

Centralisation, Devolution and Recentralisation of powers and authority in the face of deteriorating social services

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9 August 2020, Harare- This essay highlights that central government's programme to recentralise power, authority and control of resources has found resonance in the City of Harare where the decentralisation agenda has nearly collapsed, despite the Constitution of Zimbabwe Amendment (Number 20) Act of 2013 specifically providing for the devolution of governmental powers to lower tiers of government. The Government has been pushing to amend the Constitution through Amendment Number 2 before fully implementing the 2013 Constitution. In terms of Section 1 of the Constitution, Zimbabwe is a unitary, democratic and sovereign republic. Through this proposed amendment, the central government wishes to consolidate the powers for the President to appoint judicial officials, vice presidents even the public protector, without going through public interviews. It is argued throughout this article that a transparent implementation of devolution will remain elusive as long as there is growing consensus among the political and bureaucratic elites in the ruling Zimbabwe African National Union Patriotic Front (ZANU PF) to retain power to the centre. This article therefore highlights the different forms of decentralisation, current government efforts at implementing devolution, and the impact of delayed implementation of devolution on social service provision, with focus on the provision of water, resources allocation and budgeting. The case study of the City of Harare's decentralisation programme is unpacked. The conclusion drawn from this submission is that our democracy is deteriorating, and institutions of service provision will be conflicted and ineffective to serve the citizens. Consequently, going forward, Zimbabwe's media and civil society should spearhead a massive campaign of imparting knowledge to the citizenry, simplifying the concept of devolution and making a strong case for its necessity in our local socio-economic growth and development.

Devolution is one of four forms of decentralisation that refers to the Government transferring most of its powers, responsibilities and authority on governance, resources allocation and decision making to democratically elected lower tiers of government which have significant autonomy, (Zinyama, 2020). Rondinelli (1981) highlighted that apart from devolution, other forms of decentralisation are privatisation, deconcentration and delegation. Privatisation means the government relinquishes some of its responsibilities and powers to the private sector to operate on the dictates of market forces to provide goods and services with minimal government control. Deconcentration occurs when the government transfers some of its powers, authority and responsibilities to lower units of central government in the regions, provinces, districts and wards. Central government maintains its policymaking, administrative and fiscal, control and oversight functions. Delegation takes place when the central government transfers some of its powers and responsibilities to parastatals, local authorities among other quasi-government agencies to discharge public goods and services. These operate with minimal government interference but with policy guidance from central government. From the above, it is evident that devolution provides the citizens with the highest possibility of exerting tangible pressure on their local government structures. Local government being the closest to the communities provides direct interface between the citizens and the elected and appointed officials in local authorities. A devolved government guarantees and strengthens citizen participation and accountability. Local people become more involved in determining the development priorities, policies and resources allocation frameworks that directly affect them. Devolution therefore gives the best shot at achieving participatory decision-making for enhanced social and economic development.

Centralisation of government's powers and authority has become the major hindrance to the devolution of power, (Jonga, 2012). The government of Zimbabwe lacks the willpower and the

appreciation of consolidating citizens' agency through creating an enabling environment, (Muchadenyika & Williams, 2018). The enabling environment entails recognising the significance of devolution and its potential benefits to unlock the citizens' capabilities. There is overemphasis on Zimbabwe being a unitary state from the Government under ZANU PF. From a scrutiny of the institutional frameworks for the delivery of social services, and the current emphasis in the ongoing amendment to the Constitution of Zimbabwe, one is convinced that ZANU PF is determined to centralise all powers and authority, including resources distribution in the Office of the President and the Executive. Muchadenyika and Williams (2018) argued that besides political motives during centralisation since 2000, they argued that the ZANU PF government believed in centralisation as a political strategy and tool of organising the State.

The national thrust of recentralisation of power and authority has cascaded to local authorities. The City of Harare introduced decentralisation on 23 January 2017 as a governance system to enhance service provision through a council resolution, (Manyenyeni, 2018). This decentralisation policy intended to allocate 25 percent of revenues raised to each of the 46 wards in Harare as part of the ward retention programme. Manyenyeni (2018) gave a blunt evaluation of the programme declaring it a 'monumental failure' because there was 'not even enough to allocate the 25 percent'. He reported that 80 percent of their revenues went towards salaries and administration. According to the then Mayor, the 25 percent ward retention programme was a major component of their 'new governance structure which would have enabled local development initiatives to take shape'. Unfortunately, current developments at Town House show an accelerated reversal of the decentralisation policy, with more decision-making powers and authority being recentralised in the office of the Town Clerk and heads of departments. Under the January 2017 Council Resolution on decentralisation, the 46 wards of Harare clustered into eight administrative zones led by Chief Area Administration Officers. District Officers and representatives of all the council departments handled all service delivery issues, with the Chief Area Administration Officers spearheading responsiveness to service delivery programmes in their zones. Councillors had Ward Development Committees where council technocrats from all the service delivery departments sat with representatives of citizens to jointly set development priorities of their wards and respond to emerging service delivery challenges experienced by residents. Councillors' ward feedback meetings were more productive, and tangible results were realised. Going by the above, decentralisation was functional and serving its purpose of enhancing service provision and responsiveness to ratepayers.

Despite a strong foundation for the provision of social services in a decentralised system, the decentralisation programme failed to take effect. Chief Area Administration Officers (CAAOs) became more assertive and their combination with District Officers significantly benefited residents. There was increased transparency and accountability. Councillors became more visible. A mini-council was established at zonal level with CAAOs executing their mandate like the zonal town clerks. These developments unnerved the council's directors and weakened their influence in council. One may posit that this left the heads of departments completely vulnerable. They became figureheads with very little work to do in council. In response, the directors collectively sabotaged the release of the 25 percent ward retention fund to the wards. Soon, another council resolution in 2018 was made to end the reign of the CAAOs in Council. This meant that the Zonal Accounts through which funds were supposed to be transferred from their central office at Rowan Martin Building remained empty without any money having been released to them. Instead, Ward Development Committees, chaired by Councillors, were supposed to make their financial requests to the Finance Director, who deliberately made the process extremely difficult to process funds. In the end, very few projects could be funded under the ward retention fund programme. The position of Chief Area Administration Officer was abandoned with those who had been appointed reassigned to other departments to fuse within council functions based on their skills, however in higher grades, while others were redeployed as District Officers. All these developments reinforce that while the City of Harare purported to

embrace decentralisation of council's decision-making powers, administration and authority to the wards and zones, the reality on the ground was that the City of Harare under Mayor Hebert Gomba recentralised powers to the executive, comprising of Directors and the Town Clerk. In light of that centralisation of council powers, service delivery has evidently suffered, and continues to deteriorate.

Decentralisation emerged from a joint sitting of the Environmental Management, the Human Resources and General Purposes, the Finance and Development and Education, Health and Housing and Community Services and Licensing Committees which resolved to decentralize service delivery functions to District Officers reporting to the Head Districts Administration under the purview of the Director of Housing and Community Services. According to a decentralisation policy document by the City of Harare of 2018, decentralisation created a one-stop shop where every department in council was represented at District level. Consequently, the District Officer will coordinate all operational issues at District level, which would be carried out by the service delivery team comprising of all the relevant departments. From a service delivery perspective, this was a practical and ideal step in implementing decentralisation in council. The internal governance and administrative challenges however connived to derail this fantastic and logical approach to service provision.

Elijah Dickens Mushemeza, writing on decentralisation in Uganda on trends, challenges, achievements and proposals for consolidation in the Advocates Coalition for Development and Environment (ACODE) Policy Research Paper Series No.93, 2019, said social services had significantly improved because of the devolution policy. His study established that there had been *notable increase in volume, access to and quality of social services in local governments in the last two decades*. Despite these dividends of the decentralisation policy, there were identified challenges that threatened to derail the implementation of the policy in Uganda. These challenges included the recentralisation of fiscal and administrative powers. This tended to weaken local government. Mushemeza cited reporting mechanisms, especially under the Performance Based System and the ever-reducing authority of the local governments over the resources including local revenue.

The Ugandan experience is similar to Zimbabwe's experiences. The central government is in the process of centralising power and authority. Consequently, this weakens the provincial and local government structures, according to the National Devolution Taskforce made up of civil society organisations in Harare, Masvingo, Mutare and Bulawayo. Already, the government is in the process of amending the Constitution of 2013 without fully implementing it. If viewed through structuration theory of Anthony Giddens, one may argue that the powerful individuals in control of central government want to weaken institutions first before establishing devolution institutions in order to achieve their one-party state agenda. The Government is proposing, through Constitutional Amendment Number 2, the removal of Members of Parliament and Senators from the Provincial and Metropolitan Councils as a cost cutting and oversight measure. The proposal is that Mayors would no longer be the chairpersons of metropolitan councils but the political party with the highest number of votes or more seats in that province would submit the names of the two potential candidates. Ten other members of the provincial and metropolitan councils will be elected from a party list on proportional representation.

Under the current set up, each of the 10 provinces has a Minister of State for Provincial Affairs and Devolution who is under the Office of the President and Cabinet, and reports directly to the President, but does not sit in Cabinet. A Ministry of Local Government and Public Works administers several local government legislation like the Urban Councils' Act (Chapter 29.15), Rural District Councils' Act (Chapter 29.13), Traditional Leaders Act (Chapter 29.17), Regional, Town and Country Planning Act (Chapter 29.12) among others. However, the two offices have direct interface with the local authorities, creating two centres of power to which local authorities are accountable. Under the Ministry of Local Government and Public Works are Provincial Development Coordinators, previously Provincial Administrators and below them are District Development Coordinators, previously District

Administrators. The proposals under a devolved government would result in a provincial council or metropolitan council for Harare and Bulawayo. This means that eight provincial and two metropolitan councils should be established, on top of the existing structures, mentioned above. Bureaucrats and policymakers, used to wielding executive and policymaking authority, would need to relinquish these responsibilities and let them be undertaken by the provincial and metropolitan councils, as well as by the local authorities. The non-implementation of devolution to constitute the metropolitan and provincial councils therefore reveals that central government considers the current structures and institutions as sufficient to deliver the local government mandate.

The provision of social services remains depressed. Water and sanitation delivery is hovering around 40 percent, meaning 60 percent of ratepayers connected to the water and sanitation system have to use other alternatives of privately owned and community boreholes, shallow wells and bulk water traders. In his 1 March 2016 State of the City Address, Mayor of Harare Councillor Bernard Gabriel Manyenyeni reported that the City of Harare was losing 60 percent of valuable treated water through leakages due to the dilapidated water distribution network.

Manyenyeni said; “We are losing 60 percent by value of our treated water because the distribution network is very old and dilapidated. Currently we are sitting on an excess of 180 burst water pipes and this is a sore point for my office. Losing 60 percent of treated water, when we spend approximately \$3 million monthly in the purchase of water treatment chemicals alone, remains unacceptably painful.”

The Mayor’s concerns remain unresolved. In his State of the City Address on 11 April 2018, Councillor Manyenyeni as Mayor returned to give assurances that the City of Harare would resolve the water challenges. He told stakeholders at that gathering that the distribution network would receive more attention to reduce physical water losses with various works scheduled, being undertaken under the African Development Bank Zimbabwe Fund Phase Two Programme. According to Mayor Manyenyeni, these works would result in further reduction of non-revenue water, thus extending the water supply coverage to around 85 percent by December 2018.

Residents witness water bursts, make reports to local district offices of the City of Harare, but the responsiveness by council officials leaves a lot to be desired. Residents in Budiro, Glen View, Highfield, Mufakose, and Kuwadzana have made 350 service delivery reports on water in the month of July up to the first week of August 2020. Of these reports, only 45 percent were attended to, revealing that residents have assumed agency and are making it their business to complement the council in improving water delivery. There must be a balance between the citizens’ and service providers’ input. When one side treats the other with contempt, relations break down and contribute to deteriorating service provision. Disgruntled residents abandon their financial obligations and pay their bills when they want, instead of making it a point to pay something every month to ensure services are available to ratepayers. This therefore shows that local authorities’ capacity to deliver water and sanitation services remains constrained as long as they provide inadequate funding, and in return there is disengaged participation by an apathetic citizenry.

Devolution implementation has great potential to unlock financial opportunities for local authorities to fund housing delivery. Section 301 (3) of the Constitution specifies that at least five percent of the total annual budget of a country should be allocated to provincial, metropolitan and local authorities as their share for that annual year. The Harare Residents’ Trust (HRT), a non-partisan residents association in Harare Metropolitan Province has since the adoption of the 2013 Constitution urged the government to enact a devolution law in order to specify the formula for disbursing the inter-government fiscal transfers enshrined in the Constitution. Central Government appears satisfied to

disburse, through the Ministry of Finance and Economic Development, intergovernmental fiscal transfers, and claim that they are devolution funds. If they are devolution funds, how are they proceeding to exclude the citizens and local authorities in determining what projects to undertake with the funds disbursed to local authorities? Instead, the Ministry of Finance and Economic Development is dictating to local authorities how much they should receive and what projects to undertake. Devolution by its very nature should be more inclusive, and the local governance structures must be more prominently involved in decision-making and prioritisation of projects to implement. In view of these issues, it becomes evident that by continuing to manipulate local authorities to undertake projects without citizens' involvement, central government is abusing Section 301 (3) of the Constitution of Zimbabwe.

Muchadenyika and Williams (2020) argued that resources allocation and project prioritisation suffered, probably because in such cases, central government suspected urban local authorities to be the breeding ground for political challengers to its hold on power. The difference however is that the projects being undertaken from funds disbursed as devolution funds is that the Ministry of Finance and Economic Development and Ministry of Local Government and Public Works are directing the local authorities, both rural and urban about what projects to implement. Good democratic governance entails valuing stakeholders' participation, especially citizen participation, fairness, dialogue and a deliberative democratic engagement rather than directives from the top. In any event, the citizenry at local level are intimately familiar with projects that require prioritisation in response to their urgent local needs.

In order to strengthen devolution implementation at the national and local levels, there must be a shared understanding of its benefits, challenges and opportunities by politicians, bureaucrats, and citizens. There is need for a practical formula for the systematic disbursement of intergovernmental fiscal transfers as enshrined in Section 301 (3) of the Constitution on the requirement that, at least five percent of the annual national budget be disbursed among provincial, metropolitan and local authorities as their share in that year. Central government should stop deceiving the nation that the inter-governmental fiscal transfers are equivalent to devolution funds. Devolution funds should be determined after the establishment of a devolution implementation framework, beginning with the necessary legislation. As it stands, central government is rushing ahead to announce devolution disbursements without the necessary institutional frameworks so that the provincial, metropolitan and local authorities are properly devolved and role clarity is provided.

In conclusion, centralisation and recentralisation of power, resources and authority are the main programmes of central government and the City of Harare. Citizens, bureaucrats and politicians at national and local levels have to have a better appreciation of devolution. Therefore, the media and civil society should spearhead a massive campaign of imparting knowledge to the citizenry, simplifying the concept of devolution and making a strong case for its necessity in our local socio-economic growth and development. Service delivery continues to deteriorate. Urban local authorities will remain under-funded in areas of water delivery, public health and roads rehabilitation as long as central government makes most decisions. The 32 urban local authorities in Zimbabwe and the 60 rural district councils largely depend on central government to approve their budgets. Budget formulation and approval should be the sole mandate of local authorities and the citizens in their jurisdictions. The article has sufficiently shown that recentralisation and centralisation continues unabated, and the City of Harare is not helping matters. They have recentralised powers back to the executive, thus weakening citizen participation and democratic governance.

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