



The Zimbabwe Local Government Association (ZILGA)

AN ARTICULATION OF THE VOICE OF ORGANISED LOCAL AUTHORITIES ON DEVOLUTION IN ZIMBABWE



A DISCUSSION DOCUMENT



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Preface



Alderman David Guy Mutasa

Devolution of functions and resources brings government closer to local people. It strengthens local governance and deepens democracy by enhancing citizen participation in their governance and development. These are the principles that have energised the Zimbabwe Local Government Association as the voice of organised local government to articulate a position presenting the Devolution We Want!

Generally, devolution is the handover or transfer of governmental powers, responsibilities, resources, accountabilities, and authority from national to subnational tiers of government. The objective of devolution is to enhance state accountability and delivery to citizens. We envisage that devolution will increase efficiency and effectiveness of operations of local governance institutions, by minimising bureaucracy owing to ensuring levels of decision making are closer to the people. We relish the opportunity to govern on

our own initiative, managing our own affairs and steering appropriate development trajectories as enshrined in the Constitution of Zimbabwe.

We acknowledge the significant strides that have been made under the Second Republic in operationalizing devolution. However, we firmly believe that if the recommendations contained herein are implemented, the ultimate objective of decentralization will not only be achieved but felt countrywide. We have always maintained that the success or failure of the nation is best depicted by the collective performance of its Local Authorities. This is why we firmly advocate for allocation of more resources to subnational governments, because that is where concerted action takes place.

Devolution presents an opportunity for National Governmental to engage local government as partners for success and entrench whole-of-government and whole-of-society approaches to national development. This necessitates collaboration, elimination of competition and duplication of functions across tiers of government. As the government closest to the people, we should be afforded the opportunity to offer all services to our people. Local authorities, as the third tier of government, envisages an inclusive development agenda that leaves no place, or anyone behind.

Through the implementation of intergovernmental fiscal transfers, local authorities have been able to address infrastructure development deficits in record time. Roads have been rehabilitated, Clinics & Schools have been built and various Service Delivery equipment such as refuse trucks, graders, tippers among others have been procured. We hope that these allocations increase so that we continue to facilitate the progressive realisation of the socio-economic rights of our people.

ZILGA urges National Government to facilitate a transition towards a devolution framework that will result in the achievement of Vision 2030, by embracing the principle of subsidiarity, territorial approach to local governance, and policy coherence.

As a Local Government Association, we are pleased to add our voice to the devolution agenda and commit to making it work. Many institutions, including the academia, national government, non-state actors and civil society, have added their voices to the devolution debate. It is our hope that our contribution will provoke momentum towards the devolution implementation.

Lastly, I would like to thank the Local Government Associations (UCAZ and ARDCZ) under the banner of ZILGA, for stimulating the debate. I would also like to thank our Development Partners LACEP II, our consultant Dr. K. Chatiza, and all those that contributed in various forms, to making this strategy paper a reality. God bless you all.

Alderman David Guy Mutasa
President – Zimbabwe Local Government Association

Summary

ZILGA, the Zimbabwe Local Government Association prepared this actionable articulation of the voice of organised local government on devolution to contribute to better mutual understanding of devolution between national government and local authorities. The paper draws critical aspirations and lessons generated since the adoption of Zimbabwe's Constitution in 2013.

The Association has been concerned about delayed passing of laws necessary for devolved governance. It considers this as evidence that **national government is unable or unwilling to implement devolution fully**. Everyday experiences of practitioners show frustration, scepticism and mistrust regarding national government's devolution effort. Currently, devolution design and implementation are not led by an inter-governmental platform. As such, it is slow and very weak on local authorities' voices. Often, perspectives of the Ministry responsible for local government are taken as fully representative of local authorities, which is not always the case. Where the Ministry gathers Councils views evidence suggests 'loss in both consolidation and transmission'.

Given that most governance and development work in local, **national government agencies should not be growing at local level**. Administrative and policy communications from Ministries that entrench national government control over local functions need to be outlawed. Fiscal autonomy, enforcement, capacity development and budget regulatory functions across the three tiers of government must be streamlined. This requires clearly defining, developing and measuring the financial capacities needed across all three levels of government aligned to their devolved functions. Nationally disbursed funding should be spend in accordance with priorities set through locally-driven planning processes not dictated upon by national government through 'Guidance' decided upon in spaces lacking local authority voices. Current frameworks used to monitor 'devolution projects' threaten the spirit of devolution. They also lack appropriate legal bases. Managing intergovernmental fiscal transfers in the absence of a legal framework that defines appropriate political structures and relations causes conflict.

The Association is clear that **Zimbabwe's local authorities have historical capacity to receive more powers to govern the areas** for which they are established. Some of the powers that need to be transferred were competently exercised before being taken over by national government. New legislation consistent with the constitution is needed to guide devolved relations between local and national government including some of the agencies it relies on. Particular focus on the role of the Ministry responsible for local government is needed to re-define its powers under devolution. This is because the Association has observed that policy makers and civil servants in the Ministry responsible for local government have evolved a culture that appears antithetical to devolution.

ZILGA observes that **the Cabinet Committee leading on devolution is an inadequate platform** as it is essentially led by one tier i.e. national government. The other tiers are thus not involved in the design and implementation of devolution. Consequently, powers assigned to institutions like the Minister of State for Provincial Affairs (and Devolution) are being defined and exercised without local authority input. This contradicts the need to politically empower local authorities. A transparent and empowered platform for intergovernmental engagement is needed to steer devolution.

The Association's view is that institutions, including **laws that eat up local governance space must be repealed**. Further, functions relating to i) liquor licensing, ii) vehicle licensing, iii) public transport permits, and iv) approval of local authority Master Plans should be devolved to Provincial and Metropolitan Councils as their exclusive competences. This will better serve the economic development and overall governance functions of local authorities. At the same time local authority Resolutions must get elevated importance regarding budgets and other areas of decision making.

The **curtailing of local authority spatial planning powers** needs to be outlawed. It is causing serious delays in decision making necessary for seizing development opportunities especially for rural local authorities. Experiences of 'the centre moving to the bottom' confirm a competitive rather than cooperative national government attitude towards local authorities. Implementation of Statutory Instrument 175 of 1999 and providing expanded spatial planning powers to local authorities an empowered Provincial/Metropolitan tier regarding local authority Master Plans are critical. On spatial planning powers National Government competence will relate to the National Spatial/Physical Plan as well as related policy making, standard setting and capacity development functions.

'Devolution Funds' have brought some impetus to local authority-level planning and implementation of development. However, there are concerns regarding the **technical and political powers assigned to the Provincial and Metropolitan tier of government**. Ministers of State for Provincial Affairs have been given additional powers to oversee devolution with upward accountability to the Office of the President and Cabinet (OPC). Other individual Ministers (directly and through Cabinet), a Minister responsible for monitoring policy implementation at OPC, the Ministry responsible for local government at national and its sub-national level officials all have poorly coordinated roles to oversee devolution projects. This is also in a context of the continued presence of national government agencies at local authority levels with development planning and project implementation functions.

Taken together with Members of Parliament and Senators as well as traditional leaders who are also accountable more to national government than local levels, ZILGA's call for the freeing up of local governance space for empowered local authorities especially in rural areas is well overdue. The role of Parliamentarians at local level requires full definition in a devolved context to ensure that law-making by the three tiers of government is clear and effective.

The last key area of concern for expanded local authority autonomy under devolution relates to **administration of their areas**. First are functions regarding recruitment and supervision of senior staff. Councils need a higher degree of autonomy regarding the personnel management function from Chief Executives to Heads of Departments than presently. Second are functions that relate to by-law making and enforcement. This is currently curtailed by a mixture of i) inadequate local autonomy to enforce as other national agencies have competing powers, ii) delays in finalisation of proposed laws at national level, iii) variations in local by-law making capacity, and iv) lack of the appropriate Municipal justice delivery machinery (Municipal Courts). The administrative autonomy of local authorities is further undermined by party political processes including the party caucus and whipping systems that are often undisciplined. Through these instruments political parties unduly control elected representatives weakening citizen participation structures and processes.



Pfupiso

Sangano revamiriri vehurumende dzematunhu enyika madoko (*local authorities, the Zimbabwe Local Government Association, ZILGA*) rakanyora gwaro rino kuzivisa veruzhinji nehurumende yenyika (*national government*) kubva muhurukuro netsvagurudzo yarakaita nenhengo dzaro. Gwaro iri rinefungwa dzeZILGA panyaya yekurongedza vukama bwehurumende yenyika, dzamatunhu epakati (*Provincial and Metropolitan*) nedzematunhu madoko (*local authorities*). Chinangwa cheZILGA ndechekuti simba, mabasa nechimiro¹ zvehurumende dzematunhu epasi zvivandudzwe (*devolution*) sezvakonyorwa mubumbiro remutemo wenyika (*Constitution*) rakaitwa mugore ra 2013.

ZILGA haifari nekunonoka kwekuitwa kwemitemo inotevedza zviri mubumbiro remutemo wenyika. Kunonoka uku kunoita sechiratidzo chekusakwanisa vuye kusada kwehurumende yenyika kupa masimba, mabasa nechimiro zvakawedzerwa kuhurumende dzematunhu. Zvinoratidzavo kuti hurumende yenyika haifari vuye haivimbi nehurumende idzi. Dare renyika (*Cabinet*) rakagadza boka rine Mutungamiriri wenyika (*Cabinet Committee*) kuti rivone nezvenyaya yekugoverwa patsva kwesimba, mabasa nechimiro zvehurumende (*devolution*). Boka iri harina vamiriri vedzimwe hurumende dzenyika. Nokudaro fungwa dzhurumende dzematunhu hadzina vanodzipinza zvizere muvurongwa bwekugoveranwa kwesimba kuhumende dzenyika kuti mashandire adzo avandudzwe vuye ruzhinji ruwane kodzero dzarwo dzekuzvitonga nekubudirira zvizere. Boka reMutungamiriri wenyika riri roga harikwanisi kugadzira mitemo, kubvisa tsika nezvimwevo zvinoderedza simba nechimiro zvehurumende dzematunhu.

Zvinozikanwa kuti budiriro yenyika inonyanya kubatwa nehurumende dzematunhu. Nokudaro Mapazi ehurumende yenyika (*Ministries and Departments*) haafaniri kuwanikwa panotarirwa kuti pave nehurumende dzematunhu dzichibata mabasa adzo zvakaringana. Akawanikwa munharaunda dzhurumende dzematunhu Mapazi ehurumende yenyika aya anokanganisa mashandiro adzo vuye nyika inorashikirwa nemari nokuda kwekutuma nhume zhinji kuita chinhu chimwe. Kudyidzana vuye masimba ehurumende dzematunhu madoko nevamiriri veMatare enyika (*Senators and Members of Parliament*), Madzische (*traditional leaders*) neve zvevatongerwe enyika (*political party leaders*) kunodavo kugadziriswa kuti hurumende dzepasi dzinyatsobata mabasa adzo zvakakanaka. Kudyidzana uku kunofanira kuva mumitemo mitsva inotevedzera bumbiro remutemo wenyika rakaitwa mugore ra 2013. Mitemo iyi inofanira kugadza Dare rinofambisa zvekudyidzana kwehurumende dzemunyika.

Sangano reZILGA rinokurudzira kuti vehurumende yenyika nedzamatunhu epakati vagamuchire kuti nhengo dzaro neMatare adzo (*local authorities*) dzinevunyanzvi bwekuita basa rakanyorwa mubumbiro remutemo wenyika. Mamwe emabasa vuye masimba adzo akatorwa nehurumende yenyika mumakore achangopfuvura. Kutorwa kwemasimba nezvikwanisiro zvekumaita zvakaderedza kukwanisa (*capacity*) kwehurumende idzi kuita mabasa adzo. Nokudaro ZILGA inodisa kwazvo kuti mitemo yehurumende dzematunhu (*provincial, metropolitan and local government laws*) ivandudzwe pamwechete neimwe mitemo yenyika kuti hurumende dzenyika dzive nesimba rekuita mabasa akafanira padzakagadzwa (*subsidiarity*).

¹ Institutional clout

Mukugadzira mitemo inotevera bumbiro remutemo wenyika masimba eGurukota rehurumende dzematunhu (*Minister responsible for local government*) nemasimba emamwe makurukota enyika anofanira kutarisiswa kuti chimiro chehurumende dzematunhu chisumudzirwe. Izvi zvonosanganisa Makurukota anoshanda muhofisi yemutungamiri wenyika (*Minister responsible for Policy and those for Provincial Affairs*). Sezvabva kutaurwa pamusoro apo, zvakakoshavo kuti hurumende yenyika, ichibata pamwe nedzimwe hurumende dzepasi ivumbe Dare rinogadzirisa nyaya dzekutungamirirwa kwenyika kupesana kana kusanzwisiana kungavepo pakati pehurumende idzi nhatu².

Zvinokoshavo kuti pavurongwa bwemabasa, mari vuye masimba ehurumende idzi nhatu pave nemutsauko webasa rinoitwa nehurumende dzepakati. ZILGA inoshuva kuti kupiwa nekutarirwa kwekodzero (*licensing*) dzeve mabhizimisi ezvinodhaka (*liquor*), ezvifambiso (*private and public transport vehicles*) vuye vurongwa bwebudiro yematunhu (*Master Plans*) ave mabasa ehurumende dzepakati. Izvi zvinoita kuti basa rezveufumi rikurumidze kutenderwa kutanga kana kumiswa kana pane chinenge charesveka. Muvurongwa bwezveufumi hurumende yenyika inofanira kusimbisa kugadzira mivono nezvivimbiso (*vision, mission and policy statements*), nekuwedzerwa kwevunyanzvi bwekuita basa (*capacity development*) kuti hurumende dzepasi kunyanya doko (*local authorities*) dziite basa rakanaka vuye dzichitevedza mitemo.

ZILGA inokurudzira kuti budiro yenyika inoda kuti vurongwa (*plans and decisions*) nemitemo yehurumende dzepasi (*by laws, resolutions*) zvikosheswe kupfuvura zvazviri kuitwa ikozvino. Vuyezve, hurumende idzi dzinofaniravo kuva nesimba rakaringana pamusoro pevashandi vadzo. Matare adzo anofaniravo kusimbiswa. Ikozvino Matare ekutonga mhosva dzemumatunhu dzine chekuita nekudarikwa kwemitemo yehurumende idzi (*by law infractions*) haako. Nokudaro mhosva hadzinyanyi kukosheswa kuMatare emhosva (*Judiciary*). Nokudaro ZILGA inokurudzira kuti kuve neMatare eHurumende dzeMatunhu (*Municipal Courts*) kuti chimiro nevutongi bwehurumende idzi zvikwiridzirwe.

² That is i) government, ii) provincial and metropolitan, iii) local authorities

Isifinqo

Inhlanganiso kaHulumende wezabelo, iZimbabwe Local Government Association (ZILGA) isihlele indlela ezakwenza ukubana izabelo ziphiwe amandla njalo izaphathisa ukuthi kube lobudlelwano phakathi kwabo Hulumende welizwe labezabelo. Lolugwalo luqukethe izifundo lezifiso ezabunjwa kusukela ekusungulweni isisekelo selizwe iZimbabwean Constitution ngo 2013.

Inhlanganiso le ilokukhathazeka ngokuphuza ukweneka imithetho eqakathekileyo ekunikezeni izabelo amandla okubusa. Ibona lokhu njengobufakazi bokuthi uHulumende welizwe kenelisi kumbe kalamfutho wokupha amandla ezabelweni ngokupheleleyo. Abaphatha umsebenzi lo batshengisa ukudangala, ukungathembani lokungabi qotho ekunikezeni uHulumende wezabelo amandla okuzilawula. Okwakthesi ukuhlelwa lokuthi izabelo zizanyikwa njani amandla, lokufezwa kwendaba yokupha amandla oHulumende bezabelo kukhokhelwa zingatsha zikaHulumende welizwe. Ngenxa yalokhu udaba lolu aluqakathekiswa. Ezikhathini ezinengi imibono yogatsha lukaHulumende welizwe olumele izabelo ikhanya angani imele izabelo kodwa eqinisweni akunjalo. Lapho ugatsha olumele izabelo luqoqa imibono yaboHulumende bezabelo kuvela sobala ukuthi akuqiniswa kanye lokusabalalisa isu leli.

Njengoba imisebenzi eminengi yokubusa lentuthuko isenzakala esigabeni inhlanganiso zikaHulumende welizwe akumelanga zibe yizo ezibambe amatomu ombuso. Ngenxa yalokhu uHulumende we lizwe akumelanga abe ngumlawuli wezabelo – lokhu kungaphandle komthetho. Ukulawula isikhwama sezabelo, ukuqinisa intuthuko kanye lemisebenzi yokulawulwa kwemali kuzo zonke ingatsha zikahulumende kufanele kulungiswe. Lokhu kufuna ukuthi kucace. Imali kumele ikhishwe esikhwameni sika Hulumende wezabelo kusiya ngesidingo lokuqakatheka kwenhlelo ezihleliweyo. Ngakho uHulumende welizwe akumelanga angenele ezabelweni.

Inhlanganiso (ZILGA) ikwazi ukuthi oHulumende bezabelo benelisa ukuqhuba inhlelo lezi. Amanye amandla okumele aphiwe izabelo abevele eqhutshwa yizo anduba uHulumende abumbe umthetho lo (isisekelo sombuso) lokhu kuzathuthukisa ubudlelwano. Imithetho emitsha engaphikisani lesisekelo sombuso kaHulumende welizwe lowe zabelo kugoqela lezinye ingatsha asebenzelana lazo ukuze kube lobudlelwano obuhle phakathi kwengatsha lezi. Kumele kugxilwe ikakhulu emisebenzini yogatsha olukhangelene lezabelo kuchazwe kakutsha amandla ogatsha lolu nxa sekunikwe izabelo amandla. Lokhu kungenxa yokuthi inhlanganiso ibone ukuthi abenza imithetho lezisebenzi zikaHulumende egatsheni olukhangelene loHulumende wezabelo sebelengqubo ephambene lohlelo lokupha izabelo amandla.

ZILGA ikhangelele ukuthi inkundla yabaphathintambo (*cabinet*) ekwabiweni kwamandla ezabelweni idinga ukuxhaswa ngezinye inhlanganiso ukuze yenze umsebenzi ngemfanelo. Ezinye inhlanganiso kazenzi lutho ekubunjweni kwenhlelo (*design*) lase kunikeni amandla ezigabeni. Ngenxa yalokho, amandla aphiwe uMphathintambo womkhono othile kumele abaluleke. Amandla omphathintambo asuka enze ukuzibusa kwezabelo kube nzima. Lokhu kugcizelelwa yikuthi lemibono yaboHulumende bezabelo ayinakwa.

Umbono wenhlanganiso le yikuthi ingatsha kanye lemithetho enziwa nguHulumende ephazamisa ukuzibusa kwezabelo kumele yesulwe. Ukuncitshwa kwamandla kuzabelo kumele kwenqatshelwe ngoba lokhu kwenza izinqumo ezimqoka zingenziwa ngesiphangiphangi. Ngokunjalo izinqumo

ezifana lokupha imvumo yokuthengiswa kotshwala, imithelo yezimota, imvumo ephiwa osomabhizimusi kwezokuthwala uzulu kanye lokuphathelene lenhlelo ezimqoka zokuhlelwa kwezabelo kumele ziphiwe izabelo mathupa. Ukuqaliswa ukusetshenziswa komthetho *Statutory Instrument 175* ka 1999 lekugcizeleleni amandla ezabelo (*empowered Provincial/Metropolitan tier*) kuyinsika. Mayelana lokuhlela uHulumende wezabelo uzakwenza intuthuko yezigaba ingatshiyani kakhulukazi uma kuqathaniswa izigaba ezitshiyeneyo.

Izimali zohlelo lokupha amandla ezabelweni zilethe umfutho ekuhleleni lasekufezeni ezentuthuko ezabelweni. Kodwa kulokukhathazeka mayelana lokungenela kwezepolitiki, ikakhulu uMphathintambo kaHulumende welizwe omelele umkhono njalo emelele uMongameli welizwe ledale labaphathintambo.

Uma kukhangelwa amalunga epalamende, inkundla yabadala (*senator*) kanye lenkokheli zomdabuko izinga labo ekusebenzeni leyame kakhulu kuHulumende lelizwe hatshi owezabelo. Isicelo se ZILGA yikuthi uHulumende welizwe aphe oHulumende bezabelo amandla okuthi bazimele bodwa. Uhlelo lolu ikakhulukazi ezindaweni zasemakhaya seludlulwe yisikhathi. Umsebenzi okumele wenziwe ngamalunga epalamende ezigabeni udinga incazelo epheleleyo ekunikeni izigaba amandla okuseqinisweni. Indlela izabelo kumele zisebenze ngayo lengatsha zontathu zikaHulumende kumele umsebenzi wazo ubaluleke kakuhle ukuze impumela yelizwe ithuthuke.

Into yokucina emqoka ngamandla ezabelo ngaphansi kohlelo lokuzilawula lokuzibusa kwezabelo. Okumqoka yimisebenzi ephathelene lokuqatsha kanye lokulawula izisebenzi zezinga eliphezulu (*senior staff*). IZILGA ithi oHulumende bezabelo abaphiwe ithuba lamandla okuzimela bodwa ikakhulu abemaphandleni. Umlandu wabameli bedale lepalamende kumele ubaluleke uma kukhangelwa ukweneka imithetho emqoka, imithetho etshiyeneyo elawula ukubunjwa kwemithetho yezabelo kanye lokuswelakala kwengatsha ezikhangela imithetho kanye lokuqhutshwa kwayo esabelweni. Umbuso wezabelo uphinda uphanjaniswe ngamabandla ezombangazwe kanye lokuswela kwawo ukuzithoba. Ngalezindlela amabandla ezombangazwe asuka adonse amalunga awo asezelweni ngamakhala okululaza indlela uzulu apha theka ngayo enhlelweni lezi.

Introduction

This paper arises from a national process coordinated by the Zimbabwe Local Government Association (ZILGA). It is an actionable articulation of the voice of organised local government on devolution. Support for the initiative came through a ZILGA partnership with the Local Authorities Capacity Enhancement Project (LACEP II). This paper makes a contribution to better mutual understanding of devolution and its implementation particularly between national government and local authorities.

It draws on i) a discussion with members of the National CEO's Forum for Rural District Councils on September 11th, 2020, ii) six online conferences held on September 21-23 and 28th, 2020, iii) Provincial consultations organised by the CEO's Forum for Rural District Councils, iv) intermittent discussions with technical officials at ZILGA's constituent associations for Urban and Rural District Councils³. Through these processes a number of sector practitioners were consulted to share their views on Zimbabwe's devolution agenda in terms of context, content and processes. These included local government policy makers and officials (past and present), civil society actors and academics working on local governance.

Online consultations in particular involved at least 50 participants. Provincial sessions were held in Manicaland, Mashonaland East and the Midlands. Pfura Rural District Council, Mashonaland Central made written submissions. The Mashonaland East session had thirty (30) participants made up of District Development Coordinators, Councillors, CEOs and Heads of Council Departments. The consultations provided evidence that serious devolution implementation debates had been going on. Lessons from processes since the adoption of the Constitution in 2013 were thus consolidated. These include what the association of local authorities (ALA's) consolidated as well as other organisations' insights generated for purposes of informing the design of devolution implementation before and since the New Dispensation Government, which came into power in November 2017.

The ALA's recognise the different initiatives that have taken place. They have themselves actively taken part in some of these initiatives while also organising processes on behalf of their members to which stakeholders were invited including national government and the Presidency. The different debates have emphasised the importance of comprehensive input into a devolution model relevant to Zimbabwe's political economy. This has been in recognition of invitations from national government for informed input. A note made by the Minister responsible for local government, a key member of the Cabinet Committee on Devolution captures national government's expectation thus:

'I always end up by saying if you are going to run a properly devolved state, you need those at the lowest levels, local authorities, Provincial councils to be very stubborn, if they are not stubborn those from central government will trample on you because they don't want to give up power even the power that has been put in the constitution, that is in statute, they will not give up that power willingly, you will fight for it and so part of our agitation when we go round is to make everybody become stubborn without being disobedient, fight for what they believe but if that fight is informed by academia, is informed by research, is informed by thorough analysis, we think we'll succeed, I want to stop here' (Hon. July Moyo June 3rd 2019, Harare).

³ The Association of Rural District Councils of Zimbabwe (ARDCZ) and the Urban Councils Association of Zimbabwe (UCAZ)

Besides the above insights shared by the Minister responsible for local government, two national government-issued policy statements on Devolution and Decentralisation guided this analysis. One was in 2019⁴ and another in 2020⁵. The statements acknowledge the need for implementing devolution as stipulated in the Constitution. They note some ambiguities, gaps and inadequacies that require attention for effective implementation of devolution. This explains delays in full implementation suggesting the need for clarity in terms of an appropriate model of devolution to adopt in Zimbabwe. The 2019 guidelines address some of the gaps by providing a framework for a sound and comprehensive decentralisation agenda. It states the overall objective of the country's devolution and decentralisation program as relating to promoting sustainable, participatory, accountable, representative and inclusive governance and socio-economic development. The framing of the guidelines is based on governance pillars of i) inclusivity, ii) accountability, iii) participation, and iv) representativeness. These are necessary for deepening democratic governance and bringing government services closer to the people based on the principle of 'subsidiarity'⁶.

⁴ Government of Zimbabwe (2019) Presidential Policy Guidelines on the Zimbabwe Devolution and Decentralisation of Governance and Economic Development to Provincial Councils and Local Authorities

⁵ Government of Zimbabwe (2020) Devolution and Decentralisation Policy

⁶ The level of governments closest to the people should be the one that delivers the appropriate level of public services to provide for responsiveness to the needs of communities/people

2.0

Is National Government Providing Clear Direction on Devolution?

2.1 ENDURING NATIONAL 'GOVERNMENTALITY'

There are points made in the guidelines whose meaning and practical application warrant additional debate as part of framing the necessary legislative and administrative instruments for operationalising devolution. For instance, reference to *'devolution not being about the dismantling of the national machinery running the affairs of the country'* is potentially centrist. This is because given Zimbabwe's recent and pre-independence governance history, the national state machinery requires considerable **'dismantling'** if governance transformations consistent with devolution are to occur. Suggesting 'no dismantling' may in fact block creative debate in the national interest. Consultations informing this paper flow from an enhanced realisation of 'the interdependence of the three tiers of Zimbabwe's government', which may only flow from transparent discussion on state functions and the structures performing them.

An additional comment to note regards the use of and thus potentially mis-interpretation of *'lower levels of government having to subordinate themselves to the national government'*. Again in the context of previous realities of i) an **'us and them'** between national and local government institutions, and ii) Ministry silos, care has to be taken to ensure a whole of government approach to structuring and administering inter and intra-governmental relations under devolution. For instance, some national government Ministries and Departments neither effectively nor respectfully relate with local governments. This lack of a 'whole of government approach or etiquette' regarding inter-governmental vertical relations across the tiers needs to be built. Part of building it requires national government re-adjustment of its institutional culture and inter-governmental values, which this paper articulates. Further, a structure sufficiently empowered to address any intergovernmental conflicts is needed.

A third concept used in the guidelines is of *'delegated powers'*. Prior to constitutionalisation of local governments this framing created the impression that what local authorities did was on behalf, at the behest of and as directed by national government. However, their constitutionalisation strategically invalidates this *'delegated powers'* framework. A comparative competence framework guided by an application of subsidiarity within the context of *'a one government three tier system'* is what is needed. National government has not sufficiently articulated the necessary political and administrative mutuality across the three tiers. This is evidenced by national government's proceeding as though they are the exclusive designer and operator of the intergovernmental structures and processes. This is why the paper exclusively focuses on the proposals of local government practitioners outside national government recognising those in national government are ill-adapted to appreciating a *'one government three tier system'* defined by the constitution.

Other critical aspects elaborated on in the policy guidelines that require whole of government (i.e. from national to local) compliance are outlined but there is insufficient steering, in joined-up spaces of relevant debate. Such cooperative rather than competitive debate will ensure effective and productive use of assigned powers at all three levels for the benefit of Zimbabweans. Additionally, this requires fairness

and leading by example rather than *'kugocha kunoda kwaMai, kwemwana kunodzima moto'*⁷. Essentially, application of measures to ensure compliance with appropriate legal frameworks has to be applied across all three levels. This requires policy and law making powers at different levels that are accompanied by appropriate enforcement capacities without interference.

2.2 RAYS OF POLITICAL-LEGAL LIGHT

To be fair the policy guidelines state that political powers will be devolved to eligible sub-national authorities to the extent defined by relevant policies and laws. This provides scope for expediting the making of relevant laws in keeping with the constitution. Further, the policy acknowledges overlaps in the powers of regions and the national government citing policing, public financial management, dealing with corruption and providing specialized service delivery. The idea of implementing devolution is also meant to promote competitive exploitation of local resources, products and services. Policy further seeks to enhance equitable local and regional economic development. It also provides that implementation of the devolution agenda will be anchored on principles outlined in Chapters 14, 15 and 17 of the Constitution of Zimbabwe. In this context emphasis is on the following:

1. Local governments that ensure good governance by being effective, transparent, accountable and institutionally coherent;
2. Respect of jurisdictions i.e. carrying out functions in a manner that does not encroach on the geographical, functional and institutional integrity of another tier of government;
3. Execution of functions in compliance with the law;
4. Inter-governmental collaboration on issues of common interest, to promote harmonized development; and
5. Fair and equitable representation of people within jurisdictions and regarding issue competences.

2.3. EMERGING ECONOMIC DEVELOPMENT FRAMEWORK

Devolution and Decentralisation policy has components of economic development based on devolution of governance and economic functions to the Provincial/Metropolitan Councils and Local Authorities. Essentially, these tiers of governance will become more empowered entities within parameters defined in law and in line with national policy made from time to time. Further, Provincial/Metropolitan Councils and Local Authorities will be empowered to make policies, by-laws, rules and regulations that facilitate effective planning and implementation of development programs, revenue collection and management at subnational levels.

In this context there is an expectation that Provincial and Metro Councils as well as Local Authorities will formulate investment and development plans aligned to the National Investment and Development Master Plan. These subnational processes are expected to be participatory and to involve a broad range of stakeholders from the public, private and civil society sectors. They work with officials from the Zimbabwe Investment Development Authority (ZIDA) to ensure that there is proper synchronization between regional development plans and the National Investment and Development Master Plan. The relevant policies, laws and plans made by Provincial and Metropolitan Councils and Local Authorities are expected to focus on promoting employment creation and investment. What is not currently clear is whether the balance will tip towards top-down or bottom-up. ZILGA is keen on ensuring considerably more autonomous development planning and management at subnational level than currently the case.

⁷ A Shona proverb cautioning against harshly dealing with minors (the less powerful) for mistakes that are condoned when committed by adults (the powerful) i.e. rules being for the powerless not the powerful

2.4. SYNTHESIS

The delayed enactment of appropriate laws to entrench devolved local governance through 2021 and disbursement of devolution funds through 2019 constitute key evidence of national government's inability if not unwillingness to implement devolution fully. Everyday experiences cited by practitioners consulted as part of preparing this paper also show the scepticism and mistrust with which citizens regard national government's devolution effort. The initiative leading to the paper was also driven by the need to add local government voice to a policy process steeped in controversy involving systematic fiscal and political disempowerment of local authorities over the last two to three decades.

There is fear that suggested strategies of creating Special Economic Zones, supporting the growth of SMEs and public-private partnerships, while relevant may be dictated by national government. Similarly, critical and appropriate supervisory instruments to reduce corruption and non-compliance with legislation may not be locally-established. National standards may also not be locally adapted by empowered Provincial and Metropolitan Councils and Local Authorities given absence of a transparent intergovernmental platform.

This context and experience of frustration and scepticism formed the framework within which the LGA's gathered practitioner views that are presented in the sections that follow. In essence, the devolution that sub-national local government practitioners envisage is not adequately defined in current national government pronouncements and actual actions. Further, national government leadership of devolution implementation is not being executed in an inter-governmental and participatory manner. Presently, perspectives of the Ministry responsible for local government seem to be taken as sufficiently representative of local authority views. Even where the latter's views are sought by the Ministry evidence suggests 'loss in both consolidation and transmission'. In short, local government voice is insufficiently integrated into policy debates and program design on devolution implementation.

3.0

Expectations of and for Local Government

3.1 LOCAL FISCAL AUTONOMY

Councils build their fiscal authority around effective consultations of the residents of a local government area. Most have established both structures and procedures for consultations with the aid of local and international civil society organisations alongside national government support. However, local but mainly national politicians interfere with local planning and budgeting processes. Some mobilise the Minister and Ministry responsible for local government to block Council policies. This creates an impression that Councils are an extension of the Ministry responsible for local government. Further, the standards applied to and interference visited upon Councils are not experienced by other state institutions like parastatals, which make decisions with financial implications without consulting citizens. New local government laws ought to redefine how the Ministry responsible for local government receives and responds to complaints brought to its attention if not block these altogether where the relevant Council is not appropriately informed or involved.

National government, especially the Ministry responsible for local government has to realise that most governance and development work is done at local level. As such, national government agencies should not be growing at local level. Rather they should be shrinking. A worrying impression exists where national agencies view local authorities as extensions of the Ministry responsible for local government rather than a standalone tier of government. This is furthered by administrative and policy communications from the Ministry that entrench national government's control over local functions including with respect to resources. The 'Desk Officer Model' at the Ministry responsible for local government often comes under scrutiny as one that undermines local fiscal autonomy and decision-making authority. Through this mechanism limits are imposed on revenue and expenditure levels without adequate evidence let alone appreciation of local realities. Often this disrespects the notion that Council services are costed. That the cost parameters vary by Council is often not fully considered by officials of the Ministry responsible for local government. Key informants indicated that there was some arbitrariness on the part of officials of the Ministry when advising on Council budgets.

At the same time this system duplicates mechanisms instituted by national treasury under the Public Finance Management Act suggesting the need for streamlining fiscal enforcement, capacity development and budget regulatory functions across the three tiers of government. Current experiences were summed up as depicting contradictory instructions from national government agencies overseeing fiscal and local government portfolios (National RDC CEO's Forum, 11 September 2020) and delays in issuance of relevant guidelines resulting in Councils having very little time to consult residents well so that they come up with proper budgets (Webinar II, 21 September 2020). The overall challenge was conceptualised as shown in the quotes below.

'...the problem in Zimbabwe is that one is given a mandate and then told not to charge for that service. Instead one is then bombarded by policies. Local taxation is challenged by national government institutions [citing the ZESA wayleave case⁸]', Webinar II, 21 September 2020.

⁸ Zimbabwe Electricity Transmission and Distribution Company versus Bindura Rural District Council and 59 Others, HH 102-15/ HC 9485/11

'...[there is now] budgeting for compliance rather than [developing] competent budgets grounded in local realities', Webinar II, 21 September 2020.

'...the time it takes to procure goods and services using the local currency results in loss of value. There are also significantly wide price variations in Zimbabwe currency for similar goods and services further complicating adherence to regulations', Webinar II, 21 September 2020.

'...local authorities should control all the roads in their areas and recover service delivery costs', (Webinar II, 21 September 2020).

A clear framework is needed for defining, developing and measuring the financial capacities needed across all three levels of government. The current framework for disbursing and managing 'devolution funds' also demonstrates the challenges of eroded fiscal autonomy. Overall, these funds have increased the flow of funds substantively, particularly for rural local authorities. The need to properly frame mechanisms for equalising development opportunities have become urgent. It should be clear and in a manner that does not undermine fiscal and governance autonomy. Nationally disbursed funding should be spend in accordance with priorities set based on locally-driven planning processes. Dictation of projects contradicts community and Council plans as defined in strategic documents. 'Guidance' currently being provided and the monitoring of the funded projects is a negation of devolution, which confirms national government's inability or unwillingness to let go of national resource control.

Further, the situation of unfunded mandates especially in health and education has continued. Local authorities have had to fund these often at the expense of other sectors resulting in residents complaining about 'lack of development'. Local authority officials consider that national transfers should fund current mandates so that locally-generated revenues are directed to other services. In health, the directive on 'free' maternity services as well as treatment for under 5's and over 60's has strained Municipal health delivery resulting in the Rates Account that would ordinarily go towards road and public safety services being used to cover health costs given the discontinuance of health grants.

Management of intergovernmental fiscal transfers in the absence of a legal framework has also caused conflict between Council executives and policy makers. The latter focus on what gives them mileage more than strategic investments that would leverage Council-wide development. Often, local and national politicians favour spreading nationally-disbursed funds thinly for political visibility. Read together with national government's own view of 'development', which is mainly primary public infrastructure or capital projects it leaves gaps in terms of local institutional development. Deciding on what is funded is an area of controversy. For instance, directing devolution funds to a ward with 15 000 houses lacking water and sewer represented by political party X raises questions. The tensions arise because national, provincial and local government technicians tend to have authority to decide alongside national politicians. An important question has to be answered regarding whether devolution funds focus on improving economic activity within a Council area, strategic service delivery prioritised by Council or ward-level service delivery priorities that politicians even as individuals decide on.

In the main, practitioners felt that intergovernmental fiscal transfers can potentially be abused as an instrument used by national, Provincial and Metropolitan government tiers to undermine the autonomy of local authorities. Where this undermines fiscal development the sustainability of local governance will also be eroded. On the amount being disbursed, local authority key informants emphasised the need for

national government to recognise that they are not necessarily responsible for 95% of the national development burden. As such, the revenue sharing across the three tiers ought to reflect the levels of responsibility so that subnational tiers get substantially more than 5%. The essence of autonomy over constitutional transfers was captured thus:

'...the intergovernmental fiscal transfer framework [IGFT] should recognise that the institutions to which transfers are made are mature. Neutral and objective tools should be developed and used to reduce [intergovernmental] tensions', Webinar II, 21 September 2020.

3.2 DEVOLUTION FOR AND AS POLITICAL EMPOWERMENT

The question of political power is initiated by citing the constitutional phrase [paraphrased] that provides that '...wherever appropriate power will be transferred to local authorities that are competent'. This 'claw-back clause' is a source of active discussion at all levels. Zimbabwe's local authority stakeholders argue that they have all it takes to receive more powers to govern with some of the powers that need to be transferred having been competently exercised before being taken over by national government. New legislation consistent with the constitution will guide how national government and some institutions it relies on (e.g. the Local Government Board on human resource management issues) can exercise appropriate powers in relating with Provincial/Metropolitan and local authority tiers. Currently the Urban and Rural District Councils Acts (Chapters 29:15 and 29:13) are interfering with devolution implementation and in the main are now null and void i.e. unconstitutional. The frustrating situation of delays in enacting intergovernmental relations legislation as well as tier-specific laws was expressed as shown below:

'...without argument, we [Zimbabwe] are leading nowhere', Webinar I, 21 September 2020.

'...the proposed constitutional amendments should also include the repealing of the phrase 'wherever appropriate', Webinar I, 21 September 2020.

'...the country should not establish agencies that are given power not to augment national government performance but for the purposes of harassing local authorities. How other state institutions treat local authorities has to change', Webinar VI, 28 September 2020.

Local government policy makers and practitioners (past and present) observed that devolution implementation was long overdue. Those involved in the dialogues contributing to this paper recalled the 13 principles of decentralisation of 1996. They also noted that delayed implementation was resulting in anxieties that were partly allayed by the 2019 Policy Guidelines and the 2020 Policy statement. These policy pronouncements have however not fully doused the anxiety given varying perspectives on the institutional framework and capacity development model at national and sub-national levels. At least five papers were developed, coordinated by local government associations on local government law reforms following adoption of the constitution. Some of these were directly requested by the Ministry responsible for local government yet no action was taken, (Webinar VI, 28 September 2020).

Local authority stakeholders find the role of the Ministry responsible for local government as needing adjustment particularly regarding defining and implementing devolution. This resonates with civil society perspectives that consider the role that national government (the Presidential/Cabinet Committee

overseeing devolution) plays as being both a referee and player suggesting the need for an 'independent body' to oversee devolution implementation. Still others consulted as part of developing this paper reasoned that putting pressure for organisational structures could result in these being set up without the necessary wherewithal. While balance is needed, clearly appropriate structures to steer devolution design and delivery remain outstanding.

All considered, the Cabinet Committee appears only adequate for national government than the other tiers raising the risk that the design and implementation of devolution is in national government's interest. The Minister of State for Provincial Affairs (and Devolution) is largely a national tier official not accountable to the Provincial/Metropolitan tier. As such, the middle tier will have two institutions 'belonging and accountable' to different tiers. In the absence of a law defining the vertical and horizontal relations personal, professional and political attributes will determine the interactions between these two institutions and their performance with unfavourable implications for local authorities.

That considerable capacity development would be needed to make devolution work was also acknowledged. References to previous programs in Zimbabwe and other country experiences were cited especially South Africa and Kenya. Regarding the need to politically empower local authorities critical areas highlighted include i) actual decision-making power, ii) transformation of national government's institutional attitude towards local authorities, iii) reconciling what national government does with local authority aspirations, and iv) the need to demystify devolution broadly and implementation details specifically. The policy makers and practitioners articulated the notion that devolution was the transfer of power to local authorities so that they have more freedom to decide. In reality this means reduced authorisations sought from national government for local decisions. This is the basis upon which the overhaul of local government legislation ought to proceed so that laws that 'eat up local governance space are repealed' (Webinar III, 22 September 2020).

Participants to Webinar VI, (September 28th 2020) observed that if functions relating to i) liquor licensing, ii) vehicle licensing, iii) public transport permits, and iv) approval of local authority Master Plans were devolved to Provincial and Metropolitan Councils economic development and overall governance will be better devolved. This will also boost the relevance of this tier of government while also relieving national government of performing functions that need to be closer to service users.

Specific mention was made of provisions in local government laws that refer to the powers of the Minister responsible for local government. Some of these powers should be transferred to the Provincial and Metropolitan Councils as well as local authorities. Local governments expect elevated importance of their Resolutions around budgets and other areas of decision making. The functions of the Ministry responsible for local government need considerable revision in the context of implementing devolution. A platform for engagement is needed to manage issues around administration of envisaged laws.

ZILGA and relevant civil society organisations can play a strategic role in helping inform the necessary legislative development so that the outcomes are not entirely dependent on the Ministry. This way devolution will enrich the role of the Ministry for local government by focusing on relevant policy and standard-setting, benchmarking services, capacity development and supporting local government. These functions focus core services, administrative prudence and enhancing excellence in delivery on cross cutting issues of gender, social inclusion, access to information and citizen participation.

However, there is a sense that before and since the New Dispensation Government policy makers and civil servants in the Ministry for local government have evolved a culture that appears antithetical to devolution. Further, national government's clawing back of political, fiscal and administrative power has mainly been enabled by the Ministry. This culture and experience is something that the design of devolution implementation needs to provide for with respect to the Ministry responsible for local government, other national Ministries, Parliamentarians and Chapter 12 institutions⁹, among other agencies. An understanding that local authorities are a tier of the same government that needs to be politically empowered for the collective performance of the Government of Zimbabwe needs to be deliberately developed. Developing this actionable knowledge amongst civil servants outside the Ministry responsible for local government will aid political empowerment of local authorities. Associated is the need for appropriate alignment of horizontal and vertical relations between rural local authorities and traditional governance institutions. The mutual reverence between national government and national structures of traditional governance institutions must be replicated at local level.

3.3 SPATIAL PLANNING AND LAND ADMINISTRATION POWERS

Local authorities' spatial planning powers are currently curtailed causing serious delays in decision making necessary for seizing economic development opportunities. This is specifically an issue for rural local authorities as their spatial planning functions are currently exercised by national government. Planning approvals currently take long as applications move from local authority to provincial and then national levels frustrating service delivery. The delays also partly account for the circumventing of processes contributing to land access and housing development informality. National government and Council executives overlap in terms of functions and jurisdictions especially in spatial planning and land administration. Such interference undermines Councils' planning authority powers. Apart from the Ministry responsible for local government the Ministries responsible for mining and lands also perform spatial planning functions that tend to contradict those of rural local authorities. The quotes below capture the articulated perspectives on this set of powers.

'...there is a risk of changing some districts from areas where people live into entire mining districts', (Webinar IV, 22 September 2020).

'...we do not have to go to Harare for every spatial planning decision' (Webinar IV, 22 September 2020).

'...it is now three years since the Special Economic Zone around Tokwe Mukosi was set up. There is no Master Plan yet. Councils as Planning Authorities had formed a Committee to oversee preparation of the Plan. However, once declared a National Project Councils were excluded. Displaced communities would have benefitted if their Councils were involved through service delivery...for the future, the designation of projects as national has to be more participatory' (Webinar IV, 22 September 2020).

As noted above experiences of 'the centre moving to the bottom' (Webinar III, 22 September 2020) confirmed a competitive rather than cooperative national government attitude towards local authorities. An example was shared of the Ministry responsible for sports seeking to license local authority recreational and sporting facilities like stadia. The Tokwe Mukosi also shows these contradictions that

⁹ Independent Commissions Supporting Democracy (Constitution of Zimbabwe ss232-253)

devolution can disentangle regarding spatial planning. Local authorities expect implementation of Statutory Instrument 175 of 1999 and expanded spatial planning roles including subdivision of private land with the support of an empowered Provincial/Metropolitan tier as suggested above.

Another area requiring disentangling relates to local authority laws (by-laws) versus instruments of national government organisations like the Environmental Management Agency. Considering that the latter is a national agency law reforms for devolution implementation requires that EMA's competences be aligned with the constitutional provisions speaking to local governance powers in s276. The same disentangling is needed regarding laws governing mining, water and other sectors.

3.4 DEVELOPMENT PLANNING AND INTERACTION OF STATE INSTITUTIONS

'Devolution Funds' have brought some impetus to local authority-level planning and implementation of development. There are increased responsibilities around making and implementing policies. Concern has however been raised regarding the technical role of the Provincial and Metropolitan tier of government in the process of decision-making regarding so-called 'devolution funds and projects'. Ministers of State for Provincial Affairs have been given additional powers to oversee devolution with upward accountability to the Office of the President and Cabinet (OPC). Besides individual Ministers and Cabinet as the node of the Executive for government policy development, a Minister responsible for monitoring policy implementation at OPC also oversees subnational government activities. Officials of the Ministry responsible for local government at national and sub-national levels also have a role to oversee devolution projects. Their direct involvement in local government activities have increased based on a Ministerial Directive for them to sit in Council Committees.

The continued presence of national government staff at local authority levels with development planning and project implementation functions is also an area requiring transformation. The freeing of local governance space for empowered local authorities especially in rural areas is instructive. The current situation where Councils are closest to citizens for purposes of service delivery but lack decision-making power in key areas like recruiting senior executives undermines governance effectiveness.

Relations and mechanisms for interaction across the three levels of government await an Act of Parliament anticipated by s265.3. The Ministry responsible for administering it will be expected to collaborate with the Office of the President and Cabinet, which has the responsibility for Cabinet and the Ministers deployed to the Provinces by the Presidency. Clearly this legislation is critical in defining the relevant vertical and horizontal relations with respect to specific functions as well as general intergovernmental interactions. This will include resolution of any disputes and defining roles in implementing development activities.

The interaction between Members of the National Assembly and local authority policy makers is also an area needing regulation. Because Members of Parliament and Senators are also centres of power they often contradict or undermine local authority powers. Invariably they fan community preferences that may contradict choices made with Council facilitation. This arises from the overlap between use of Council Wards and Parliamentary Constituencies as units for development planning purposes. The role of Parliamentarians at local level requires full definition in a devolved context to ensure that law-making by the three tiers of government is clear and effective.

3.5 HUMAN RESOURCES OR ADMINISTRATIVE AUTONOMY

The autonomy of local authorities regarding recruitment and supervision of senior staff is an area needing disentangling. Councils require a higher degree of autonomy regarding the personnel management function from Chief Executives¹⁰ to Heads of Departments (Directors) than they have presently. This will enable senior executives to be held to account for policy implementation and thus accountability for results. At present this relationship is unclear. The Local Government Board plays a role in the recruitment, promotion and termination of employment contracts. The determination of these processes at national level is a stream through which Council policy making (Resolutions) get weakened. Some senior Council staff feel more accountable to national than local government.

By-law making and enforcement is currently curtailed by a mixture of i) inadequate local autonomy to enforce, ii) delays in finalisation of proposed laws at national level, iii) variations in local by-law making capacity, and iv) lack of the appropriate Municipal justice delivery machinery (Municipal Courts). These factors weaken local authorities' effectiveness in administering their areas i.e. ensuring rule of law. It is within this framework that national agencies like the Environmental Management Agency get involved in ways considered to be disrupting local governance.

Besides staffing and policy issues the administrative autonomy of local authorities is undermined by party political processes including but not limited to the party caucus and whipping systems. Through these instruments political parties tend to unduly control elected representatives weakening citizen participation structures and processes as a result. Internal coherence is undermined with party positions holding sway. Seniority within political parties is also a critical source of power often deployed at variance with good local governance. These factors combine with inter-party rivalries arising from 'a yet-to-mature' national political culture to further constrain administrative autonomy. Local authority governance structures and traditional governance institutions often conflict on land and broader resource administration critical to both spatial planning and service delivery.

¹⁰ Chief Executive Officers, Town Clerks and Town Secretaries

4.0

Conclusion: Informing Zimbabwe's Devolution Agenda

Zimbabwe has most of the **critical aspects at a devolved system in place**. This is a reality most analyses seem to ignore. For instance, the country has 92 democratically-elected Councils that in the main prepare and approve their budgets and raise resources locally to finance their activities. As such, some of the questions that decentralisation generally and devolution implementation particularly raise have been answered in Zimbabwe. Further, Zimbabwe has **undergone some of the reforms** necessary for effective implementation of devolution. A critical question that arises is *why the country faces challenges in its inter-governmental relations despite having (since colonial times) a relatively devolved system*. This reality suggests a political economy crisis that stalls devolution implementation. National government, before and since the New Dispensation Government has always had a preference for central control despite acknowledging that every Zimbabwean has a role to build the country.

The full set of instruments for guaranteeing political empowerment of local authorities needs to be explored. Constitutional provisions of direct election of representatives, mechanisms for removal from office, boundaries and their enforcement require more concrete articulation. Discussions on the powers of political leaders of Councils [Chairpersons and Mayors] as well as the holding of separate local government laws as previously are featuring in debates ZILGA has been party to. Added to this is the pillar of Fiscal empowerment from budget preparation to financing (local tax, non-tax, borrowing, Joint ventures) including appropriate framing of the intergovernmental fiscal transfer framework. Fiscal and administrative empowerment are critical to delivery of good governance. Enhanced administrative responsibility for by-law making and enforcement, spatial planning, human resource management and associated internal procedures is very important. Critical conversations are needed to harmonise how the technical and political sides of local authorities are facilitated including where dismissals are involved. The question of whether the Independent Tribunal or Local Government Board is appropriate as a model is worth exploring together with revised functions of the Ministry responsible for local government for purposes of fair implementation of devolution. The essence of one government three tiers in both law and administrative practice, which is generally missing currently needs to be upheld.



This publication has been produced with the assistance of the European Union.
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