tiers, tension between the top-down and bottom-up is usually inevitable, reflective of the complexities in processes of integration, coordination and coexistence in the key areas of policy making and service delivery and amongst the parties involved. This calls for engagement, not only among the different levels of

government but involving communities who are directly affected by plans and policies of government. Contestation for power, political space and autonomy has always been a threat to Zimbabwe's intergovernmental system. Coupled with this has been a need to balance the transparency and accountability expectations of central government with the demand for political space and autonomy for sub national government.

An MP in Harare argued that the weaknesses of the current system of IGR in Zimbabwe manifests themselves in poor coordination and integration of different tiers of government, agencies and structures of government and limit the capacity for multi-sectoral engagement. He argued that the goal of intergovernmental coordination is critical as a gateway to equitable and integrated growth and development. But if this is to be attained, it is primary to consider the obstacles and various ways of addressing them. This is because the development of an effective system of IGR is arguably a product of the development of appropriate policy pronouncements and relevant laws. A permanent secretary added that the IGR system of Zimbabwe faces a multiplicity of challenges ranging from legislative imbalances, policy inadequacies and inconsistencies, an overbearing central government with a strong centralist tendency, political party incongruence among other factors. She added that while the major goal of most intergovernmental systems is to attain sustainable and integrated development, very little effort has been invested by government towards this. Central government has rather taken control of all the levers of government by under-nourishing sub national governments of the sufficient

political and administrative space to exercise their mandate. There is simply too much of the centre's influence over the activities of sub national governments.

As leaders of policy in ministries, heads of administration and policy makers in the legislature respectively, permanent secretaries, MSPA and MPs were asked to determine the level of intergovernmental consultation in the political system of Zimbabwe. Seventy percent argued that there is less intergovernmental consultation in Zimbabwe which is a critical component for sustainable IGR given the level of political incongruence and conflicting ideologies. As noted in earlier sections, the dominance of different political parties at different levels of government, in Zimbabwe, exerts pressure on the constitutional, institutional and financial arrangements for devolution to sub national tiers. While ZANU PF controls the central government, opposition political parties, particularly the MDC has a significant stake at local government level and the yet to be established provincial and metropolitan councils. This has largely influenced intergovernmental conflicts as the ZANU PF controlled central government has taken a directive and control approach when dealing with MDC controlled councils. In some instances, the centre has resorted to firing opposition controlled councils by dismissing mayors and councillors and in the ensuing subverting the democratic will of the people. Thirty percent of the above key informants argued in contrast and stated that the level of political consultation is fair. This category held that the notions of consultation are not measured by the degree of consensus but the ability to engage over policy issues. They argued that government has often engaged on key policy areas across the

different levels and laterally though agreeing on a common course of action has often been problematic.

In a study on the implications of centre-local relations on the performance of Chitungwiza Municipality, Muchadenyika and Nhema (2015) concluded that central government through the Ministry of Local Government retains overall powers and control over the municipality. The minister of local government (representing the interests of central government) should play a strategic role in policy formulation and implementation. Ironically, their study concluded that the minister is now involved in the day to day running of the municipality leaving little room for elected councillors and residents in general to determine their own destiny. It has been established that centre-local relations that are supposed to foster independence and autonomy of the municipality has turned into a master-subordinate relationship that has negatively affected service delivery through hyper-centralised governance relations.

Other problems of IGR noted, but which were articulated in earlier sections (they are not going to be explained here as that will constitute repetition) include failure to align legislation with the Constitution of Zimbabwe Amendment Number 20 of 2013, particularly legislation governing sub national government that continues to be dominated by extensive central government controls in contravention with the Constitution. An MP in Bulawayo noted that that central government is lethargic in implementing the provisions of the Constitution for fear of losing its powers over sub national institutions as defined in the national law. There is strong evidence in the

literature of continued central government interference with the processes of sub national government in violation of the Constitution. De Visser (2010) notes that central government must of necessity nurture a conducive environment that enables sub national governments to optimally tap into the local resources, material, capital and human.

Respondents also cited problems related to the delay in the implementation of devolution provisions as enshrined in the Constitution, a poor fiscal intergovernmental relations system, absence of clear legislation governing IGR among other problems.

5.13 Ways of improving IGR in Zimbabwe

Generally, discussions with respondents seem to suggest that the establishment of a viable system of IGR and cooperative governance is anchored on a myriad of political, administrative and judicial process and mechanisms. Various propositions were made by the respondents themselves as a way forward to a more sustainable IGR system. This was on the basis of a unanimous opinion among key informants that the current IGR system is weak and fractured and largely compromising efficient service delivery of the three tiers of government.

5.13.1 Alignment of laws with the Constitution

From the key informants, a member of the judiciary cited the Constitution as the preeminent political mechanism which defines powers conferred on each tier of

government. While the Constitution establishes a three tier government system with clearly defined mandates, central government has often been found violating the constitutional arrangement and distinction of powers and functions by encroaching into the jurisdiction of sub national tiers of government. A case in point is the central government induced discipline on mayors and councillors against the provisions of section 278 (3) of the Constitution which gives such powers to an independent tribunal established through an Act of Parliament. In the absence of this Act, a mayor challenged that legally there is no basis upon which mayors and councillors can be removed from office. Seventy percent of the respondents stressed that there is need to expedite the implementation of all provisions of the Constitution that has a bearing on IGR through various means, including but not limited to aligning all legislation such as the Urban Councils Act (Chapter 29:15) with the Constitution, creating new legislation as required by the Constitution such as laws to establish an independent tribunal to exercise the functions of removing mayors and councillors from office in terms of section 278 of the Constitution, an Act of Parliament to provide mechanisms and procedures to facilitate the coordination of the various tiers of government in terms of section 265 (3) of the Constitution. The alignment of existing laws with the Constitution and creation of relevant new laws will not only ensure that IGR are established and operational within the dictated constitutional regime but ensure that each level of government operates largely within its constitutional limits while respecting the territorial and functional jurisdiction of the other tiers. An MP in Bulawayo noted that:

Alignment of existing laws and creation of relevant new laws in the context of the Constitution is the missing conduit in the establishment of a viable IGR system in Zimbabwe. This process must be expedited to give sufficient legislative basis for the different tiers of government and limit jurisdictional overlapping.

However, 30% representing 6 respondents contrasted the above view arguing that alignment of legislation is a long range process which usually takes a longer period of time and hence the need to apply existing laws in managing government functions. In this vein, they submitted that the provisions of the existing laws must be applied to deal with errant members of government such as mayors and councillors to avoid anarchy.

The 70% category of respondents further maintained that while the Constitution entails provisions for the devolution of powers in chapter 14, the actual Act of Parliament for the implementation of devolution in terms of section 264 of the Constitution is yet to be created raising fears of the possibility of devolution being consigned to a still birth. It is therefore against this background that this study found the element of aligning legislation and creating new laws in the context of the Constitution as the strong basis to anchor sustainable IGR and cooperative governance. There is abundant extant literature that strongly supports constitutional guarantees of IGR with scholars such as De Villiers (2012) arguing that the constitutional and relevant legislative instruments must act as the anchor basis for

intergovernmental cooperation through, among other elements, defining the powers and mandates of the different levels of government, setting the parameters within which different levels of government must engage, establishing relevant institutions and forums for intergovernmental relations, establishing systems of dispute resolution etc. Citing section 41 of the Constitution of South Africa, Edwards (2008) argued that the Constitution encourages and promote effective IGR through encouraging the spheres of government to cooperate in mutual trust and good faith, ensuring effective communication and coordination, respecting the constitutional status, institutions, powers and functions of different levels government, and a clear conflict resolution system. In his study, Muchadenyika (2015) concludes that the Constitution is at the heart of intergovernmental reform process in Zimbabwe as it is the bedrock upon which all levers of government should be anchored.

5.13.2 Institutionalisation of intergovernmental relations

From the key informants, 60% argued against the absence of clearly defined institutions and forums of IGR in Zimbabwe. They challenged the current context where IGR are largely informal without strong institutional basis as a threat to cooperative governance. Their argument is that intergovernmental consultation, cooperation, competition and conflict which cut across the formal inter-tier division of powers in which one tier is neither willing nor able to ignore the other as they interact co-operatively and conflictingly seem to be the hallmark of modern governments and is best achieved through a set of institutions and forums. Such institutions as viewed

by an academic at ZOU serve as political and administrative mechanisms for managing IGR and implementation of intergovernmental policies and actions.

An MP in Harare further stressed that such consultative frameworks, where issues of concern to the different tiers of governments are discussed will reflect the brokering of sectoral interests to a nation vision shared by different constituent elements. The consultative frameworks will bring together policy makers at the national, provincial and local levels and enable the officials of these different levels to explore sectoral issues and offer appropriate advice. In addition, the above MP noted that 'conferences that bring together ministers, members of provincial and metropolitan councils and local authorities mayors, chairpersons and councillors are likely to yield positive results on policy correlation across different levels of government and optimal resources mobilisation and usage for efficient integrated service delivery'

In Zimbabwe, while there are frameworks that are de facto intergovernmental forums such as the cabinet and local government associations etc, a local government consultant interviewed strongly argued that these should be appropriately designated for intergovernmental engagement with clearly defined terms of reference. The parameters of engagement on IGR and the relevant dispute resolution systems should be sufficiently and clearly given. A case in point is the dispute between the Ministry of Youth, Indigenisation and Economic Empowerment and the Ministry of Finance and Economic Development over the interpretation of the Indigenisation and

Economic Empowerment Act (Chapter 14:33) partly explained earlier. While the Act is administered by the former who supports a centralised approach of implementing indigenisation programs, the latter advocates for an organic approach where respective line ministries superintends compliance of foreign owned institutions with indigenisation and empowerment targets.

In 2014, the two ministries clashed over the indigenisation targets for foreign owned banks. The Ministry of Youth, Indigenisation and Economic Empowerment demanded that all foreign owned banks should cede at least 51% of their shareholding to indigenous Zimbabwean companies. Contrary Ministry of Finance and Economic Development issued a statement arguing that banks will comply through a combination of indigenising between 20% to 25% via employee ownership schemes and by adhering to the socially and economically desirable financial objectives as provided for in the Indigenisation and Empowerment General Regulations of 2010 section 5 (4) which allow for a lesser share of 51% in lieu of empowerment quotas or credits that include employment creation, technology transfer, value addition and any other economically acceptable consideration. The conflict resulted in massive capital flight among foreign owned businesses opposed to the law and the country rankings shrank heavily in the 'easy of doing business index'

It is against this background that the study proposes, as a way forward, the institutionalisation of IGR through clearly established forums, preferably backed by legislation or codified to facilitate and promote cooperative intergovernmental engagement. Shoji (2014) viewed institutions of IGR as 'ingredients in the day to day running of intergovernmental relations'. The Business Council of Australia (2006) weighed in support of institutionalisation of IGR but stressed that institutions of IGR should be genuinely collaborative in character, rather than instruments for intergovernmental imposition. In the same context, the processes for the establishment of formal institutions to improve intergovernmental collaboration should be open, transparent, accessible and responsive in order to avoid any public sense that they will contribute to a democratic deficit.

5.13.3 Codification of intergovernmental relations through an Act of Parliament

Seventy percent of the respondents argued that there is need to implement the provisions of section 265 (3) which require enactment of legislation for the codification of IGR through development of mechanisms and procedures for the coordination and coexistence of the different levels of government. They argued that the complex nature of modern government systems are such that in the absence of clear legislation to define the parameters of intergovernmental bargaining and consultation, competition, cooperation and management of conflictual relations, there is bound to be disarray and disorganisation. This often results, as is the case in Zimbabwe, in vague and ambiguous lines of accountability. One respondent from the judiciary fraternity stressed that the legislation should define, in clear terms, how the

three tiers of government should cooperate for optimal resources utilisation in service delivery and develop guidelines for cooperation and limiting jurisdictional overlapping while promoting interdependence and interrelatedness. De Villiers (2012) concurs with this view adding that young multi-tiered systems such as South Africa, Kenya and Zimbabwe invest so much energy in crafting new constitutional arrangements but insufficient attention is given to how, in practice, the respective levels of government would cooperate, coordinate and coexist in the course of discharging their functions after the constitutions takes effect.

The above category of respondents argued that without legislation (Act of Parliament) as dictated by the Constitution, IGR are ad hoc, spontaneous and generally to the discretion of central government. Legislation should therefore establish the basic framework for IGR and establish relevant institutions to smoothen intergovernmental engagement. Studies have concluded that cooperative and integrated governance is much more attainable in nations with codified IGR frameworks compared to those with ad hoc intergovernmental arrangements. De Villiers (2012) compared South Africa in the period 1994-2005 before the enactment of the Intergovernmental Relations Framework Act (Number 13 of 2005) and 2005 to date when the Act became operational and concluded that cooperative governance and integrated development are best attainable under codified systems.

This study argues that there are multiple benefits in codifying IGR, as noted by respondents, but the most fundamental is that it helps in networking, synergising and synchronising government, both vertically and horizontally, which is a panacea to an integrated development. The demands of a complex modern day government system require cooperation, consultation and integration among the different levels of government to maximise service delivery standards, optimise service delivery and use of scarce resources. However, it is important for such legislation to leave scope for spontaneous and informal interaction.

5.13.4 Rationalisation of taxing authority and intergovernmental fiscal governance

Distribution of tax authority and intergovernmental fiscal governance is a fundamental aspect in promoting sustainable service delivery at the different levels of government. There seems to be an agreement among respondents that while decentralisation has many advantages, inter alia greater economic efficiency and budgetary discipline at sub national levels, it however functions well under strict conditions in revenue assignment and expenditure responsibilities among different tiers of government and mechanisms of IGR. For sub national governments to execute their mandates effectively, they must have an adequate level of revenues either raised locally through taxes or transferred from the central government as well as the authority to make decisions about expenditures. Mayors as leaders of councillors however, noted an observable trend of recentralisation of tax authority with central government controlling most revenue streams and tax areas that should ideally be the source of revenue for sub national governments. Such cases and

areas include the transfer of vehicle licensing from councils to the Zimbabwe National Roads Administration (ZINARA), the transfer of the levy for resettlement areas from councils to the Ministry of Lands and Resettlement, government controls on the levying of health fees in councils clinics etc. This has been exacerbated by an inconsistent system of intergovernmental transfers despite an array of unfunded mandates where central government transfers responsibilities to local authorities without decentralising the requisite fiscal resources to finance the assigned activities.

An MP's remarks that were shared by mayors are that the fiscal position of sub national government in Zimbabwe reflects, among other factors, a weak system in the distribution of tax revenue. Central government continues to centralise most viable tax areas while leaving local authorities to depend entirely on the overburdened local tax payer who lacks both the capacity and motivation to meet most tax obligations. Resultantly, the capacity of local level governance systems to deliver services is conquered by a poor revenue base. What this means is that there is an urgent need to rationalise tax authority and distribution to improve the fiscal space of sub national government and consequently its ability to deliver services

A study conducted by Pasipanodya et al (2000) made two fundamental conclusions in relation to decentralisation and fiscal governance in Zimbabwe. The first is the need for aligning the sharing of total public sector revenue and expenditure patterns of the revenue accruing to sub national governments vis-à-vis all expenditures the

local authorities are expected to fund. The second conclusion is that the largest single operating revenue source for sub-national governments is user charges (fees) for services rendered by local authorities, which include license fees and service charges. These constitute more than 50% of total sub-national revenues. It is, therefore, critical that the sub national governments are provided with the autonomy to better harness this revenue source. From their studies on the utility of fiscal decentralisation as a local governance reform strategy with specific reference to Zimbabwe, Tonhodzai et al (2015) argue that a lucid enabling legal framework supported by government policy consistency is an indispensable prerequisite for fiscal decentralization. Since fiscal decentralization entails a departure from the central government's paternalistic approach to IGR, the centre has to set out clear rules and policy guidelines for this policy approach to be effective.

5.14 Conclusion

This chapter presented and analysed findings from the data collected using in-depth interviews. The findings are an expression of the views of the selected respondents stemming from their different experiences, academic researches and general analysis of the intergovernmental system of Zimbabwe. However, a key theme emerging from the study is that Zimbabwe has a weak and fractured IGR system that lacks legislative and institutional backing. Notably, while the Constitution establishes a three tier government system, the current system is a two tier with only central government and local government being operational. In the same context, central

government has been found to be stalling full implementation of the Constitution, particularly provisions relating to the devolution of powers, establishment of provincial and metropolitan councils and other critical institutions necessary for sustainable IGR and intergovernmental conflict resolution such as a tribunal provided in section 278 (2). In summation, the study noted a strong centralist tendency by the national government that have extensively undermined the autonomy and bargaining power of sub national governments in IGR.

Chapter Six

Summary, Conclusions and Recommendations

6.0 Introduction

This chapter provides the summary of the study, conclusions drawn and recommendations made. The summary reflects key issues in the various chapters of the study. Chapter 1 presented the context and outlined the research problem. Other components of this chapter are the research objectives and questions, justification of the study, limitation, delimitation, research ethics and the outline of the study. Chapter 2 focused on conceptual and theoretical frameworks of the study. Key concepts examined are intergovernmental relations (IGR), cooperative governance and decentralisation. At the same time, the study was underpinned by the overlapping authority model of IGR and the theory of networked governance. Other theories reviewed are the sequential theory of decentralisation, the coordinate authority and inclusive authority models of IGR. Chapter 3 focused on IGR systems in four jurisdictions for the purposes of comparative analysis. The four nations used as case studies comprise two federal countries which are the US and Nigeria and two unitary nations which are the UK and South Africa. The methodology of the study was presented in chapter 4. This was a qualitative study applying the phenomenological paradigm. Qualitative in-depth interviews were used to collect data. Chapter 5 focused on the presentation, analysis and discussion of findings.

Two approaches, thematic analysis and critical discourse analysis were used. As alluded to earlier, this chapter provides a summary of the study, conclusions and recommendations made.

6.1 Summary

The purpose of the study as presented in chapter 1 was to critically examine the dynamics of intergovernmental relations in Zimbabwe. For purpose of systematic analysis, the thesis was divided into six chapters addressing different but related themes. Chapter 1 introduced the study by providing the context and background of the study and outlining the statement of the problem. The chapter gave a comprehensive historiography of Zimbabwe in relation to the political system of IGR. An extensive analysis of the transformation of the IGR framework from the colonial era to the present was conducted. In order to systematically achieve this feat, the history was divided into two distinct but connecting phases. These are the colonial era (1890-1980) and the post-independence era (1980-date). The colonial era was characterised by a dualistic mode of government that promoted separate development in white and African areas. This was entrenched through the use of ingrained draconian and tribal, legal and institutional frameworks that suffocated the development of African institutions. The dualised system of government was the bedrock of a highly centralised government system anchored on white supremacist policies. This explains why at independence most government institutions were

suffocated of the sufficient infrastructure, both hard and soft, and the relevant capacity for sustainable governance as compared to the white areas.

The independence era marked the period of expanded decentralisation reforms through repealing and enactment of new legislation and the creation of new institutions among other efforts. The impact of these reforms has provoked an aporetic discourse between the national and sub-national governments as decentralisation has often been seen as having multiple significances. On one end it was purported to be a tool of deepening democracy while enhancing the autonomy of sub-national governments. On the other end it has been considered as centralism disguised in decentralisation as the purported reform only helped to strengthen the interference of the national government in sub-national governments' affairs. This context of the study helped in streamlining the research gap by demonstrating contentious perspectives on the control systems of the national government on sub-national institutions and explaining the lethargy of the national government in taking necessary steps to reform the laws and implement the Constitution for improved performance of sub-national governments and attaining intergovernmental balance of power. The chapter introduced IGR in Zimbabwe in the context of fundamental developments such as the promulgation of the Constitution of Zimbabwe Amendment Number 20 of 2013 and hence the study can serve as a pioneer scientific investigation into this area. Other sections of the chapter are the study objectives and questions, ethical considerations, limitations and delimitations.

Chapter 2 provided the theoretical and conceptual frameworks of the study. Key concepts of the study are IGR, cooperative governance and decentralisation. An extensive examination of the conceptual history of IGR was conducted with the view of dispelling the classically held perspective that IGR is rooted in the philosophical traces of federalism and not applicable to unitary nations. Four conceptual approaches to the study of IGR: constitutional/ legalistic, financial, normative and the democratic approach were examined. The four analytical approaches offer distinctive conceptions of IGR which largely influence the manner in which such relations are structured in different jurisdictions. In the same context cooperative governance was analysed from a principle and practical perspective. The last concept of study was decentralisation and its various forms. The chapter also reviewed various theories and justified the theory of networked governance and the overlapping authority model of IGR as the two suitable theoretical perspectives to underpin the study. For the purpose of demonstrating the theoretical breath of the field of IGR, other theories reviewed are the sequential theory of decentralisation by Falletti and Wright's coordinate authority and inclusive authority models.

Chapter 3 provided a contextual analysis of IGR in four different jurisdictions. The case studies are two federal nations (the US and Nigeria) and two unitary nations (UK and South Africa). These four case studies has distinctive characteristics that motivated their selection, for example, the US is the world's prototype federalism while at the same time studies point to her and the Nigeria in tracing the development of IGR. In the same vein, the UK and South Africa are two examples of

highly devolved political systems and this factor has significant bearing on the configuration of IGR. There is lack of political will to implement devolution in Zimbabwe due to a multiplicity of factors discussed in chapter 5 of the study. The researcher therefore strongly submits that there are a number of lessons that Zimbabwe can draw from the implementation of devolution in the two unitary nations and the structuring of IGR for integrated development.

Chapter 4 focuses on research methodology. This study is a qualitative study applying the phenomenological research philosophy. Phenomenology was selected for a number of reasons, one of them being that it strategically positioned the researcher to identify issues which illustrate discrepancies and system failures, and to illuminate or draw attention to different situations (positive inferences). The purposive sampling technique was used to select 20 respondents representing various fields and different levels of government and these areas are Provinces from where two Ministers of State for Provincial Affairs (MSPA) were selected, the legislature from where 3 Members of Parliament were selected, 3 members of the judiciary, 3 members of the academia, 3 permanent secretaries, 3 Mayors of councils and 3 representatives of civil society institutions. Data was collected using in-depth interviews and analysed using thematic analysis and critical discourse analysis (CDA). The validity and reliability of this study was tested using respondent validation and the use of comparison.

The findings of the study were presented, analysed and discussed in chapter 4. As already noted, thematic analysis and CDA were the techniques used. Primary data collected through in-depth interviews was triangulated with secondary data sources to provide valid, reliable and dependable positions that are not just claims. A number of lessons drawn from the study are discussed in forthcoming sections. The following are therefore key themes that emerged from the study.

Classical scholars related IGR to federal nations and biased the study and usefulness of the field to nations with federal political systems. Two perspectives are held in relation to this. One is that the history of IGR is linked to the philosophical traces of federalism. The other perspective is that IGR as both concept and practice apply to nations with federal forms of government. The findings of this study challenged the two perspectives supporting the classical school and argued that IGR as a concept and practice apply to all countries where government is constituted at more than one level. This implies that the study of IGR extends beyond the debates of unitarism and federalism to relate to all nations whose governments are constituted at more than one level

In relation to the above, the study examined the conceptual differentiation and relevance of IGR in unitary nations. The purpose was to determine the conceptual elasticity of IGR as applying in unitary countries. While appreciating that IGR are the relations between the different levels of government in the course of executing their different constitutional mandates, respondents differed significantly on how the

relations should be configured. Forty percent held the view that IGR should be directed by the central government in a unitary nation in order to maintain unity and promote the indivisibility of the nation. This category of respondents strongly supported a system where central government institutes mechanisms of controlling the policy context of sub national government in order to bring them in harmony with national processes. This view is therefore an expression of a centralised system of government which this study finds cumbersome, inflexible and not adaptable to change. This dimension represents the prevailing practice on IGR in Zimbabwe. On the contrary, 60% of the respondents differed significantly from the above view arguing that such a conception of IGR as distorted biased and reinforcing the interference of the central government with the affairs of sub-national governments. They contrasted centralism as representative of strong unitarism which is antithetical to devolution of power and thrived on patronage.

In a nutshell, the current conception of IGR in Zimbabwe represents two conflicting perspectives. On the one hand are proponents of a strong central government. This category of respondents supported centralism and are opposed to devolution. They viewed a strong central government as critical in defining the performance of decentralised government structures through various monitoring systems. On the other hand are proponents of devolution who argue that the conceptions of IGR in Zimbabwe should be grounded in the constitutional clauses on devolution. They contrasted centralist models as a threat to democracy and a nemesis of the Constitution. This view is supported by scholars such as Ile (2007) and Edwards

(2008) who argued that centralised models are irrelevant to the current wave of decentralisation, democracy and inclusive service delivery models.

The study identified two dimensions of IGR which are vertical and horizontal IGR. The study found vertical IGR as the prevalent dimension of the relations in Zimbabwe. This reflects a hierarchical relationship of the three tiers of government in a typical command structure. Vertical relations determine the extent to which the political system is synergised and synchronised from the local level to the national level. Over the years, the vertical intergovernmental system has been run using an instructional approach expressed through central government directives on local government which in the process compromised the autonomy and discretion of sub national governments. At the same time, horizontal relations are usually intragovernmental relations among institutions at the same level of government. This dimension of IGR is less developed in Zimbabwe and has often less attention. Haile (2014) and Peters and Piere (2012) support the view that the study of IGR is usually vertical while stressing that horizontal IGR, are not primarily characterized by command and control, but rather by shared beliefs, interdependency, and cooperation.

In terms of relevance, the study found that IGR promotes a coordinated and integrated approach to government service delivery thus helping to limit service delivery overlaps and conflicts. At the same time, the Constitution has its own slippages as government tiers at different levels are sometimes allocated similar

functions, paving a way for intergovernmental competition. This may create power struggles with the potential of disrupting the government service delivery system. Zimbabwe has constitutionally entrenched orders of government and there are few issues in public policy that do not cross jurisdictional lines, few areas in which the actions of one government do not affect other governments. Consequently, the need for intergovernmental coordination and integrated planning and development cannot be underestimated. Agranoff and Radin (2014) argue that the need for managing intergovernmental relations emanates from a multiplicity of factors which include constitutional ambiguity, fiscal relations, public policy interdependence, investment and trade, infrastructure management, environmental protection, policing and security, and the sharing of resources

In relation to the state of IGR in Zimbabwe, the study established that the relations are highly centralised and patronised while dominated by a national government that relies on directives to sustain its powerful hold on sub-national governments. 75% of the respondents saw the relationship as fractured and extensively controlled by the national government to the detriment of good governance in sub-national governments. Central government's heavy handedness has been significantly notable in sub national governments especially those under the control of opposition political parties. This has created tensions over the objectivity of central government's interventions in sub-national government with the latter contesting such interventions as unfettered interference with its processes. In a number of

instances, central government has used its power to dismiss mayors and councillors or dissolve an entire council while replacing them with handpicked and politically aligned commissioners. This has been interpreted as a subversion of the democratic will of the citizens on the altar of political expediency. While central government justifies such tight strictures on sub-national governments as a way of promoting the accountability of the latter, this study maintains that there is need to balance the performance and transparency expectations of central government with the demand for space for innovation and discretion by sub-national governments.

In the context of the above, thirty five percent of the respondents argued that central government control systems are necessary in promoting efficient sub-national government machinery. However, this study contests that and argues that while the need for accountability and transparency is central, it is important to note that central government must of necessity nurture an environment that will promote the functionality of sub-national. The current control systems and approaches reflects political expediency more than genuine attempts of promoting political and administrative accountability of local government aimed at enhancing the service delivery competences of sub-national governments.

The study also examined the influence of the unitary form of government on IGR and found that while classical unitarism represents the tendency towards centralism, a number of nations have actually been devolving power to sub-national governments.

Devolution has multiple purposes and significances but largely helps in streamlining the functions of the state while broadening the capacities of sub-national governments for efficient and effective service delivery. Contrary to this wave of devolution, Zimbabwe reflects classical unitarist models of centralism in which sub-national governments have in practice, a delegated mandate in contrast with constitutional provisions for devolution. While the Constitution provides for devolution which is a product of relentless advocacy by civil society and opposition political parties, there is lethargy on the part of the ZANUPF led national government to implement it through enactment of relevant legislation. The national government politicians have often argued that devolution threatens unitarism by promoting secessionism or provincial parochialism. While acknowledging the above possibilities, this study submits that such arguments are used to evade constitutionally valid positions and should be discarded. It is therefore imperative to note that, contrary to the arguments of anti-devolutionists, devolution if planned properly is a vibrant way of promoting the development of provinces and districts through promoting democracy and enhanced participation of local people in the development of their areas.

In examining fiscal decentralisation and intergovernmental fiscal equalisation, the study revealed that there exist vertical intergovernmental fiscal imbalances reflecting a mismatch between functions and finances allocated to sub-national governments. This study noted that while vertical fiscal imbalance exists in most developing countries because rarely can lower level government systems raise sufficient

revenue to match expenditure responsibilities, the government of Zimbabwe should rationalise the match between decentralised functions and availability of resources to finance them. The view that 'money should follow functions' is widely held in this study. However, a number of instances demonstrate central government's failure to meet its fiscal obligations to sub-national government, for instance Gweru City Council last received the health grant in 1997. Coupled with this is the directive of central government that councils can only review health fees upwards in consultation with the former.

The study examined key institutions that should facilitate and promote IGR. These are Parliament, Cabinet, the Courts and various local government associations. However, cabinet as a forum for executive meetings and engagements have dominated the intergovernmental discourse of the country. In the process it has subdued other important institutions such as Parliament and the Courts. There are number of instances cited in the study where Court orders were ignored by the members of the Executive arm of government who constitute cabinet. In the same context, using the Parliamentary Powers Index (PPI) in measuring the influence of a parliament on a range of factors the Parliament of Zimbabwe can be ranked among weak Parliaments in the world.

In addition to the above, the study found that the intergovernmental system of Zimbabwe is affected by political incongruence. This has often fuelled horizontal and vertical conflict in government and exacerbates the

programmatic differences between tiers of government. While the ruling ZANUPF party control central government, the major cities are controlled by the opposition political party MDC. This has resulted in a complex intergovernmental system and weak policy coordination between the national government and various sub-national governments especially those run by the MDC. The relations between different levels of government are often conflictual and resemble political party identities.

This section presented the summary of the study. The next section provides conclusions drawn from the study.

6.2 Conclusions

This section focuses on conclusions of the study in trying to answer research questions. In light of the analysis and discussion of the research results, several generalisations and conclusions can be made. This section therefore presents the conclusions drawn by the researcher from the study

The study concluded that IGR as both concept and practice is widely applicable to unitary nations. This is a paradigm shift from most classical perspectives that rooted the study of IGR to federal nations while applying its relevance in practice to nations with features of a federal system of government. The study found that IGR is a universally applicable concept and practice in all political systems whose governments are constituted t more than one level. This view makes the study of IGR central to the analysis of the diffusion and sharing of power between the three

tiers of government. However, most of the studies of IGR have been conducted as centre-local relations. This conception presents a limited perspective to the relations by constraining the broadness of the relations to interactions between a central government and local government. This is a nebulous view as it does not properly reflect the conceptual elasticity of IGR as a broad discipline articulating relations beyond mere interactions of the national government and local government to involve other actors such as regional/regional governments or authorities, non-governmental institutions, private organisations and corporate etc.

In relation to the state of IGR in Zimbabwe, the study concluded that the system of IGR in Zimbabwe is punctuated by a typical parent-child relationship in which the national government is the former whereas sub-national governments are represented by the latter. The study noted that the relationship has been defined by policy directives to sub-national governments, some of which have tended to compromise the autonomy and discretion of the former or contradict agreed policy positions at sub-national level. The national government often has direct local government units, for instance, to rescind some of their resolutions in light of preferred courses of action of the central government. Central government has justified these directives using the rhetoric that it will be acting in the best interest of the citizens. However, after a careful examination of the directed policy issues, one would conclude that the purpose is more to do with political expedience rather than promoting the competence of local government. In this context, it is important to note that most councillors and mayors dismissed or dissolved to date were only

opposition led councils except for a few ZANUPF councillors such as councillors Tavengwa of Harare who was suspended in 1998 and councillor Chipondeni and Simbi of Gweru City Council. In more precise terms, the relations are largely weakened by the efforts at protecting the political interests of the different political parties.

There study noted that there is a notable trend towards (re)centralisation of power where the national government is taking control of functions that used to be performed by sub-national governments or encroaching into areas that one would consider local sub-national government territories. From this view, it can be concluded that Zimbabwe represents a classical unitary state that is opposed to the ideas of decentralisation, particularly the devolution of power. This is an agenda of political parties and not the citizens. Citizens unanimously expressed their support for devolution of power in the 2013 Constitutional vote which garnered over 90% votes in support of the constitution with extensive devolution of power. The level of centralisation has extensively undermined the autonomy of sub-national governments leaving them with very marginal discretion to perform functions without seeking the approval of the national government. Various areas of local government practice such as by-laws, borrowing, budgeting, tender adjudication, auditing, and appointment of senior staff for example chief executive officers, development of master plans and strategic plans and other various facets of development and financing such as engaging into an income generating project get the approval of central government. On the basis of this, one can strongly conclude that the system

of government in Zimbabwe as presented in the Constitution promotes decentralism. On the contrary, the practice of government is strongly rooted in the ideology of centralism and concentration of political power and key decision making in the national government.

In the same context, there is apparent lack of political will to implement key provisions of the Constitution that have a bearing in the reconfiguration of IGR, in particular devolution and the establishment of Provincial and Metropolitan councils. The Constitution introduced a new form of Provincial and Metropolitan Councils supported by devolution clauses. This level of government if constituted will present a different outlook from the previous Provincial Councils which were established through the Provincial Councils and Administration Act, chapter 29:11 of 1985. Four years after the promulgation of the Constitution, government is yet to enact the relevant legislation to implement these reforms. Whereas one may argue that 4 years is a fairly short period, it is important to note that citizens have expressed their desire for the government to implement the reforms as a way of enhancing their participation in the development of their areas. Therefore, this study concludes that in the absence of the political will of national government as noted, devolution and the establishment of Provincial and Metropolitan Councils as provided in the Constitution may be consigned to a still birth. Currently, the ruling ZANUPF government has hinted on its intentions to amend the Constitution and extensively revisit provisions in relation to the devolution of power.

The study concludes that political party incongruence is a threat to integrated development and cooperative governance. Major political parties in the different levels of government in Zimbabwe are ZANUPF which is the ruling party and MDC, the opposition party. The intergovernmental system is marred by a number of political party differences that have wedded into the public administration system. While political parties can provide vital organisational linkages to bridge jurisdictional divisions and providing an important integrative function to facilitate policy co-ordination, in Zimbabwe they have exacerbated programmatic differences between different levels of government. At the same political party incongruence has also complicated the coordination of intergovernmental bodies, agencies and institutions whose membership is comprised of different political parties. A number of recommendations for an improved intergovernmental system are discussed below focusing on two areas which are recommendations for the improved practice of IGR and recommended areas for further research.

6.3 Recommendations

This section focuses on recommendations of the study. The recommendations are either policy related or provision of suggested areas for further research. These recommendations are based on the conceptual and theoretical perspectives of the study, the comparative studies of the four nations in Chapter 3 and the data that was gathered by the researcher through in-depth interviews. In a nutshell, the

recommendations are triangulated perspectives from literature review and the data from the key informants of the study.

6.3.1 Implementation of the Constitution

Implementation of the Constitution with specific reference to three particular areas is critical: establishment of Provincial and Metropolitan Councils, implementation of devolution clauses and alignment of legislation with the Constitution.

Establishment of Provincial and Metropolitan Councils

The first area is the establishment of Provincial and Metropolitan Councils. A devolved provincial level of government has multiple significances. With specific reference to South Africa Steyler (2005) and De Villiers (2012) concur that devolved systems of provincial governance are vibrant laboratories for local decision making and experimentation and an essential element to direct and coordinate regional decision-making and service delivery. In the context of Zimbabwe, this study views provinces as critical levels of a robust distillation of thought in relation to political and development affairs of citizens under their jurisdictions. If properly supported by relevant legislation and related policies, Provincial Councils can present a viable framework for promoting local economic development while acting as conduits to bridge the gap between the national government on one end and local government at the other end. The study therefore, recommends that relevant steps which include legislative and policy measures should be made to establish and equip Provincial and Metropolitan councils.

Implementation of provisions on devolution

In the context of the above, implementation of devolution clauses as outlined in the Constitution through the enactment of relevant legislation is recommended. Devolution provides a number of advantages to sub-national governments without threatening the national government. Among other factors, devolution if carefully planned and implemented results in the creation of a viable form of sub-national government with a marked level of competence in complementing national government efforts in areas such as local economic development and civic engagement. It will equally enhance the autonomy and discretion of sub-national governments and this has ripple effects on improving the political and administrative competence of lower level institutions. At the same time, devolution helps in deepening democracy and broadening the scope of citizen participation in governance. Therefore, the national government should take the necessary steps to devolve power in the letter and spirit of the Constitution and move away from the rhetoric that devolution threatens national unity. In this regard, the case review of South Africa and the UK conducted in Chapter 2 can provide useful lessons.

Alignment of primary legislation (Acts of Parliament) with the Constitution

In relation to the implementation of the Constitution, the study recommends that there is need to expedite the alignment of legislation with the Constitution. One area of intergovernmental contestation since the promulgation of the Constitution in 2013 has been the applicability and relevance of pre-2013 legislation such as the Urban Councils Act chapter 29:15 of 1996. In relation to this, Matyszak (2013) argue thatthe

adoption of the Constitution in 2013 exacerbated intergovernmental disputes as several Acts of Parliament that were enacted before the promulgation of the Constitution in 2013 are now subject to constitutional challenge. A case in point is the provision for an independent tribunal in terms of section 278 (2) of the Constitution to exercise the function of removing mayors and councillors from office. This takes away the power of the minister in terms of section 214 of Urban Councils Act chapter 29:15 of 1996 to perform the same function. The alignment of local government laws with the Constitution will lessen intergovernmental conflict in relation to the applicability of laws enacted and promulgated before July 2013 when the Constitution of Zimbabwe became operational.

Codification of IGR by way of legislation

On the basis of the studies of South Africa and other multitiered nations, this study concluded that sustainable IGR are guaranteed through codification, most preferably by way of legislation. Scholars such as De Villiers (2012) have argued that most nations often face challenges in managing complex intergovernmental system after promulgation of national Constitutions. However, the development of appropriate legislation is appropriate to attain a stable intergovernmental discourse. The provisions of the development of such legislation are laid out in section 265 (3). Such legislation is fundamental in defining key IGR institutions

Institutionalisation of IGR

The recognised the centrality of establishing designated IGR institutions supported by legislation or other relevant policy frameworks. Currently the available institutions such as cabinet are not specifically designated as IGR institutions and as such they are ad hoc and the meetings are not scheduled with a clear agenda of intergovernmental coordination. Institutionalization is applied in the thesis to imply additional creation of and/or the increased use of formal coordination mechanisms. Such institutions should be established at all the 3 levels of government for both horizontal and vertical coordination. It is ironic for instance to note that over the years provinces have been operating without a framework for sharing of experiences typical of the NCOP of South Africa or interstate conferences in most federal nations.

Rationalisation of intergovernmental fiscal transfers

The study noted a problem of vertical intergovernmental imbalances among the 3 tiers of government. This is exacerbated by unfunded mandates where the national government decentralises a function without transferring the requisite fiscal resources to finance the functions. There is therefore a need to close the mismatch between decentralisation of functions and the allocation of fiscal resources to finance the functions. A common problem, for instance is with the health grant where the national government has not transferred the grant to local authorities but continue to centralise review of health fees. There is need for the rationalisation of such intergovernmental fiscal relations, for instance by allowing sub-national governments

to review the fees in order to recover the costs of providing the service. The next section provides recommendations for further research.

6.3.2 Recommended areas for further research

There are a number of areas that this study recommends for further research. These include the area of intergovernmental transfers and fiscal equalisation. This area will focus on revisiting current fiscal transfer models in the context of the Constitution with particular reference to section 301. At the same time, the study recommends an examination of the nexus between decentralisation and the political and administrative competence of sub-national government. The fundamental question to underpin this study is: to what extent do the current models of decentralisation promote the political and administrative competences of sub-national government.

References

- Adamolekun, L. (1983). *Public administration: A nigerian and comparative perspective*. London: Longman Group.
- Adamolekun, L. (. (1999). *Public Administration in Africa: Main Issues and Selected Country Studies*. Colarado: Westview Press.
- Ademolekun, L. (2002). *Governance Context and Reorientation of Governance*. Ibadan: Spectrum Books.
- Africa Development Bank. (2016). Zimbabwe Economic Outlook. *Downloaded from <https://www.afdb.org> 20/10/16* .
- Republic of South Africa (2008). *Department of Provincial and Local Government. Policy Processes on the System of Provincial and Local Government. Background: Policy Questions, Processes and Participation*.
- Republic of South Africa (2005)*Intergovernmental Relations Framework Act (Act 13 of 2005)*. Pretoria: Government Printer.
- Agranoff, R. and Radin, B. (2014). *Deil Wright's Overlapping Model of Intergovernmental Relations. The Basis for Contemporary Intergovernmental Relations*. Washington DC: ASPA.
- Agranoff, R. (2014). *Reconstruction of Bureaucracy for Service Innovation in the Governance Era*. London: Routledge.

Ajam, T. and Aron, J. (2007). Fiscal Renaissance in Democratic South Africa. *Journal of African Economics* 16(5) , 745-781.

Akume, A. (2014). The Effect of Intergovernmental Relations (IGR) on Nigerian Federalism: An Examination Intergovernmental Management (IGM) 1999-2007. *Canadian Social Science Vol. 10, No. 3* , 171-180.

Amuwo, K. A. (2003). *Federalism and Political Restructuring in Nigeria*. Lagos: Spectrum Books Limited.

Anderson, C. (2010). Presenting and Evaluating Qualitative Research. *American Journal of Pharmaceutical Education* .

Anderson, V. (2009). *Research methods in human resource management*. London: CIPD Publishing.

Anderson, W. (1960). *Intergovernmental Relations in Review*. Minneapolis: University of Minnesota Press.

Aspers, P. (2009). Empirical Phenomenology: A Qualitative Research Approach (The Cologne Seminars). *Indo-Pacific Journal of Phenomenology, Volume 9, Issue 2* , 1-12.

Auwalu Musa, A and Hassan, N.J. (2014). An Evaluation of the Origins, Structure and Features of Nigerian Federalism. *The International Journal of Social Sciences and Humanities Invention, Volume 1, issue 5* , 314-325.

Babalola, D. (2013). The Origins of Nigerian Federalism: The Rikerian Theory and Beyond. *Federal Governance, Volume 8, No. 3* , 43-54.

Barsanti, B. (2014). *Concerning Shared Leadership Development: Phenomenological Study of Administrator Experiences Within Public-Private Partnerships*. Birmingham: The University of Alabama.

Bartley, W. (2006). Canadian and American Federalism in the Capital Markets: Comparative Debt Financing. *Canadian Foreign Policy, Volume 12(3)* , 93-104.

Bello-Imman, I. (2014). Intergovernmental Relations in Nigeria: An Assessment of its Practice at the Local Government Level. *Journal of Poverty, Investment and Development, Volume 4* , 66-77.

Bello-Imman, I. (1995). Intergovernmental Relations with reference to local government in Nigeria. 109-118.

Benson, G. (1965). *Five-year record of the Advisory Commission on Intergovernmental Relations, and its future role: joint hearings before the Subcommittees on Intergovernmental Relations of the Senate and House Committees on Government Operations*. Congress of the United States; Eighty-ninth Congress, first session. May 25, 26 and 27.

Bertaux, D. (1981). From the Life-History Approach to the Transformation of Sociological Practice. In D. (. Bertaux, *Biography and Society: The Life History Approach in the Social Sciences* (pp. 29-45). London: Sage.

Birrell, D. (2012). Intergovernmental Relations and Political Parties in Northern Ireland. *The British Journal of Politics and International Relations, Volume 14, Issue 2*, 270-284.

Bless, C and Higson-Smith, C. (1994). *Fundamentals of social research methods, an African perspective (3rd ed.)*. Lansdowne: Juta.

Boone, C. (1998). State building in the African countryside: structure and politics at the grassroots. *Journal of Development Studies Vol 34 no.4*, 1-31.

Borzel, T. (2011). Networks: Reified Metaphor or Governance Panacea? *Public Administration 89 (1)*, 49-63.

Boschmann, N. (2009). Fiscal Decentralization and Options for Donor Harmonisation. *Development Partners Working Group on Local Governance and Decentralization DPWG-LGD*.

Boyatzis, R. (1998). *Transforming Qualitative Information: Thematic Analysis and Code Development*. Thousand Oaks, CA: SAGE Publications.

Boyce, C and Neale, P. (2006). Conducting In-Depth Interview: A Guide for Designing and Conducting In-Depth Interviews for Evaluation Input. *Pathfinder International Tool Series, Monitoring and Evaluation-2*.

Boyd, E. *American Federalism, 1776-1997: Significant Events*. Downloaded from <http://alpha.fdu.edu/> 10 March 2016.

- Brand, D. (2007). Financial Intergovernmental Relations in South Africa. *Konrad Adenauer-Stiftung Johannesburg Policy Paper Number 1* , 1-16.
- Braun, V and Clarke, V. (2006). Using Thematic Analysis in Psychology. *Qualitative Research in Psychology*, 3 (2) , 1-42.
- Breton, A. (1996). *Competitive Governments: An Economic Theory of Politics and Public Finance*. Cambridge: Cambridge University Press.
- Bryman, A. (1988). *Quantity and Quality in Social Research*. London: Routledge.
- Cairney, P. (2012). Intergovernmental Relations in Scotland. What was the SNP Effect. *The British Journal of Politics and International Relations*, Volume 14, Issue 2, 231-249.
- Cairney, P. (2012). *Understanding Public Policy: Theories and Issues*. Pelgrave: Basingstoke.
- Calitz, E and Essop, H. (2013). Fiscal Centralisation in a Federal State: The South African Case. *SouthAfrican Business Review*, Volume 17, No. 3 , 131-151.
- CALR (2013). The Law and the Devolved System of Governance. *Law and development bulletin - Issue 01* , 1-8.
- Camdessus, M. (2009). *Russia: In Search of a Vision to Revitalise Reform*. Address at the St. Petersburg Economic Forum.

Cameron, D. (2001). *The Structures of Intergovernmental Relations*. Oxford: Blackwell Publishers.

Cameron, R. (2013). The State of Public Administration as an Academic Field in South Africa. *South African Journal of Political Studies South African Journal of Political Studies* , 565-583.

Carr, W. (2006). Philosophy, Methodology and Action . *Journal of Philosophy of Education, Vol. 40, No. 4* , 421-435.

Carter, S.M and Little, M. (2007). Justifying knowledge, justifying method, taking action: Epistemologies, methodologies and methods in qualitative research. *Qualitative Health Research, 17* , 1316-1328.

Catlaw, T. (2009). Governance or Networks at the Limits of Representation. *The American Review of Public Administration, Volume 36, No. 5* , 478-498.

Chakaipa, S. (2010). Local Government Institutions and Elections. *Local Government Working Paper Series No. 4, Community Law Centre: University of Western Cape*.

Chandler, J. (2005). Comparative Inter-Governmental Relations: Models That Need to Travel. *Journal of Local Government Studies, Volume 31, Issue 3* , 269-284.

Chatiza, K. (2010). 'Can Local Government Steer Socio-Economic Transformation in Zimbabwe? Analysing Historical Trends and Gazing into the Future'. *Community Law Center: University of the Western Cape* .

Chatiza, K. (2008). *Opportunities and Challenges in Institutionalizing Participatory Development: The Case of Rural Zimbabwe*. Swansea: Swansea University.

Chenail, R. (2010). A Compendium of Teaching and Learning Qualitative Research Resources. *Qualitative Research Resources Series* , 1-28.

Chigwata, T. (2010). *A critical analysis of decentralization in Zimbabwe: Focus on the position and role of a Provincial Governor*. Western Cape: South Africa.

Chigwenya, A. (2010). Decentralisation without Devolution and its Impact on Service Delivery: The Case of Masvingo Municipality in Zimbabwe. *Journal of Sustainable Development in Africa*, 12 (1): , 1-12.

Chirisa I, Muzenda, A and Manyeruke, C. (2013). The Devolution Debate and the New Constitution of Zimbabwe: An Exploratory Evaluation. *Southern Peace Review Journal (Special Issue in association with the OSSREA Zimbabwe Chapter)* .

Chirisa, I and Jonga, W. (2009). Urban local governance in the crucible: empirical overtones of central government meddling in local urban councils affairs in Zimbabwe. *Theoretical and Empirical Research in Urban Management* number 3(12) , 166-182.

Crossen, C. (1997). Secondary Reserach. *Learning Paper 7, School of Public Administration and Law, the Robert Gordon University* .

Constitution of the Republic of South Africa (Act 108 of 1996). (1996). Pretoria: Government Printer.

Constitution of the Republic of Zimbabwe, Amendment Number 20. (2012). Harare: Government Printers.

Conyers, D. (2003). Decentralisation in Zimbabwe: A Local Perspective. *Public Administration and Development, Volume 23, Issue 1* , 115-124.

Corbetta, P. (2003). *"Participant Observation", in Social Research. Theory, Method and Techniques.* London: Sage.

Cox, E. H. (2004). Decentralisation Decade, Newcastle. A Plan For Economic Prosperity, Public Service Transformation and Democratic Renewal in England. *IPPR North* .

Creswell, J. (2007). *Qualitative inquiry and research design: Choosing among !ve approaches (2nd ed.)*. Thousand Oaks, C.A: Sage.

Crook, R. (2005). *)Strengthening democratic governance in conflict torn societies: civic organizations, democratic effectiveness and political conflict: 129.*

Crouch, M and McKenzie, H. (2006). The Logic of Small Samples in Interview Based Qualitative Research. *Social Science Information, 45(4)* , 483-499.

Cuesta-Lopez. (2014). Intergovernmental Relations in Spain and the United Kingdom: The institutionalization of Multilateral cooperation in Asymmetric Polities. *Journal on Perspectives of Federalism, Volume 6, Issue 2* , 319-346.

Curtis, S. G. (2000). Approaches to Sampling and Case Selection in Qualitative research: Examples in the Geography of Health. *Social Science and Medicine* 50 , 1001-1014.

Davies, K. (1995). Qualitative theory and methods in applied linguistics research. *TESOL Quarterly*, 29(3) , 427-453.

De Villiers, B. (2008). Review of Provinces and Local Governments in South Africa: Constitutional Foundations and Practice. *Konrad Adenauer Stiftung Occasional Papers* .

De Villiers, B. (2012). Codification of 'Intergovernmental Relations by Way of Legislation: The Experience of South Africa and Lessons for Young Multitiered Systems'. *Heidelberg Journal of International Law*, Volume 72 , 672-694.

De Visser, J. (2010). *Local Government Reform in Zimbabwe: A Policy Dialogue*. Cape Town: Community Law Center.

De Vos, A. (1998). *Research at grass root*. Academic: J.L. van Schaik.

Denzin, N.k and Lincoln, Y.S. (2000). *Handbook of qualitative research (2nd ed.)*. Thousand Oaks, CA: Sage.

Denzin, N.k and Lincoln, Y.S. (2005). Introduction: The discipline and Practice of Qualitative Research. In N. a. Denzin, *The Sage Handbook of Qualitative Research (2nd ed.)*. Thousand Oaks, CA: Sage.

Department of Cooperative Governance and Traditional Affairs. (2010). *Draft Green Paper on Cooperative Governance*. Pretoria: Department of Cooperative Governance and Traditional Affairs.

Dickovick, J. (2003). Beyond Decentralisation: Intergovernmental Relations in Brazil and South Africa. *Paper presented at The American Political Science Association (APSA) conference, Philadelphia*.

Dipholo, K and Gumede, N. (2013). A Comparative Analysis of Intergovernmental Relations in Botswana and South Africa: The Dynamics of a Two-tier System versus a Three-tier System. *The Journal of African and Asian Local Government Studies*. Vol 2 No 1.

Dlakwa, H. (2004). 'The Politics of Intergovernmental Relations in Nigeria: Perspectives of the North-East Geo-Political Zone'. In E. e. al, *Intergovernmental Relations in Nigeria*. Ibadan: John Archers.

Dlanjwa, M. (2013). *The Role of South African Local Government Association in the Premier's Intergovernmental Relations Forum: A Case Study of the Western Cape*. Cape Town: Community Law Centre, University of Cape Town.

Edwards, T. (2008). Key Challenges of Improving Intergovernmental Relations at Local Sphere: A Capacity Building Perspective . *Journal of Public Administration*, 43(3.1), 89-98.

Elaigwu, I. (2007). *Fiscal Federalism in Nigeria: Facing the Challenges of the Future*. Jos: Aha-Publishing House.

Elazar, D. (1987). Exploring Federalism. United States of America. *University of Alabama, Government Notice No. 20062, Volume 407*.

Englander, M. (2012). The Interview: Data Collection in Descriptive Phenomenological Human Scientific Research. . *Journal of Phenomenological Psychology*, 13-35.

Fairclough, N.L and Wodak, R. (1997). Critical Discourse Analysis. In T. Van Dijk, *Introduction to Discourse Analysis* (pp. 258-284). London: Sage.

Fairclough, N.L. (2003). *Analyzing Discourse and Text: Textual Analysis for Social Research*. London: Routledge.

Fairclough, N. L. (1992). *Discourse and Social Change*. Cambridge: Polity Press.

Falletti, G.T (2004). *A Sequential Theory of Decentralisation and its Effects on the Intergovernmental Balance of Power: Latin American Cases in Comparative Perspective*. Kellogg Institute, Working Paper Number 314 .

Feiock, F. (2007). A Transaction Cost Theory of Federalism. *Askew School of Public Administration and Policy*.

Ferguson, I and Chardasekharan, C. (2004). Paths and Pitfalls of Decentralisation for Sustainable Forest Management: Experiences of the Asia-Pacific Region. In C. a.

Colfer, *A New Vision for the State (And How it is Working out in Forests)*. Bogor: CIFOR.

Finifter, I. (1993). *Political Science. The State of the Discipline II*. Washington D.C: American Political Science Association.

Fjeldstad, O.-H. (2001). *Intergovernmental fiscal relations in developing countries. A review of issues*. Chr. Michelsen Institute Development Studies and Human Rights.

Forum of Federations: Annual Report 2015-2016. (2015). *The Global Network on Federalism and Devolved Governance*. Downloaded from <http://www.forumfed.org> 12/10/15.

Fouka, G and Mantzorou, M. (2011). What are the Major Ethical Issues in Conducting Research? Is there a Conflict between the Research Ethics and the Nature of Nursing? *Health Science Journal, Volume 5, Issue 1* , 1-13.

Fuo, N. (2015). Public Participation in Decentralised Governments in Africa: Making Ambitious Constitutional Guarantees More Responsive. *African Human Rights Law Journal, Volume 15, No. 1* , 167-191.

Gallagher, J. (2012). Intergovernmental Relations in the UK: Cooperation, Competition and Constitutional Change. *The British Journal of Politics and International Relations, Volume 14* , 198-213.

Gboyega, A. (1990). '*Intergovernmental Relations and Federalism in Nigeria: A Research Agenda*,' A paper presented at NISER Staff Seminar Series, January 17th.

Gerber E.R and Loh, C. (2014). Spatial Dynamics of Vertical and Horizontal Intergovernmental Collaboration. *Journal of Urban Affairs* , 1-19.

Gerring, J. T. (2005). Centripetal Democratic Governance: A Theory and Global Inquiry. *American Political Science Review*, 99(4) , 567-581.

Gerring, J. T. (2007). Are Federal Systems Better than Unitary Systems? *Unpublished* .

Gillespie, P. (2000). "From Anglo-Irish to British-Irish relations" . In M. G. Cox, *A Farewell to Arms? Beyond the Good Friday Agreement* (pp. 318-37). Manchester: Manchester University Press.

Giorgi, A. (2009). *The descriptive phenomenological method in psychology: A modified Husserlian approach*. Pittsburg, PA: Duquesne University.

Golafshani, N. (2003). Understanding reliability and validity in qualitative research. *The Qualitative Report*, 8(4) , 597-607.

Goldsmith, C. (1986). *New Research in Central-Local Relations*. Gower: Brookfield.

Graves, W. (1964). *Intergovernmental Relations in the United States. Their Origins, Historical Status and Current Status*. New York: Charles Scribner's Sons.

Gregersen, H, Contreras-Hermosilla, A, White, A and Phillips, L.T. (2004). Forest Governance in Federal Systems: An Overview of Experiences and Lessons . *Interlaken Workshop on Decentralization in Forestry 27-30 April 2004 Interlaken, Switzerland* .

Groanewald, T. (2004). A Phenomenological Research Design Illustrated. *International Journal of Qualitative Methods* 3 (1) , 1-27.

Grodzins, M. (1960). *The American System. Report of the President's Commission on National Goals, Goals for Americans*. New York: Prentice-Hall.

Grodzins, M. (1960). *The Fedral System*. New York: Prentice Hall.

Groenewald, L. (2012). *'Local state constructions of urban citizenship: Informal settlement and housing'*. Johannesburg: University of Johannesburg.

Guest, G; Bunce, A and Johnson, L. (2006). How Many Interviews are Enough? An Experiment with Data Saturation and Variability. *Field Methods*, 18(1) , 59-82.

Hague, R and Harrop, M. (1987). *Comparative Government and Politics: An Introduction*. London: MacMillan Education Limited.

Hattingh, J. (1998). *Governmental Relations. A South Africa Perspective*. Pretoria: University of South Africa.

Helmsing, A. S. (1994). *"Decentralization in Zimbabwe"*. Occasional Paper 15. Harare: United Nations Development Programme.

Herbst, J. (1990). *State politics in Zimbabwe*. Harare: University of Zimbabwe Publications.

Horgan, G. (2003). Devolution and Intergovernmental Relations: The Emergence of Intergovernmental Affairs Agencies. *Public Policy and Administration Volume 18 No. 3*, 12-24.

House of Lords, Select Committee on the Constitution, Second Report, 2002-03. (2002). *Devolution: Inter-Institutional Relations in the United Kingdom, HL Paper 28*. London: The Stationery Office Limited.

Huber, E and Stephens, J.D. (2001). *Development and Crisis of the Welfare State. Parties and Policies in Global Markets*. Chicago: Chicago University Press.

Hueglin, T.O and Fenna, A. (2015). *Comparative Federalism. A systematic Enquiry*. Ontario: University of Toronto Press.

Hycner, R. H. (1999). *Some Guidelines for the Phenomenological Analysis of Interview Data*. London : SAGE.

Ikeji, C. (2011). Federalism and Revenue Allocation in Nigeria: Theory, Practice and Dynamics. *African Journal of Social Sciences Volume 1 Number 2* , 95-109.

Ile, I. (2007). *A Public Administration Approach to Managing Intergovernmental Relations System in the Governance of the State: A Case Review of Nigeria and South Africa*. Pretoria: University of Pretoria.

Inyang, B. (2014). Contending Issues in the Management of Intergovernmental Relations. *Mediterranean Journal of Social Sciences, Volume 5, No. 3* , 226-233.

Irabor, P. (2011). A Critical Assessment of Nigerian Federalism: Path to True Federal Sytem. *A Paper Presented at the 4th Annual National Conference, Organised by Colleges of Education Academics Staff Union, Federal College of Education .*

Isett, K. M. (2005). Networks in Public Administration Scholarship: Understanding Where We Are and Where We Need to GO. *Journal of Public Administration Research and Theory (JPART)*, 21 , 157-173.

Iwuoha, V. (2013). *Intergovernmental Relations in the United States*. Downloaded from <https://www.academia.edu> 13 August 2016.

Jameson, J. (2007). *Investigating collaborative leadership for communities of practice in learning and skills*. Lancaster: Lancaster University Management School.

Johnson, M. (2001). Arguments for 'British Pluralism' in Qualitative Health Research. *Journal of Advanced Nursing*, 33(2) , 243-249.

Jones, R.W and Royles, E. (2012). Wales in the World: Intergovernmental Relations and Sub-State Diplomacy. *The British Journal of Politics and International Relations*, Volume 14, Issue 2 , 250-269.

Jonga, W. (2014). Local Government System in Zimbabwe and Associated Challenges: Synthesis and Antithesis. *Archives of Business Research*, 2 (1) , 75-98.

Jonga, W. (2012). Prioritising Political Banditry than Good Governance: Rethinking Urban Governance in Zimbabwe. *International Journal of Humanities and Social Sciences*, Volume 2, No. 24 , 117-135.

Kartz, R.S. (1997). *Democracy and Elections*. Oxford: Oxford University Press.

Keating, M. (2012). Intergovernmental Relations and Innovation: From Cooperative to Competitive Welfare Federalism in the UK. *The British Journal of Politics and International Relations, Volume 14, Issue 2*, 214-230.

Kenealy, D. (2012). Concordats and International Relations: Binding in Honour Only? *Regional and Federal Studies, Volume 22, Issue 1*, 61-85.

Kincaid, J. (1991). From Cooperative to Coercive Federalism. *Annals 509*, 139-153.

Kincaid, J. (1991). The Competitive Challenge to Cooperative Federalism. In D. a. Kenyon, *Competition Among States and Local Governments*. Washington: Urban Institute Press.

Kirkham, R and Cardwell, P.J. (2006). The European Union. A Role Model for Regional Governance. *European Public Law, Volume 12, Issue 3*, 403-431.

Konstanz, G. (2007). Sequences and Timing, Institutional Complementarities, and Hegemonic Discourse Coalitions: The Growth of Intergovernmental Federalism and Unitary Federalism in Germany. *Draft paper prepared for presentation at the University of Tokyo, 25 May 2007*.

Kothari, R. (2004). *Research Methodology : Methods and Techniques*. New Delhi: New Age International (P) Ltd.

Kurebwa, J. (2015). A Review of Rural Local Government System in Zimbabwe from 1980-2014. *IOSR Journal of Humanities and Social Science, Volume 20, Issue 2* , 94-108.

Landman, T. (2008). *Issues and Methods*. London: Routledge.

Lawson, S. (1999). Nigeria's 1999 Constitution and Intergovernmental Relations (IGR): Need for Improvement. *Ocean Journal of Social Sciences, Volume 4 (3)* , 199-205.

Leung, L. (2015). Validity, Reliability, and Generalizability in Qualitative Research. *J Family Med Prim Care* , 324-327.

Levy, N and Tapscott, C. (2001). *Intergovernmental Relations in South Africa: The Challenges of Co-operative Government*. Cape Town: IDASA.

Lincoln, Y and Guba, E. (1985). *Naturalistic inquiry*. Newbury Park, CA: Sage.

Lyne, M. (2006). Stonewall or Compromise? An Electoral Theory of Legislative Conflict and Cooperation. *Prepared for delivery at the 2006 Annual Meeting of the Midwest Political Science Association. April 20-23, 2006* .

Machingauta, N. (2010). *"Supervision of local Government in Zimbabwe" Local Government Working Paper Series No. 6*. Cape Town: Community Law Centre, University of Western Cape.

Machingauta, N. (2010). *Local government reform in Zimbabwe: A Policy Dialogue*. Western Cape: University of Western Cape.

Machivenyika, D. (2015). The Inevitable: Devolution in Zimbabwe - From Constitution-Making to the Future. In J. S. De Visser, *Constitution-building in Africa* (pp. 104-134). Cape Town: Nomos and Community Law Centre.

Machivenyika, D. (2014). Zimbabwe's New Constitution and Local Government: Implications for Central-Local Relations. *Downloaded from <http://www.academia.edu> Date 31/03/16*.

Macmahon, A. (1955). *Federalism: Mature and Emergent*. New York: Doubleday.

Madhekeni, A and Zhou, G. (2012). "Legal and Institutional Framework: The "Achilles Heel" Of Local Authorities and Raison D"etre of Ministerial Intervention in Zimbabwe". *Journal of Public Administration and Governance Volume 2, No. 3*, 19-32.

Mahler, G. (1995). *Comparative Politics: An Institutional and Cross-National Approach*. New Jersey: Prentice Hall.

Mahoney, J. (2000). "Path dependence in Historical Sociology.". *Theory and Society* 29 (4) , 507-548.

Majome, J. Parliament of Zimbabwe. *Downloaded from <http://www.jessiefmajome.org.zw/> Date 20/01/2017*.

Makumbe, J. (1998). *Democracy and Development in Zimbabwe. Constraints of Decentralisation*. Harare: SAPES Books.

Makumbe, J. (1996). *Participatory Development: The Case of Zimbabwe*. Harare: University of Zimbabwe Publications.

Malan, L. (2005). Intergovernmental Relations and Cooperative Governance in South Africa: The Ten Year Review. *Politeia, Volume 24, No. 2*, 226-243.

Malherbe, R. (2008). 'The constitutional distribution of powers'. In B. De Villiers, *Review of Provinces and Local Governments in South Africa: Constitutional Foundations and Practice* (p. 2008). J.

Malherbe, R. (2008). 'The future of the provinces: Constitutional and structural aspects'. In B. De Villiers, *Review of Provinces and Local Governments in South Africa: Constitutional Foundations and Practice*. Johannesburg: Konrad Adenauer Stiftung Occasional Papers.

Manor, J. (1999). *The Political Economy of Democratic Decentralization*. Washington, DC: The World Bank.

Mapuva, J. (2015). The Controversies of Devolution in Zimbabwe. *International Journal of Political Science and Development, Vol. 3(5)*, 183–192.

Martyszak. (2013). *Mayoral Elections and Zimbabwe's Legislative / Ching*. Harare: Research and Advocate Unit.

Martyszak, D. (2008). *Civil Society in the Time of Elections*. Harare: Research and Advocacy Unit.

Martyszak, D. (2008). Formal Structures of Power in Rural Zimbabwe. *Research and Advocate Unit*.

Martyszak, D. (2008). *Loosing Focus: Zimbabwe's 'Power Sharing' Agreement*. Harare: Research and Advocacy Unit.

Marumahoko, S and Feesha, Y.T. (2011). Fiscal Autonomy of Urban Councils in Zimbabwe. A Critical Analysis. *Law, Democracy and Development, Volume 15*, 37-58.

Marume, S. (2013). *Constitutional Basis of Provincial and Metropolitan and Local Government Systems in Zimbabwe: Creating a New Political Dispensation*. Harare: Zimbabwe Open University.

Mason, M. (2010). Sample Size and Saturation in PhD Studies Using Qualitative Interviews. *Forum: Qualitative Social Research Volume 11, No. 3*.

Masunungure, E. (1996). *"Civil Military Relations in Zimbabwe: Toward Understanding Mechanisms of Civilian Command over the Military"*. Paper presented at a conference on Civil Military Relations in Small Democracies, San Jose, August 1-3, 1996.

Mathebula, L. (2011). South African Intergovernmental Relations: A Definitional Perspective. *Journal of Public Administration, Volume 46*, 834-853.

Mawhood, P. (1983). *Local Government in the Third World: The Experience of Tropical Africa*. Chichester: John Wiley and Sons.

McEwen, N. P. (2015). Intergovernmental and Parliamentary Scrutiny. A comparative overview. Report Prepared for the Devolution (Further Powers) Committee,. *Centre on Constitutional Change* , 1-71.

McEwen, N. S. (2012). Intergovernmental Relations in the UK: Continuity in a Time of Change. *The British Journal of Politics and International Relations, Volume 14, Issue 2* , 323-343.

McEwen, N. S. (2012). Introduction: Political Opposition in a Multi-Level Context. *The British Journal of Politics and International Relations, Volume 14, Issue 2* , 187-197.

McGregor, D. (2010). Traditional Knowledge, Sustainable Forest Management and Ethical Research Involving Aboriginal Peoples. In J. White, *Exploring Voting, Governance and Research Methodology* (pp. 229-246). Toronto: Thompson Educational Publishers.

McGregor, S.L.T and Murnane, J. A. (2010). Paradigm, methodology and method: Intellectual integrity in consumer scholarship. *International Journal of Consumer Studies, 34(4)* , 419-427.

McGuire, M and Agranoff, R. (2010). "Networks in the Shadow of Bureaucracy". In R. Durant, *Oxford Handbook of American Bureaucracy*. New York: Oxford University Press.

McGuire, M and Agranoff, R. (2011). The Limitations of Public Management Networks. *Public Administration* 89(2) , 265-84.

Mdliva, M. (2012). *Cooperative Governance and Intergovernmental Relations in South Africa: A Case Study of Eastern Cape*. Durban: University of Kwazulu-Natal.

Mechtov, Y. (2015). *Decentralization and Intergovernmental Relations Global Solutions Groups*. Washington D.C: World Bank.

Meehan, E. (2000). *'Relations with the EU' Devolution Monitoring Report* . UCL, Constitution Unit.

Meehan, E. (2000). 'Europe and the Europeanisation of the Irish Question 1972-1998'. In M. G. Cox, *A Farewell to Arms? From 'Long War' to Long Peace in Northern Ireland*. Manchester: Manchester University Press.

Mogashoa, A. (2014). Understanding Critical Discourse Analysis in Qualitative Research. *International Journal of Humanities Social Sciences and Education (IJHSSE)*, Volume 1, Issue 7 , 1-04.

Moore, M. (2006). Public Value in Public Administration. *Journal of Public Administration Research and Theory* , 806-812.

Morse, J. (1994). Designing Funded Qualitative Research. In N. a. Denzin, *Handbook of Qualitative Research (pp. 220-235)*. (pp. 220-235). Thousand Oaks, CA: Sage.

Moustakas, C. (1994). *Phenomenological research methods*. Thousand Oaks: CA: Sage.

Moyo, P and Ncube, C. (2014). Devolution of Power in Zimbabwe's New Constitutional Order: Opportunities and Potential Constraints. *Law, Democracy and Development, Volume 18* , 289-304.

Muchadenyika, D. (2014). *Contestation, Confusion and Change: Urban Governance and Service Delivery in Zimbabwe (2000-2012)*. Cape Town: University of Western Cape.

Mukonza, R. (2014). E-Governance: A New Paradigm in Public Administration. *Journal of Public Administration, Volume 49, Number 2* , 499-511.

Nnoli, O. (1997). *Ethnic Politics in Nigeria*. Enugu: Fourth Dimension Publishers.

Nyikadzino, T. a. (2015). The Implications of Centre-local Relations on Service Delivery in Local Authorities in Zimbabwe: The Case of Chitungwiza. *Journal of Public Administration and Governance Vol. 5, No. 2* , 149-168.

Nzimakwe, T. a. (2015). Intergovernmental relations and cooperative governance : Two sides of the same coin. *Journal of Public Administration, Volume 50, Issue 4* , 824-840.

O' Toole, J. L. (2004). Public Management in Intergovernmental Networks: Matching Structural Networks and Managerial Networking. *Journal of Public Administration Research and Theory*, Volume 14, No. 4 , 469-494.

O' Toole, J. L. (1997). The Implications of Democracy in a Networked Bureaucratic World. *Journal of Public Administration Research and Theory* Volume 7(3) , 443-459.

O'Toole, L. J. (2007). *American Intergovernmental Relations*. Washington, D.C: CQ Press.

O'Toole, L. J. (1997). Treating Networks Seriously: Practical and Research-Based Agenda in Public Administration. *Public Administration Review* 57(1) , 45-52.

O'Toole, L.J and Laurence, J. (1997). "Treating Networks Seriously: Practical and Research-Based Agenda in Public Administration." . *Public Administration Review* Vol 57 no.1 , 45-52.

Odysseous, L. (2002). Alternatives 27(3). *Phenomenology, Ontology and International Political Theory* , 373-405.

OECD. (2003). *FISCAL RELATIONS ACROSS LEVELS*. Downloaded from <https://www.oecd.org> 20/03/2016.

Ogborn, M. (1991). Local Power and State Regulation in the Nineteenth Century Britain. *Vol 17, no2* , 69-84.

Okafor, J. (2001). 'Politics of Intergovernmental Relations in Nigeria'. *A Journal of the National Association for the Promotion of Studies in Arts and Social Sciences (NAPSASS)*, 1(5), 19-34.

Okoli, F.C and Onah, F.O. (2002). *Public Administration in Nigeria: Nature, Principles and-Application*. Enugu: John Jacobs Classic Publication.

Okoli, F. (1990). Democratization of Public Bureaucracy in Nigeria. *Journal of The Council for Social Development*. 20 (1) , 33-49.

Olaniyi, J. (2011). *Independent National Electoral Commission (INEC) and the Conduct of 2007 Presidential Elections in Nigeria: An Appraisal. Being a Ph.D Post-Field Seminar presented to the Department of Political Science*. Ilorin: University of Ilorin.

Olowu, D. (2001). "Decentralization Policies and Practices under Structural Adjustment and Democratization in Africa" Democracy, Governance and Human Rights Paper Number 4 . *United Nations Research Institute for Social Development* .

Ongaro, E, Massey, W, Holzer, M and Wayenberg, E. (2011). *Policy Performance and Management in Governance and Intergovernmental Relations. Trans-Atlantic*. Northampton: Edward Elgar Publishing Limited.

Ongaro, E. M. (2010). *Governance and Intergovernmental Relations in the European Union and the United States. Theoretical Perspectives*. Cheltenham: Edward Elgar Publishing Limited.

Onimode, B. (1999). 'Towards Effective Budgeting under a Democratic System,' A paper Seminar on 1999 Federal Government Budget at CBN/NCEMA/NES Collaborative Program, Lagos,.

Onwuegbuzie, A.J and Collins, K.M.T. (2017). A Typology of Mixed Methods Sampling Designs in Social Research. *The Qualitative Report, Volume 12, Number 2* , 281-316.

Oppong, H. (2013). The Problem of Sampling in Qualitative Research. *Asian Journal of Management Science and Education* , 202-210.

Oswala, H. (2001). *Research Methods in Social Service*. England: Oxford Press, England.

Oyediran, O. N. (2008). *New Approach to Government*. Ikeja: Longman. Ikeja: Longman Nigeria Plc.

Oyeneye, I. et al. (2001). *Government: A Complete Guide*. Lagos: Longman Publishers.

Palinkas, L. A. (2013). *Mixed Methods in Implementation Research*. University of South California.

Palys, T. (2008). Purposive sampling. In In Given, L.M (ed), *The Sage Encyclopedia of Qualitative Research Methods. (Vol.2)*. (pp. 697-8). Los Angeles: Sage.

Parker, J. (2015). Comparative Federalism and Intergovernmental Agreements: Analyzing Australia, Canada, Germany, South Africa, Switzerland and the United States. *Publius, The Journal of Federalism, Volume 45, Issue, 4* .

Parker, P. (2007). Newtworked Governance or Just Networks? Local Governance of the Knowledge Economy in Limerick (Ireland) and Karlskrona (Sweden). *Politics Studies, Volume 55* , 113-132.

Pasipanodya, D. (2000). Fiscal Decentralization and Sub national Government Finance in Relation to Infrastructure and Service Provision in Zimbabwe. *United States Agency, For International Development* .

Patton, M. (Sage Publications). *Qualitative research and evaluation methods*. Thousand Oaks, CA: 2002.

Peters, G. a. (2001). 'Developments in intergovernmental relations: towards multi-level governance.'. *Policy & Politics 29(2)* , 131-135.

Peters, G. a. (1998). Governance Without Government? Rethinking Public Administration. *Journal of Public Administration Research and Theory, Volume 8(2)* , 223-243.

Peters B.G and Pierre, J. (2001). *Politicians, Bureaucrats and Administrative Reform*. New YorkRoutledge.

Poirier, J. (2001). The Functions of Intergovernmental Agreements: Post-Devolution Concordats in a Comparative Perspective. *Public Law* , 134-157.

Porio, E. (2012). Decentralisation, Power and Networked Governance in Metro Manila. *Space and Polity*, Volume 16, No. 1, 7-27.

Posner, P. (1998). *The Politics of Unfunded Mandates: Wither Federalism*. Washington D.C: Georgetown University Press.

Punch, K. (1998). *Introduction to Social Research: Quantitative and Qualitative Approaches*. London: Sage.

Radin, B and Beryl, A. (2012). *Federal Management Reform in a World of Contradictions*. Washington DC: Georgetown University Press.

Rajasekar, S. P. (2013). Research methodology. *Physics ed-ph*. 14, 1-53.

Rawlings, R. (2000). Concordats of the Constitution. *Law Quarterly Review*, 116, 257-286.

Reddy, M. (2010). *Decentralisation Planning Processes in Andhra Pradesh- A Late Starter*. Indian Journal of Public Administration.

Report, House of Lords Select Committee on the Constitution 2nd Report. (2002). Devolution: Intergovernmental Relations in the United Kingdom, Second Report 2002-2003. *HL Paper 28*.

Rhodes, R. (1997). *Understanding governance: Policy networks, governance, reflexivity and accountability*. Open University Press: Buckingham.

Rhodes, R. (1998). *Government Beyond the Centre*. London: Allen and Unwin.

Richards, H.M and Schwartz, L.J. (2002). Ethics of Qualitative Research: Are the Special for Health Services Research? *Family Practice, Volume 19* , 135-139.

Riker, W. (1964). *Federalism: Origins, Operation, Significance*. Boston: Brown and Company.

Ritchie, J. A. (2003). *Qualitative Research Practice: A Guide for Social Science Students and Researchers*. London: Sage Publications.

Ritchie, J, and Lewis, J. A. (2003). Designing and selecting samples. In Jane Ritchie and Jane Lewis (Eds.),. In J. a. Ritchie, *Qualitative research practice. A guide for social science students and researchers* (pp. 77-108). Thousand Oaks, CA: Sage.

Roberts, N. (1999). 'The 1999 Constitution of the Federal Republic of Nigeria: Implication for IGR. In O. a. Ajakaiye, *Issues in the Review of the 1999 Constitution of the Federal Republic of Nigeria*. Ibadan: NISER.

Robinson, M. (2007). 'Does Decentralisation Improve Equity and Efficiency in Public Service Delivery Provision?'. *IDS Bulletin vol. 38, no. 1, Institute of Development Studies* .

Rodgers, D. (2005). 'Developing a location research methodology'. *Journal of Targeting and Analysis for Marketing, 13 (3)* , 201-208.

Rodriguez-Acosta, C.A. (2016). The impact of Decentralization and New Intergovernmental Relations on Public Service Delivery: A Comparative Analysis of Columbia and Paraguay, Florida International University.

Romeo, C. (2010). A Comparative Study of Intergovernmental Relations of two Federal Districts: The Case of the U.S. District of Columbia and Brasília, Brazil.

Dissertations, Theses and Capstone Projects. Paper 228.

Rosenbloom, D and Kravchuk, R. (2002). *Public Administration: Understanding Management, Politics and Law in the Public Sector*. Boston: McGraw-Hill.

Roux, N. B. (1997). *Critical Issues in Public Management and Administration in South Africa*. Pretoria: Kagiso Tertiary.

Ray G.L and Mondal, S. (2006). *Research Methods in Social Science and Extension Education*. Ludhiyana: Kalyani Publishers,.

Sandelowski, M and Barroso, J. (2007). *Handbook for Synthesising Qualitative Research*. New York: Springer.

Sayer, J. E. (2004). The Implications for Biodiversity Conservation of Decentralized Forest Resources Management. *Paper prepared on behalf of IUCN and WWF for the UNFF Inter-sessional workshop on Decentralisation Interlaken, Switzerland, May 2004*.

Scharpf, F. (2004). Games Real Actors Could Play: Positive and Negative Coordination in Embedded Negotiations. *Journal of Theoretical Politics, Volume 6*, 27-53.

Schutze, F. (2008). European Phenomena as Appearing in the Interviews, Trinational Students' Research Workshop on Biography Analysis of 2008 on the

Base of 'Euroidentities' interviews: Outcomes of the Last Session. *Otto-von-Guercke University Magdeburg* .

Schutze, R. (2009). *From Dual to Cooperative Federalism. The Changing Structure of European Law*. Oxford: Oxford University Press.

Scott, Z. (2009). Decentralisation, Local Development and Social Cohesion: An Analytical Review. *Governance and Social Development Resource Centre* , 6-22.

Seamon, D. (1977). *Movement, Rest, and Encounter: A Phenomenology of Everyday Environmental Encounter, doctoral dissertation*. Worcester, MA: Graduate School of Geography, Clark University.

Shah, A. (2005). *Fiscal Decentralization and Fiscal Performance, Policy Research Working Paper No. 3786*. Washington, DC: World Bank.

Shenton, A. (2003). Strategies for Trustworthiness in Qualitative Research Projects. *Education for Information*, 22(1) , 63-65.

Silverman, D. (2009). *Doing Qualitative Research*. London: SAGE Publications.

Silverman, D. (2009). *Qualitative Research: Theory, Method and Practice*. London: Sage Publications.

Singh, Y.K and Bajpai, A.B. (2008). *Research Methodology: Techniques and Trends*. London: APH Publishing Corporation Students.

Slaughter, A.-M. (2004). Disaggregated Sovereignty: Towards the Public Accountability of Global Government Networks. *International Journal of Comparative Politics, Volume 39, Issue 2* , 159-190.

Smith, J. F. (2009). *Interpretative Phenomenological Analysis: Theory, Method and Research*. London: SAGE.

Sokhela, P. (2006). *Intergovernmental Relations in the Local Sphere of Government in South Africa with Specific Reference to the City of Tshwane Metropolitan Municipality*. Pretoria: University of Pretoria.

Sokolowski, R. (2000). *Introduction to phenomenology*. New York: Cambridge University.

Somekh, B. (2006). *Action Research: A Methodology for Change and Development*. Maidenhead: Open University Press.

Sorensen, E and Torfing, G. (2009). Making Governance Networks Effective and Democratic Through Metagovernance. *Public Administration, Volume 87, Issue 2* , 234-258.

Stacey, W. (2011). Government Decentralisation in the 21st Century. A Literature Review. A Report of the CSIS Program on Crisis, Conflict, and Cooperation. *Centre for Strategic and International Studies* .

Stafford, A. (2014). Comparative Analysis Within Political Science. *E-International Relations Students* .

Stephenson, P. (2013). Twenty years of multi-level governance: 'Where Does It Come From? What Is It? Where Is It Going?'. *Journal of European Public Policy* , 817-837.

Stevens, M. (2013). Ethical Issues in Qualitative. *Social Care Workforce Research Unit* , Downloaded from <http://www.kcl.ac.uk> 29/11/16.

Steytler, N. (2005). 'Local government in South Africa: entrenching decentralised government'. In N. (. Steytler, *The place and Role of Local Government in Federal Systems*. Johannesburg: Konrad Adenauer Foundation Occasional Papers.

Stoker, G. (2006). Public Value Management: A New Narrative for Networked Governance? *American Review of Public Administration, Volume 36, No. 1* , 41-57.

Stoker, G. (1991). *The Politics of Local Governance* . Basingstoke: Macmillan.

Storing, H. (1981). *What the Anti-federalists were for*. Chicago: University of Chicago Press.

Sunday, O. (2014). An X-ray of Inter-governmental Relation Conflicts and Resource Control in the Fourth Republic in Nigeria. *International Journal of Education Administration and Policy Studies, Volume 6(3)* , 43-52.

Tanyanyiwa, V. (2015). Decentralisation as a Rural Development Strategy in Zimbabwe: Good Policy but Bad Practice. *International Journal of Innovation and Scientific Research Vol. 13, No. 2* , 598-606.

Ter-Minassian, T. (1997). 'Intergovernmental Fiscal Relations in a Macroeconomic Perspective: An Overview'. In T.-M. (ed.), *Fiscal Federalism in Theory and Practice*. Washington: International Monetary Fund.

Thani, X. (2009). Phenomenology as a research design in Public Administration.

The Law and Policy for Provincial and Local Government in Zimbabwe: The Potential to Realise Development, Build Democracy and Sustain Peace. (2014). Cape Town: University of Cape Town.

Thelen, K. (2005). "How Institutions Evolve: Insights from Comparative Historical Analysis. In T. Falletti, *A Sequential Theory of Decentralization: Latin American Cases in Comparative Perspective*. American Political Science Review Vol. 99, No. 3.

Thompson, J. (1967). *Organisations in Action*. New York: McGraw-Hill.

Thornhill, C. (2002). Intergovernmental Relations in South Africa: An Introduction. In J. T. Kuye, *Critical Perspectives on Public Administration*. Sandow: Heinemann Publishers.

Titus, Z. (2000). Keynote Address: Provincial Government in South Africa in Provincial Government in South Africa, A paper presented at the Holiday Inn Garden Court, Umtata (16-18 August). Downloaded from http://www.kas.de/db_files/dokumente/7-dokument_pdf Date 20/04/2016 .

Tongco, M. (2001). Purposive Sampling as a Tool for Informant Selection. *A Journal of Plants, People and Applied Research* , 147-158.

Tonhodzai, M. N. (2015). The Utility of Fiscal Decentralization as a Local Governance Reform Strategy in Zimbabwe. *American International Journal of Social Science, Volume 4, No. 5* , 69-79.

Treisman, D. (2002). *Decentralization and the Quality of Government*. Unpublished Article.

Trench, A. (2003). *Intergovernmental Relations in Canada: Lessons for the U.K.* London: The Constitutional Unit.

Trench, A. (2012). The Courts and Devolution in the UK. *The British Journal of Politics and International Relations, Volume 14* , 303-322.

Tuckett, A. (2005). Applying thematic analysis theory to practice: A researcher's experience. *Contemporary Nurse, 19* , 75-87.

Turner, M. a. (1997). *Governance, Administration and Development: Making the State Work*. Kumarian Press: New York.

UN-HABITAT 2008 . (2008). *State of the World's Cities Report. Nairobi, Kenya*. Nairobi: UN-HABITAT.

Venter, A. (1999). *Government and Politics in the New South Africa*. Pretoria: J.L van Schaik.

Watts, R. (1994). Is the new South African Constitution federal or Unitary? In B. (. De Villiers, *Birth of the Constitution*. Kenwyn: Juta & Company.

Waugh, L. W. (2004). Phenomenology and Public Administration. *International Journal of Organisation Theory and Behaviour* , 405-431.

Weingast, B. (1995). The Economic Role of Political Institutions: Market-Preserving Federalism and Economic Development. *Journal of Law, Economics, and Organisation*, 11 , 1-31.

Wekwete, K. (1992). "Urban local government finance in Zimbabwe: The case of Harare City Council". *Journal of Public Administration and Development* 97 .

Wheare, K. (1959). *Federal Government*. London: Oxford University press.

Wilkinson, D and Birmingham, P. (2003). *Using Research Instruments: A Guide for Researchers*. London: Routledge.

Wise, C.R and Brown, T.L. (2011). When Governments Disagree. A Comparative Analysis of Conflict Resolution Mechanisms in Intergovernmental Relations in Three Nations. *Standing Panel on the Federal System Papers and Publications* .

World Bank. (2016). Economic Headwinds in 2016 could Challenge Zimbabwe's Achievements since Stabilization. *Downloaded from <http://www.worldbank.org> Date 05/04/16* .

World Bank. (2008). *World Development Report. Agriculture for Development*. Washington D.C: World Bank.

Wright, D. (1999). *Regional Workshop on: Consolidating the Gains in Decentralisation Reforms and Win Win Policy Analysis*. Windhoek: African Training and Research Centre in Administration.

Wynn, J. D. (2012). 'Principles for conducting critical realist case study research in information systems'. , *MIS Quarterly*, 36(3) , 787-810.

Young, R. (2007). Canada. A Cracking System. *Forum of Federations and International Association of Centres for Federal Studies, Volume 6* , 43-52.

Zimbabwe Institute . (2005). *Local Government: Policy Review*. Cape Town: Zimbabwe Institute.

Government of Zimbabwe. (1985). *Provincial Councils and Administration Act [Chapter 29:11]*. Harare: Government Printer.

Government of Zimbabwe. (2013). *Constitution of Zimbabwe Amendment (N0.20) Act 2013*. Harare: Government Printer.

Government of Zimbabwe. (1998). *Rural District Councils Act [Chapter 29:13]*. Harare: Government Printer.

Government of Zimbabwe. (2013). *The Local Government Project*. Downloaded from http://archive.kubatana.net/docs/locgov/bpra_devolution_framework_130909.pdf
Date 20/05/2015.

Government of Zimbabwe. (1996). *Urban Councils Act [Chapter 29:15]*. Harare: Government Printer.

Zimmerman, J. F. (1992). *Contemporary american federalism: The growth of national power*. Liecester: Liecester Books.

Zulu, T. (2014). *Cooperative Governance in South Africa: A Case Study of Intergovernmental Relations in the Provision of Housing*. Pietermaritzburg: University of KwaZulu-Natal.

Zurmuehlen, M. (1980). Affirmation and study: Phenomenology in doctoral research. *Review of Research in Visual Arts Education, Vol.6, Number 2*.

APPENDICES



University of Fort Hare
Together in Excellence

ETHICAL CLEARANCE CERTIFICATE

Certificate Reference Number: NZE141SCHA01

Project title: **A critical analysis of the dynamics of
intergovernmental relations in Zimbabwe.**

Nature of Project: PhD

Principal Researcher: Vincent Chakunda

Supervisor: Dr O.I Nzewi

On behalf of the University of Fort Hare's Research Ethics Committee (UREC) I hereby give ethical approval in respect of the undertakings contained in the above-mentioned project and research instrument(s). Should any other instruments be used, these require separate authorization. The Researcher may therefore commence with the research as from the date of this certificate, using the reference number indicated above.

Please note that the UREC must be informed immediately of

- Any material change in the conditions or undertakings mentioned in the document
- Any material breaches of ethical undertakings or events that impact upon the ethical conduct of the research


The Principal Researcher must report to the UREC in the prescribed format, where applicable, annually, and at the end of the project, in respect of ethical compliance.

The UREC retains the right to

- Withdraw or amend this Ethical Clearance Certificate if
 - Any unethical principal or practices are revealed or suspected
 - Relevant information has been withheld or misrepresented
 - Regulatory changes of whatsoever nature so require
 - The conditions contained in the Certificate have not been adhered to
- Request access to any information or data at any time during the course or after completion of the project.
- In addition to the need to comply with the highest level of ethical conduct principle investigators must report back annually as an evaluation and monitoring mechanism on the progress being made by the research. Such a report must be sent to the Dean of Research's office

The Ethics Committee wished you well in your research.

Yours sincerely


Professor Gideon de Wet
Dean of Research

07 March 2016

Interview Guide

Members of the legislative and executive arms of government

1. Can you briefly tell me about your working experience in government and other related institutions?
2. Explain the role of the legislative and executive arms of government in IGR?
3. What do you think is the importance of intergovernmental cooperation and co-decision making?
4. What are the constitutional and legislative foundations of IGR in Zimbabwe?
5. How adequate are the legislative provisions in ensuring harmonious and sustainable IGR and cooperative governance?
6. What are the key drivers in the allocation of jurisdictional powers among levels of government in Zimbabwe?
7. Which are the structures and institutions that facilitate and promote IGR in Zimbabwe and what are their different roles?
8. What do you think is the importance of the codification and/or establishment of specific legislation for IGR in Zimbabwe?
9. How effective are the coordination and integration mechanisms for the co-existence of central government and sub national government in Zimbabwe?
10. How can flexibility, discretion and innovation of sub national governments be balanced against the performance and transparency expectations of central government?

11. What are the major challenges of IGR and cooperative governance in Zimbabwe?

12. What steps do you suggest are needed to improve IGR in Zimbabwe?

Members of the judiciary

1. Can you briefly tell me about your working experience in the judiciary and other related institutions?
2. What do you think is the importance of intergovernmental cooperation and co-decision making?
3. What is the role of the judiciary in IGR and cooperative governance?
4. What are the constitutional and legislative foundations of IGR in Zimbabwe?
5. How adequate are the legislative provisions in ensuring a harmonious IGR and cooperative governance?
6. What are the key drivers in the allocation of jurisdictional powers among levels of government in Zimbabwe?
7. Which are the structures and institutions that facilitate and promote IGR in Zimbabwe and what are their different roles?
8. What do you think is the importance of the codification and/or establishment of specific legislation for IGR in Zimbabwe?
9. How often do courts handle conflicts of an IGR nature and from your experiences what do you think are the major causes of such conflicts?
10. What are the judiciary mechanisms and procedures to facilitate the settlement of intergovernmental disputes?

11. What do you think are the major challenges of IGR and cooperative governance in Zimbabwe?

12. What steps do you suggest are needed to improve IGR in Zimbabwe?

Members of provincial, metropolitan councils and local governments

1. Can you briefly tell me about your working experience in provincial, metropolitan councils and local government?

2. What do you think is the importance of intergovernmental cooperation and co-decision making?

3. What are the constitutional and legislative foundations of IGR in Zimbabwe?

4. How adequate are the legislative provisions in ensuring a harmonious IGR and cooperative governance?

5. What are the key drivers in the allocation of jurisdictional powers among levels of government in Zimbabwe?

6. Which are the structures and institutions that facilitate and promote IGR in Zimbabwe and what are their different roles?

7. What are the problems, challenges faced by sub national governments in intergovernmental relations?

8. How can such challenges be resolved and minimised in order to ensure that sustainable IGR is promoted?

9. What are the mechanisms and processes of promoting both horizontal and vertical accountability of sub national governments?

10. What are the indicators of sub national government autonomy in Zimbabwe?

11. How can flexibility, discretion and innovation of sub national governments be balanced against the performance and transparency expectations of central government?
12. How effective are the coordination and integration mechanisms for the co-existence of central government and sub national government in Zimbabwe?
13. What is the state of fiscal IGR in Zimbabwe? How is fiscal jurisdiction distributed among the three levels of government?
14. Do you think sub national government have sufficient autonomy to mobilise financial resources for local development?
15. What steps do you suggest are needed to improve IGR in Zimbabwe?

Civil society, academia and retired bureaucrats

1. Can you briefly tell me about your working experience in government and other related institutions?
2. What is your understanding of the meaning, nature and relevance of IGR?
3. What is the state of IGR in Zimbabwe?
4. What is the role of civil society in promoting sustainable IGR in Zimbabwe?
5. What are the key drivers in the allocation of jurisdictional powers among levels of government in Zimbabwe?
6. Which are the structures and institutions that facilitate and promote IGR in Zimbabwe and what are their different roles?
7. What are the problems, challenges faced by sub national governments in intergovernmental relations?

8. How can such challenges be resolved and minimised in order to ensure that sustainable IGR is promoted?
9. How effective are the coordination and integration mechanisms for the co-existence of central government, sub national government and civil society in Zimbabwe?
10. Which innovative concepts and models can be suggested to balance flexibility, discretion and innovation of sub national governments against the performance and transparency expectations of central government?
11. What steps do you suggest are needed to improve IGR in Zimbabwe?

Permanent secretaries and directors of government ministries

1. Can you briefly tell me about your working experience in government and other related institutions?
2. What do you think is the importance of intergovernmental cooperation and co-decision making?
3. How often does your department interact with other departments of line ministries in the course of exercising its mandate?
4. What are the key drivers in the allocation of jurisdictional powers among levels of government in Zimbabwe?
5. Which are the structures and institutions that facilitate and promote IGR in Zimbabwe and what are their different roles?
6. What are the major challenges, if any, in intergovernmental collaboration you have experienced so far?

7. What are the causes of conflicts between the levels of government in Zimbabwe?
8. How effective are the coordination and integration mechanisms for the co-existence of central government and local government in Zimbabwe?
9. How adequate and justifiable are the institutional control systems and mechanisms in place to ensure that local authorities comply with legislative provisions?
10. What steps do you suggest are needed to improve IGR in Zimbabwe?