

Democratic deficits- Zimbabwe's lived reality in social service delivery and its impact on popular political processes

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It is a paradox that while Africa has experienced probably the greatest attack and seen substantive violation of socio-economic and cultural rights, the African Charter on Human and people's rights (ACHPR) recognises these rights on the same footing as civic and political rights. The African Charter is probably one of the only charters that not only awards rights to individuals and peoples, but also includes duties incumbent upon them¹. The reality however, is that over the last 30 years since the adoption of the ACHPR and the 25 years that Zimbabwe has been a signatory to the charter unspeakable human rights violations have occurred. This is particularly so because our local constitutions have mischievously not recognised the socio-economic and cultural rights protected in the ACHPR and hence the compliance on recommendations from the African Union (AU) by state parties has been poor. This flagrant violation of rights has seen a collapse in the delivery of social services² in most local authorities' countrywide leading, in some cases to loss of life. This collapse of social services is a function of a blocked democracy and exclusionary policies. The collapse in social services and the new demands for social and economic justice offers a new frontier for mobilisation of local communities and individuals to participate in popular political process. This can be achieved if a nexus is established between political processes (of constitution making and elections) and Zimbabwe's lived reality.

¹http://www.africaunion.org/official_documents/treaties_%20conventions_%20protocols/banjul%20charter.pdf

² The state of social service delivery: Mapping the way forward, in Thinking Beyond "Journal of alternatives for a Democratic Zimbabwe", Vol.1 Issue 13, page 20-21, (MISA, 2010)

Democratic deficits in the social service delivery system

There are fundamental democratic deficits³ and internal systemic obstacles that impede people's access to social services and the achievement of the Millennium Development goals (MDGs). In Zimbabwe, these democratic deficits arise primarily out of a crisis of governance and colonial legislation governing institutions charged with delivering social services. "The local government system in Zimbabwe is a legislative rather than a constitutional creature. In practical terms, what this means is that Local Government is not an independent sphere of government, but an appendage of central government"⁴.

The juridical framework of local governance is spelt out in various pieces of legislation including the Urban Councils Act (Chapter 29:15), the Rural District Councils Act (Chapter 29:13), and the Provincial Councils and Administration Act. The fact that these Acts are not recognized under the current constitutional framework has allowed the executive arm of central government to constantly interfere with the running of local authorities. It must be noted that these acts are administered by the Minister of Local Government Rural and Urban Development who wields a substantial supervisory role over all local government structures. The Minister is given and excises excessive powers in terms of both the Urban Councils and Rural district Councils Act. As a result governance or decision-making remains centralized and inaccessible to most citizens. Local community development structures such as residents and ratepayers associations are not legally recognized as part of the local government structures. This restricts democratic space for local communities to make both the local and national authorities accountable and transparent⁵.

³ "A democratic deficit occurs when ostensibly democratic organizations or institutions in fact fall short of fulfilling what are believed to be the principles of democracy." Sanford Levinson, How the United States Constitution Contributes to the Democratic Deficit in America, 55 Drake L. Rev. 859, 860 (2007).

⁴ See Zimbabwe Institute; Local Government: Policy Review (2005)

⁵ Kauzya, JM: Local Governance Capacity Building for full range Participation: Concepts, Frameworks, and Experiences in African Countries. (U.N, 2005)

Recently, four City of Harare Councillors⁶ were suspended from the Council on frivolous charges which has created a gap in the wards that they represent. In 2004, Minister Chombo fired Harare Mayor Engineer Elias Mudzuri leading to the resignation of all councillors. This led to the illegal appointment of the commission to run the affairs of the local authority. The Commission was subsequently declared illegal over 5 times by the High Court despite the fact that the Zimbabwe Election Commission refused to call for elections for the Mayor and Council. The same “unholy hand” was seen interfering and firing councillors in Mutare, Chitungwiza and Chegutu in 2006. Shumba (2009) notes that, “ although, it has been observed that most of the times these councils were caught ‘on the wrong side of the law’, it has remained a mystery why so many of the councils have been affected by the same trap, something which hints on the possible fault of the institutional arrangements and instruments of local government”⁷.

What has been particularly worrying about all these dismissals and the undue interference has been the subsequent collapse of the social service delivery system. There is evidence to suggest that the takeover of City of Harare affairs by the Commission led By Sekesayi Makwavarara and the subsequent cabinet directive to transfer the management of water and sewer services to the Zimbabwe National Water Authority (ZINWA) led to Cholera outbreaks in Harare, Chitungwiza and Mutare. In Harare at least 4000 people lost their lives as a result of the cholera outbreaks. In 2008 the Combined Harare Residents Association (CHRA) estimated that there were about 1900 new dumping sites in high density suburbs due to uncollected refuse⁸. It is clear therefore that the democratic deficits that exist in the social service delivery system have led to undue suffering by the general citizenry in Zimbabwe.

⁶ See The Independent Newspaper edition of the 7th of January 2011, page 1

⁷ See Shumba J (2009) Local government institutional arrangements in Zimbabwe: Examining policy practice through the lens on the institutional and the pluralist theories

⁸ See CHRA (2008) Waste Management in the City of Harare, Research Report

Zimbabwe's lived reality and its impact on popular political processes

There is evidence to suggest that the consummation of the inclusive government in 2009 led to the improvement of the political situation and the stabilisation of the economy. The Minister of Finance, Honourable Tendai Biti estimated that Zimbabwe experienced a GDP growth rate of 9.3 % at the end of 2011⁹. This growth rate has been supported by improvements in mining and agricultural outputs. Unfortunately, this economic growth has not translated into real incomes for the majority of Zimbabweans. Sadly, the reality is that most Zimbabweans are poorer in the multi-currency system. According to recent survey by the Urban Assessment, at least 50% of urban households are in debt. "In the first quarter of 2011 poor households spent 35% of their incomes on food (reflecting a 2% increase on the food basket), 47% on rentals, water and electricity (an increase of 17.3%), 11% on education and medical costs. This obviously means that life has become more difficult for an average Zimbabwean". Local authorities and service providers are also struggling to provide basic services to an already burdened and suffering population¹⁰.

In Harare the water situation has remained unsatisfactory. The Harare metropolitan province (HMP), including Harare, Chitungwiza, Norton and Ruwa has a total population of about four million people which are all dependent on the water generated by the city of Harare (COH). The HMP has a daily demand of about 1400 mega litres of water yet the COH can only provide about 600 mega litres at full capacity. Of the 600 potential deliveries about half of this water is lost through leakages and pressure losses. This scenario has led to serious water shortages which have led to loss of life through outbreaks of diseases like Cholera, typhoid and dysentery. There seems to be no solution in sight to deal with this critical water shortage in Harare. The lived reality therefore is that residents have to go for weeks and in some cases months without tap water. Areas such as Mabvuku, Tafara and Borrowdale have already gone for over 6 years without tap water.

⁹ See Economic Outlook . Available at <http://www.zimtreasury.org/news-detail.cfm?News=882> (Accessed 13/12/11).

¹⁰ The Urban Assessment is a Magazine published by the Joint Initiative for Urban Zimbabwe (2011)

In terms of the power situation, citizens in urban areas have been virtually turned into villagers. There are serious power shortages of 9-15 hours a day. The demand for power in Zimbabwe is around 1 800 MW at daily peak yet local installed operational capacity today is around 1 200 MW resulting in a gap of 30%¹¹. Without doubt the two examples of services experienced by Zimbabweans paint a sorry picture about Zimbabwe's lived reality in social service delivery system. What is worse is that women and girls have borne the brunt of this collapse as they have been most affected. The question therefore is "what is the impact of this reality on public participation in political processes"?

Shumba (2009:7) observes that, "citizens will not only directly suffer due to stifled service delivery but will also refrain from participation in civic practices as enshrined in the institutions given the mismatch between input (e.g. elections) and outputs (e.g. the elected retaining office until terminal date)". Further, there is compelling evidence¹² to suggest that there has been a steady decrease in the number of citizens participating in national elections since the year 2005. A recent report by the Zimbabwe Election Support Network (ZESN) confirms the above scenario and suggests that youth¹³ participation in the 2008 elections is 18% of their population. Harare, Bulawayo, Mashonaland West, Manicaland and Matabeleland South provinces have witnessed a decrease in registered voters. In the recently concluded constitutional outreach phase there was disappointing participation by residents in urban communities as compared to rural areas. This trend is disturbing and must be reversed in the oncoming elections and referendum as it impedes on national development.

Realizing this trend, Civic society organizations and opposition political parties have since 2000 been working to expand the public and political space, introducing new faces largely excluded, and new issues previously seen as peripheral. At local level, a number of grassroots formations like residents associations emerged and gave fresh impetus to community and

¹¹ See ZESA Chairman's Statement (October 2011).

¹² Government of Zimbabwe Delimitation Report, 2008

¹³ See ZESN 2010, *A report on a Voter's roll observation conducted in Zimbabwe*, page 26-30

issue-based civic agency to a point that by September 2005 there were about 45 active residents associations in the country.

The deepening collapse in service delivery in most urban areas saw the formation of Bulawayo Progressive Residents Association (BPRA), Victoria Falls Combined Residents Association (VIFACORA) and Masvingo Residents Association (MURA) as tangible examples of the recent initiatives aimed at expanding democratic and political space. These organizations have connected the seemingly esoteric issues of human rights and democracy to the very basic, immediate, tangible and common issues of service delivery such as water, electricity, and sewerage and refuse collection. There is new evidence that civic agency around bread and butter issues can increase the numbers of people that participate in political and public meetings significantly. In its 2011 Strategic plan the Crisis in Zimbabwe Coalition identified social and economic justice issues as an area for high impact and mobilisation in its programming. While significant progress has been made in a number of areas, there is widespread concern over the lack of effective participation of communities in these processes.

COPAC and Civic Society monitoring reports indicate that in the constitutional outreach process for example, effective participation of the previously marginalized majorities like women, youths, and ordinary citizens was minimal. There are fears that the current democratization and economic regeneration projects may remain just a negotiated elitist pact and elite cohesion projects that do not translate into tangible material growth, human dignity for the ordinary citizens in Zimbabwe.

In fact, the current constitution making exercise resembles an electoral mode campaigning and a partisan engineered consent on constitutional issues. The worrying phenomenon is that the current processes of democratization do not indicate that politics is becoming more of what can be termed “competitive mass democracy.” Space for public and political participation even in policy making remains hugely controlled and inaccessible to the various stakeholders and ordinary citizens. The culture of shared power and decision-making in our national and local politics is still weak. Policies, programs and pronouncements that entrench violence

and exclusivity continue to be made to discourage communities and stakeholders from influencing the process. In the current power sharing arrangement, there is no shared power and decision-making that allows citizens to have conversations with multiple decision-makers. The continued lack of effective citizen participation in local and national political and policy processes means that the prospects of a legitimate democratic and development state are slim.

Economic and social justice agenda: A new frontier for mobilisation

The proceeding discussion has indicated that Zimbabwe suffers major democratic deficits in the social service delivery system. These deficits have led to a near total collapse in the delivery of social services in Zimbabwe. An analysis of the social and economic conditions of Zimbabweans also reveals a sad situation despite the notable growth of the economy. The obtaining social and economic conditions in Zimbabwe can however, provide a fertile area for civic and political mobilisation.

There are national strategic political processes of the constitution and the elections which demand active citizen participation. The current indigenisation and empowerment program led by the Minister of Youth, Indigenisation and Empowerment, Honourable Saviour Kasukuwere, and sponsored by Zanu Pf is partly a realisation that the social and economic justice agenda is a selling agenda considering Zimbabwe's lived reality. There is thus a method and reason to the current Zanu Pf's madness about this program and it must be critically analysed and exposed for its ideological bankruptcy. This program does not only have national and community resonance but appeals to activists within the African context. The point to note here is that the social and economic justice agenda has been high jacked by "mafia elites" for political expediency whose results will bear in the next election.

Post South Africa provides a classic example of how social service delivery (socio-economic justice) issues are an area for effective citizen mobilisation. South Africa has the highest rates of protests in the world and has now been

accorded the title “protest capital”¹⁴. Post apartheid South Africa experienced in excess of 36 000 protests between 1994-1999 centred on the demand for better social services like education, water and Electricity. In the 2004/5 financial year at least 6000¹⁵ protests were officially recorded and 1000 officially banned. What this means is that at least 15 protests are taking place each day in South Africa and points to growing discontent within communities which has also resulted in the African National Congress (ANC) losing votes in the national elections. These poor people rebellions or service delivery protests have increased civic participation and voter turnout significantly. In 2004 South Africa Election Commission recorded 2.5 million new voters for its National and provincial elections¹⁶. The voting trends in South Africa have been so high (86% in 1994 and 89% in 1999) compared to voter apathy trends worldwide.

Conclusion

It can be argued therefore that while Zimbabweans face a collapsed social service delivery system due to a blocked democracy there is hope for the future. This scenario provides independent groups and community organisations an opportunity to effectively mobilise citizens to participate in civic and political issues. The lesson here is that if a connection is made between human rights advocacy and the lived reality of Zimbabweans positive results may be seen in terms of participation. The past voting trends are indicative that Zimbabweans do not seem to realise the power of numbers in the vote. There may be several reasons to this, but it is not to stretch the argument too far to suggest that civil society has failed to make a connection between the social and economic conditions of Zimbabweans and civic and political participation. This connection has been the bedrock of protests in South Africa with demands for councillors and other service bureaucrats to step down from their positions. It has also accounted for high voter turnouts in national and provincial elections.

¹⁴ See Black Boers and other revolutionary Songs (Rodriguez 2010)

¹⁵ See Sekwanele! Social Movement Struggles in Post Apartheid South Africa (Left Turn Magazine 2010)

¹⁶ See http://www.southafrica.info/ess_info/sa_glance/constitution/votersroll-020304.htm