

De Visser, J., Steytler, N., & Machingauta, N. (eds). (2010). Local government reform in Zimbabwe: A policy dialogue. Community Law Centre, University of Western Cape, South Africa. 151 pages. ISBN: 978-1-86808-708-2.

Reviewed by

Crispen D. Hahlani

Department of History & Development Studies, Midlands State University, Zimbabwe

The book discusses the key challenges currently facing local governance in Zimbabwe. The book is broken down into six chapters, each contributed by one author. Each of the six chapters addresses a specific set of issues on local governance in Zimbabwe.

In chapter 1, Kudzai Chatiza looks at the history of local governance and highlights the local government law and policy reforms that have taken place in the country over the years. Chatiza notes that local governance reform in the post-colonial era was particularly aimed at ensuring that the native Africans participated, and also benefited, from the local government system in the same way European settlers had been benefiting. Chatiza, however, laments that rhetoric notwithstanding, local governance in post-colonial Zimbabwe has hardly been participatory as most decisions continue to be made at the top.

In Chapter 2, Stephen Chakaipa discusses local government institutions and elections. Chakaipa laments the fact that unlike what obtains in countries like South Africa, Uganda, and Ghana, in Zimbabwe, local governance is, by and large, not enshrined in the constitution, saved only for the institution of chieftainship and the office of the provincial governor. The author also bemoans the wide ranging powers of the minister which makes it difficult for councils to effectively operate. The main local government institutions discussed in the chapter includes provincial councils, rural district councils, urban councils, and traditional leadership structures. The author provides a detailed insight into the functions, powers, organizations, and internal operations of these institutions and how they relate to each other, both horizontally and vertically. On elections, Chakaipa points out that since the 2008 elections, to choose local government representatives has been harmonized with other national elections in the country. The author also alludes to the existence of a legal provision for the appointment of non-voting councillors representing special interests, which, the author says, has been a contentious issue, apparently, since it allows central government to appoint its preferred people on the pretext of special interests.

According to Chakaipa, voter turnout in local council elections has generally been low, but the author does not explain why. The author also lamented the low representation of women in urban councils. However, nothing is said on the same issue with regards to rural councils, leaving the reader with the impression that the problem affects only urban councils. Chakaipa also agrees with a recommendation made by the Zimbabwe Local Government Association that the minimum age for councillors should be increased to 30 years from the current 21 years on the premise that age produces wisdom. However, such a sentiment is debatable and may be viewed in some quarters as undermining democracy and the rights of

the young people who, in any case, constitute a substantial part of the electorate and who also, on reaching the age of 18, are, constitutionally, no longer regarded as minors.

Chapter 3, by Boniface Coutinho, looks at sources of local government financing. Coutinho points out that the councils, or local authorities, in Zimbabwe are legally empowered to enact by-laws that allow them to raise revenue from various sources. These sources, according to the author, include services charges, supplementary charges on immovable property, rates on any rate-able property, special levies, development levy, land development levy, fees for the use of council amenities, penalties, fines, and income generating activities of sorts. Councils, according to Coutinho, can also borrow from the open financial market as well as access grants from government. According to Coutinho, most local authorities face the insurmountable challenges in raising funds as a result of charging sub-economic tariffs, poor payment enforcement, and failure to repay and account for previous loans, leading to drastic reductions in new loans. In order for councils to improve on financial management and maximize on revenue raising, the author proposes policy and legal reforms in areas such as financial reporting to ensure that reporting is in line with international standards so as to instill confidence in prospective lenders. Coutinho also contends that there should be a law compelling local authorities to publish their financial statements in a newspaper for purposes of transparency and accountability. It was also suggested that failure to adhere to the budget be made to attract penalties from the center and that there will be decentralization of central government powers to allow for local authorities to levy taxation as a way of increasing their revenue base.

In chapter 4, John Makumbe focuses on local authorities and traditional leadership and argues that traditional leaders, in particular chiefs, have been used by successive governments to mobilize people to support government and ruling political party programs. According to Makumbe, chiefs are constituted into what are known as Provincial Assemblies, although these assemblies are regarded as part of the local government structure, they do not make by-laws nor do they provide any goods and services to the people, making them, in Makumbe's view, irrelevant in reality. Mainly because of traditional leaders' history of partisanship, but also because of the inherently undemocratic nature of their leadership, the author contends that traditional leaders should play only an advisory role on matters of tradition and culture and have no decision making prerogative in local governance.

Chapter 5 discusses the powers and functions of local government authorities. In this discourse, Shingirayi Mushamba outlines the five main categories of local government function as being development planning, financial, governance, and regulatory. According to Mushamba, the Urban Councils Act and the Rural District Councils Act provides for 54 and 61 specific functions, respectively, and that all these functions could roughly be categorized into environment, farming and animal husbandry, commerce, infrastructure, and physical developments.

Mushamba singles out the overarching supervisory powers of the responsible minister as mainly responsible for tying down the full exercise and effective discharge of functions by the local governments, citing 250 instances where the minister can intervene in the day to day running of RDCs. In addition, funding, or lack of thereof, is seen as being another major problem affecting the exercise of power and discharge of functions by the local governments. This, as already alluded to from submissions by other contributors to this book above, emanating, according to the author, from low property taxes and service charges, limited powers of taxation, and declined transfers in central government due to an under-performance of the economy, among other factors.

In the last chapter, Naison Machingauta looks at supervision of local government and, accordingly, identifies three broad forms of supervision, namely: regulation, monitoring or evaluation, and intervention. Machingauta concentrates on monitoring or evaluation and intervention since, as he correctly indicates, regulation is addressed in Chakaipa's contribution in Chapter 2. According to the author, monitoring by the national government has been done through four major mechanisms, i.e. right of access to records of council, self-reporting on operations, submissions of specific information on request, and, lastly, through investigation carried out in the public interest or deemed necessary in the good management of a local authority. Intervention, on the other hand, is said to have consisted of issuing directives, resolutions, and decisions to suspend and/or dismiss councillors and appointment of caretakers to act as council. According to Machingauta, of late, the use of intervention as a form of supervision, particularly among urban councils, has created an impression, among observers, that this intervention by the responsible minister has had nothing to do with the need to ensure service delivery, but that the intervention has had everything to do with the desire by the same minister to frustrate the urban local councils, which are mainly controlled by councillors from an opposition political party. Under the Rural District Councils Act, the president can also suspend a councillor without giving reasons and, also, without having to consult the inhabitants of the area under which the suspended councillor was serving. Such an act, according to Machingauta, is very much contrary to the notion of administrative justice.

As a recommendation, the author, therefore, calls for a balance between the need for oversight and the need for local discretion with minister's role being limited to policy formulation and supervision. In addition, he also calls for harmonization of local government legislation, as he feels that there is no logical basis why there should be different provisions providing differently for the same. Machingauta, like the other contributors to the book, also calls for the provision of local government in the constitution in order to guard against what he calls the 'willy nilly' amendment of the local government laws for narrow political ends.

From the above review, it can be noted that all the contributors to the book have brought to the fore very pertinent issues affecting the local government in Zimbabwe. The contributors have converged mainly around the need to devolve, rather than just delegate, powers and functions to local governments, as well as the need to financially empower local authorities. Other areas of convergence have to do with doing away with excessive ministerial powers, constitutionalization of the local government, and harmonization of all local government laws.

While it is appreciated that the issues to do with governance are broad, complex, fluid, and cross-cutting and, therefore, difficult to de-limit and neatly package, more effort could have been made, editorially, to keep individual discussions a bit narrow and more focused in order to control unnecessary overlaps and reductive incidences of repetition. The first two chapters, in particular, are too broad and open-ended thereby giving the contributors a leeway to discuss anything and almost everything about the local government in Zimbabwe. There also appears to be many instances of factual inconsistencies and inaccuracies which the editors could have easily picked up and corrected. For example in Chapter 1, Chatiza talks of about 220 African councils as having been in existence by 1980, while in Chapter 2, Chakaipa gives the number of African councils during the same period as 241. While most contributors concur that there are a total of 60 RDCs in Zimbabwe, Makumbe, in Chapter 4, gives the number as 58. Again, Makumbe gives the election of RDC councillors as being held every 4 years, while elsewhere in the book the period is put at 5 years. Chatiza, in Chapter 1,

refers to the RDC Act as having been enacted in 1996, while Makumbe, in Chapter 4, gives the year as 1988. There is also an apparent contradiction in a discussion on planning under Chapter 2, where the author writes that since its inception in the 1980s, the current planning system has been participatory and bottom-up, while in the same paragraph, the author goes on to contradict himself by pointing out that strategic plans need to be participatory and realistic as many have been crafted by a few technocrats.

There are also instances when authors have been allowed to get away without citing sources, like in the case where Chakaipa asserts that by July 2009 the City of Gweru had only collected USD 1,184,096 out of a target of USD 5,771,234 and that the council had now resolved to reducing its budget by 50%. It is not indicated anywhere in the book where this information is coming from. This also goes for Coutinho in Chapter 3, where budgets for Harare, Masvingo, and Chipinge are tabulated and inflation figures given without sources being cited at all.

However, the above comments notwithstanding, the book remains a must read for all those with a quest for a holistic understanding of cutting-edge local government issues in Zimbabwe. The book's coverage of issues is substantial and comprehensive. It also demonstrates the contributors' unique and in-depth knowledge and understanding of the various issues affecting the local government in the country.

ABOUT THE REVIEWER:

Crispen D. Hahlani, Department of History & Development Studies, Midlands State University, Zimbabwe.