



THE FUTURE OF Local government in Zimbabwe

A POLICY DIALOGUE

On 30 September 2010, the Community Law Centre launched a book entitled *The future of local government in Zimbabwe: A policy dialogue* in Harare, Zimbabwe. The launch was attended by the Deputy Minister for Local Government, Rural and Urban Development, Sesel Zvidzai, MP; the mayor of Harare, Muchadeyi Masunda; and other dignitaries. Zemelak Ayele summarises the book's content.

The book consolidates six position papers on different themes relating to local government in Zimbabwe. It also includes a speech delivered by the Minister for Local Government, Rural and Urban Development, Dr I M C Chombo, at a seminar that preceded the book's finalisation.

In the book's first chapter, Dr Kudzai Chatiza highlights the historical development of local government in Zimbabwe. He argues that the pre-independence local government institutions were racist and subservient. In the post-independence period, local government initially became democratic, but its powers were soon limited by the central government because local government provided an opening for opposition parties. This derailed local government as a functioning democratic institution, destroying its identity and capacity. Finally, Chatiza argues that the current constitutional reform in Zimbabwe is a good opportunity to constitutionalise local government so as to decisively halt its subjugation to the form and political orientation of the central government.

Stephen Chakaipa then provides a comprehensive overview of Zimbabwean local government institutions and elections. He discusses various sets of institutions, including elected urban and rural local governments, as well as the non-elected provincial administrations. He also considers the central government institutions involved in regulating and supervising local government and other support institutions, including

local government associations. He highlights the financial constraints on local government in Zimbabwe, as well as the constant interference by national government in local affairs. Finally, Chakaipa proposes the constitutionalisation of decentralisation and a legal framework that clearly provides for the objectives, competences and funding of local government.

Boniface Coutinho outlines the funding sources of local government. His discussion reveals the huge financial constraints under which local authorities in Zimbabwe operate, resulting in poor service delivery. He proposes, among other things, that there should be a constitutional provision detailing how nationally raised revenue is shared with local government.

Professor John Makumbe discusses the position of traditional leaders in Zimbabwe in the fourth chapter. He argues that even though the support of traditional leaders has been sought by the central government, they have played a marginal role in service delivery. After considering various potential roles of traditional leaders in politics, Makumbe argues that their role should be limited to tradition and custom and that they should play no role in local government.

In the fifth chapter, Shingiray Mushamba provides a comprehensive outline of the powers and functions of local government. He outlines the legal framework for rural and urban councils. He also discusses how local authorities are forced to perform under a strict *ultra vires* doctrine. He then advocates uniform legislation to clarify the powers of, and funding sources for, local government.

In the sixth chapter, Naison Machingauta reviews the supervision of local government by central government. Supervisory practices include regulation, monitoring and evaluation, and interventions in specific decisions of local authorities, as well as taking the authorities over entirely. He also evaluates whether, in exercising its supervisory role, the central government takes due consideration of local discretion.

It is hoped that this book will provide useful material in the debate surrounding the review of the Zimbabwean Constitution.