



# Policy Brief

Transparency International Zimbabwe is of the view that for devolution to be fully effective and meet its objectives there is need to adopt and implement policy, legislative and institutional frameworks that will infuse elements of transparency, accountability, integrity, and financial probity in the way public resources are managed at both the central and lower levels of government.

## The Devolution Agenda in Zimbabwe from an Anti-Corruption Perspective

### Introduction

Devolution has been singled out as one of the contemporary development approaches for promoting public participation, strengthen transparency and accountability, enhance effectiveness in public service delivery, and enhance service delivery standards (UNDP, 2020). Countries from both the global north and south have therefore embraced devolution as a system of governance to reverse the “discretionary use of power and resources by central government elites as well as a way to enhance the efficiency of social service provision, by allowing for a closer match between governance of public institutions and the desires and needs of local people” (Okari & Nyarangi, 2015). Most African countries including Ethiopia, Kenya, Rwanda, South Africa, Uganda, and Zimbabwe are at various stages of implementing devolution. Whilst devolution means different things to different countries, it is in essence a form of decentralization in which the central government transfers governmental powers and responsibilities from the central to local government. Centralisation of power has often been associated with corrupt practices such as patronage and rent seeking behaviour. Therefore, hopes are high that decentralization of power will improve public service delivery at the local level by strengthening transparency and accountability frameworks, where citizens have a voice in determining development in their localities. This is consistent with section 13(2) of the Constitution which requires that measures for national development must involve the people in formulating and implementing development plans and programmes that affect them. However, Transparency International Zimbabwe is of the view that for devolution to be fully effective and meet its objectives there is need to adopt and implement policy, legislative and institutional frameworks that will infuse elements of transparency, accountability, integrity, and financial probity in the way public resources are managed at both the central and lower levels of government.

### The devolution agenda in Zimbabwe

Devolution is provided for in the Constitution. Section 264 states that whenever appropriate, governmental powers and responsibilities must be devolved to the lower tiers of government, that is the provincial and metropolitan councils and local authorities which are competent to carry out those responsibilities efficiently and effectively. Section 264(1) specifies the objectives of devolution as follows;

- to give powers of local governance to the people and enhance their participation in the exercise of the powers of the State and in making decisions affecting them;

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Devolution is expected to bring government closer to communities and make it more accessible in order to enhance responsive, accountable, and participatory governance over local development agendas.

In the absence of subsidiary pieces of legislation required to support the process of devolution, the government is risking devolving corruption to local authorities if it continues devolving resources without administrative, political and market related frameworks to guard against corruption.

It has been noted that States which have more tiers of government tend to have higher perceived corruption and may also do a worse job of providing public services, if there are no monitoring mechanisms put in place.

- to preserve and foster the peace, national unity, and indivisibility of Zimbabwe;
- to recognise the right of communities to manage their own affairs and to further their development;
- to ensure the equitable sharing of local and national resources; and
- to transfer responsibilities and resources from the national government in order to establish a sound financial base for each provincial and metropolitan council and local authority.

The devolution agenda in Zimbabwe is based on good governance principles which include citizen participation and inclusion, transparency and accountability, equality and equity, and human rights. From the objectives stated, it is envisaged that devolution will contribute to good governance in Zimbabwe. Sadly, progress made to-date in implementing devolution is not commensurate to the time frame since it was adopted in the constitution in 2013. Instead, what we only have are pronouncements made in the current national blue print, the Transitional Stabilisation Programme (October 2018- December 2020) and the subsequent National Budgets for the year 2019 and 2020. The 2019 National Budget Statement emphasised that the main objective of devolution in Zimbabwe is to achieve growth and development that is equitable, shared, and sustainable to the benefit of citizens at all levels.

The Transitional Stabilisation Programme (TSP) defines devolution as the transfer of some functions, authority, and resources from national to sub-national levels of government. This is expected to bring government closer to communities and make it more accessible in order to enhance responsive, accountable, and participatory governance over local development agendas. The TSP places emphasis on the need to reconstruct the state into a community based and people centered system of governance. Therefore, expectations were that within the timeframe for the implementation of the TSP, the government would have fulfilled the administrative, political, fiscal and market dimensions of decentralisation. However, with only three months before the TSP comes to an end, the government has only managed to some extent, to fulfil the fiscal dimension of devolution which entails the equitable allocation of capital grants between provincial and metropolitan councils and local authorities; and any other allocations to provinces and local authorities, and any conditions on which those allocations may be made as provided for in section 301(1) of the Constitution. To this end, the government allocated 5% of the 2019 and 2020 National Budgets towards devolution. The subsidiary pieces of legislation that are required to support the process of devolution are still to be finalised. Therefore, the government is risking devolving corruption to local authorities if it continues devolving resources without administrative, political and market related frameworks to guard against corruption.

### The nexus between corruption and devolution

Whilst there is a positive correlation between devolution and good governance, the implementation of devolution does not automatically guarantee good governance (Okari & Nyarangi, 2015). It has been noted that States which have more tiers of government tend to have higher perceived corruption and may also do a worse job of providing public services, if there are no monitoring mechanisms put in place (Treisman, 2000a). Section 9 of the Constitution is clear on the role of the State in ensuring good governance. It places an obligation on the State to adopt and implement policies and legislation that contribute to efficiency, competence, accountability, transparency, personal integrity and financial probity in all institutions and agencies of government at every level and in every public institution.

In particular, measures must be taken to expose, combat and eradicate all forms of corruption and abuse of power by those holding political and public offices. It is undeniable that corruption in Zimbabwe has become a major hindrance to development (politically, socially, and economically). Therefore, as the country pursues the devolution agenda, it is imperative that proper anti-corruption legislative and institutional frameworks be adopted to guard against devolving corruption.

## Recommendations

-  The Ministry of Local Government, Public Works and National Housing must take a leading role in the development of a comprehensive framework for devolution. This will enable citizens to engage and hold duty bearers at national, provincial, and local levels accountable for their actions. The devolution framework must clearly outline the roles, responsibilities and coordinating functions of both state and non-state actors in the devolution agenda.
-  The Zimbabwe Anti-Corruption Commission (ZACC) in terms of its powers spelt out in section 255(1)(g) of the Constitution must invest in an analysis of corruption and devolution, to identify corruption risks and vulnerabilities that exist in the rolling out and implementation of devolution in Zimbabwe.
-  Anti-corruption agencies must work closely with the local authorities in devolving anticorruption frameworks for strengthening transparency and accountability at various levels of governance.
-  The government must deliberately launch capacity building initiatives for provincial and local authorities to enhance their capacity in the implementation of devolution. This will go a long way in strengthening both institutional and human capacities for preventing, detecting, and punishing corruption within local authorities.
-  The Parliament must take a leading role in the reviewing of the Urban Councils Act [Chapter 29:15] and the Rural Councils Act [Chapter 29:13] in order to strengthen the financial management practices, internal controls, budgeting and procurement systems which are necessary ingredients in the fight against corruption.
-  The Ministry of Finance and Economic Development must expedite the alignment of the Public Finance Management Act to incorporate the provisions of section 299 of the Constitution. Section 299 empowers the Parliament to monitor and oversee expenditure by the State and all Commissions and institutions and agencies of government at every level, including statutory bodies, government-controlled entities, provincial and metropolitan councils and local authorities, in order to ensure that all revenue is accounted for, all expenditure has been properly incurred and any limits and conditions on appropriations have been observed.
-  Legislation on asset declaration for all senior government and public officers must be adopted and implemented.
-  Civil Society Organisations should play a leading role in promoting citizen engagement so as to enhance transparency and accountability at the local level.
-  The central government and local authorities must adopt e-government tools and open data principles which will make information pertaining to revenues and expenditure accessible and in a manner that is easy to comprehend.
-  Whistle blower protection legislation

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