



Policy Paper

Participatory Budgeting in Zimbabwe: Citizen Participation towards Improved Local Service Delivery and Poverty Reduction

1.0 Introduction

The continued collapse of social service delivery across the South America, Asia, Africa and parts of Europe including the United Kingdom has challenged service providers to rethink the resource allocation and priority setting process. The decline in social service delivery is accompanied by widespread citizen mistrust, confrontations, demonstrations which subsequently widen the gap between service providers and rate payers. The new development trajectory of Participatory Budgeting emanated from Brazil's City of Porto Alegre in 1989 in an attempt to resuscitate a bankrupt municipality and a disorganized bureaucracy with the view to provide citizens with a direct role in the activities of government, and to invert the social spending priorities of previous administration¹. Participatory Budgeting soon found itself adopted across the globe as a best practice. A budget is a document that includes the local government's expenditure and revenue proposals, reflecting its policy priorities and fiscal targets. Participatory Budgeting (PB) is a process through which the population decides on, or contributes to the decisions made on, the destination of all or part of the available public resources². It is a process whereby communities work together with elected representatives and officials to develop policies and budgets in order to meet the needs of their communities³. Local Authorities (LAs) are adopting the PB approach to rebuild their relationships with service users and eliminating citizen apathy which negatively affects service delivery. In Zimbabwe, very few Local Authorities including Harare City Council have embraced this budgeting approach as a way of halting citizen apathy. However, there is need for this approach to be adopted across the local government divide in Zimbabwe and backed by legislative reforms to enhance citizen participation. There is a direct link between access to public services and poverty as poor people depend on them and yet they are the least serviced by the public services and exposed to health risks such as water borne diseases. Hence, there is need to involve these constituencies in resource allocation and priority identification through the participatory budget process.

1.1 Rationale and Principles Underlying Participatory Budgeting Framework

The foundation of participatory budgeting is that local government budgeting should not be treated as a piecemeal initiative, whereby residents are involved at a later stage, but from the initial stages of the process⁴. As a tenant of democracy, PB provides citizens with the platform to plan and priorities their

¹B. Wampler, 2000, A Guide to Participatory Budgeting, www.commdev.org/userfiles/files/1613_file_GPB.pdf

²MDP-ESA, 2007

³Economic Justice Update , 2001

⁴Harare Residence Trust, 2014

needs in relationship with available resources. Real and perceived corruption resulting in poor decisions and investments accompanied by dwindling resources and decaying infrastructure in Zimbabwe has generated significant mistrust between public officials and their citizens. This trend has propelled civic organisations to demand space in identifying needs, setting priorities, and determining resource allocations⁵. Increased community participation in public decision making at both the national and local level has the potential to improve the capacity of Local Authorities to understand better the complex demands of their communities. This enhances coordination, transparency and accountability in action planning, priority setting, expenditure allocation and it subsequently strengthens social networks and solidarity. The Participatory Budgeting framework is underpinned by the following principles and justification;

- ❖ Active citizen participation (Voice) - PB programs offer a model of active participation that permits citizens to deliberate amongst themselves and with local authority officials over the allocation of public resources and the use of state authority. Participatory Budgeting can also strengthen and enhance good governance systems. It includes the adopting and use of participatory decision-making processes where the value of people, especially of the poor, is recognized through the consensus building process. Marginalized groups in society such as women, youths and disabled are empowered through effective participation by articulating their needs and priorities. Participatory budgeting can be used to give increased political power to those with the least economic influence through creating new relationships between the local government and disadvantaged citizens.
- ❖ Increased citizen authority (Vote) - Having real decision-making authority acts as a powerful 'school of democracy' because citizens are forced to make difficult choices regarding where resources were allocated. By involving citizens to make policy decisions, government spending can be allocated in new ways because their direct participation legitimizes spending in new areas. Participatory budgeting promotes inclusiveness with equal access to essentials like shelter, safe drinking water and sanitation, with institutional priorities focusing on actions that support the poor, such as preferential pricing policies for water and other public utilities. The identification of priorities by citizens collectively and allocation of budget spending based on the perceived needs of the people ensures that resources are channelled where they are needed most. By including the informal sector in the budgetary process and sharing of power, all members of a community, irrespective of age, sex, ethnic and religious affiliation, or physical disability, participate as equals in all service delivery decision making, priority-setting and resource allocation processes⁶.
- ❖ Reallocation of resources (Social Justice) - PB programs were initially designed to promote social justice, as they were geared toward using public resources and state authority in new ways, in new places and on new policies. PB has a redistributive component and this reduces potential upsurge of conflicts over resources. For many PB programs, social justice involves harnessing the resources, expertise and authority of the Local Authority to provide public works

⁵Matovu, G, 2006

⁶ United Nations Human Settlements Programme and Municipal Development Partnership for Eastern and Southern Africa, 2008

in poor areas. Participatory Budgeting can be used as a good governance tool to resolve conflicts, confrontations, reduce objections that are usually associated with the budget process through a process of consensus building and open discussions. By advocating inclusiveness, participatory budgeting also contributes to a reduction in violence against the economically weak and other disadvantaged groups as well as nurturing a culture of peace, multicultural and multi-ethnic governance.

- ❖ Improved transparency and accountability (Oversight) - PB programs seek to reform how the state functions by increasing citizen oversight on local authority programmes and projects. Accountability is enhanced by the increased citizen involvement in Local Authority business. The empowerment of citizens in the participatory budgeting process evokes citizen interest in council programmes and this reduces corruption and mismanagement of resources. Corruption can undermine Local Authority credibility and can deepen urban poverty. Accountable governance tends to improve the effectiveness of revenue collection and led to reduction in the destruction of municipal public property. Harare City Council realised an increase in public understanding of council cash flows and payment of user fees and rates 2 years after introducing PB approach in 2012.

1.2 The PB Legal Framework in Zimbabwe

Participatory is an approach (management tool) to budgeting that Local Authorities are adopting to address challenges in their respective budgeting processes. In Zimbabwe, there is no specific law enforcing community participation in the budgeting process and this presents a major challenge towards advocating for its full adoption. Lack of appropriate and clear legal backup resulted in piecemeal implementation of the PB approach. The current constitutional provisions for citizen participation are obscure and vague. The Constitution of Zimbabwe Amendment (No.20) Act of 2013 section 264(2b) recognises the need 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 as an objective of devolution. Section 264 (d) also recognises the right of communities to manage their own affairs and to further their development as an objective of devolution. These provisions by virtue of being objectives of devolution are conditional since Section 264(1) states that “Whenever appropriate”, governmental powers and responsibilities must be devolved to provincial, metropolitan councils and local authorities which are “competent” to carry out those responsibilities efficiently and effectively⁷. The Local Government Amendment Laws Act of 2016 Gazetted on 26th August 2016 is silent on issues of devolution which remains a challenge to the activation of constitutional provisions on devolution and the ultimate realization and full adoption of participatory budgeting in Zimbabwe.

Local councils are currently using Section 288 of the Urban Councils Act 29:15 which states that budget estimates are published in three issues of the newspaper so as to give the public a chance to scrutinize the budget. There is a ministerial directive to local authorities requiring proof that citizens were consulted by the local authorities in coming up with the annual budget. This requires a mayoral certificate and an attendance register written and signed by citizens in their own handwriting certifying that citizens were in fact consulted and consented to increases in rates, tariffs, and fees. This provision

⁷ Constitution of Zimbabwe Amendment (No.20) Act 2013

alone is not requisite and does not translate in the promotion of participatory budgeting. To demonstrate commitment to PB, Harare City Council institutionalised PB by setting up a Budget Advisory Committee (BAC) comprising of fifteen members from different sectors (Civic Groups, the Disabled, Faith Based Organisations, Senior Citizens, the Media, Commerce and Industry, and Council Officials) to spearhead the process. Other councils around the country should adopt a similar approach to show commitment to PB.

Cross reference can be given to South Africa which established a framework of cooperative governance in section 152 of its Constitution of 1996. Subsections (1e) of the same section encourage the involvement of communities and community organizations in the matters of local government. The South African Government has passed several pieces of legislations on Local Government that demand community participation and these include Municipal Systems Act (Act 32 of 2000) section 16 (1), Municipal Structures Act (Act 117 of 1998) Section 73 (3) and the Municipal Finance Management Act 2002. All these pieces of legislation promote citizen participation and build the support base for active citizen participation.

1.3 Challenges Affecting Participatory Budgeting in Zimbabwe

The Poverty Reduction Forum Trust gained insight on the issues affecting PB in Zimbabwe through its advocacy dialogue meetings with Residents Associations and their structures in Gweru, Shurugwi and Bulawayo in September 2016 and the challenges are summarised as follows;

- ❖ PB consultations are being carried out as a way of rubber stamping the already formulated budget. In Shurugwi, residents indicated that the budgeting process is always done ineffectively and only revenue figures are revealed to the residents during the consultation meetings. Councillors are not making deliberate attempt to reveal the expenditure figures, which are also very important. The time for consultations is also limited for residents to scrutinize the budget. Interaction with residence revealed that they were only involved at a later stage of the process rather than the initial budget planning stage.
- ❖ Politicization of participation has also derailed the progress of participatory budgeting. Politics has affected the whole local governance system even beyond participatory process in Zimbabwe. PRFT's meetings with residents and councilors unearthed that residents tend not to attend ward based budget consultation and feedback meetings if they are not politically affiliated with the serving councilor. It was also established that councilors are also conducting these meetings on party basis, excluding ward members affiliated to opposition political parties, yet a councilor is expected to execute their duties in a non-partisan manner the minute he/she is elected into office and is expected to represent the interests of whole ward irrespective of the existence of different political affiliations in the ward. Failure to be non-partisan on the part of the sitting councilor accelerates citizen apathy in PB processes. This has largely been attributed to the highly polarized, undemocratic and unpredictable political environment. PB system as a tenet of participatory democracy is difficult to implement in an undemocratic political environment as currently experienced. Participants revealed that service delivery and developmental issues are always politicised yet they are issues that cut across the political divide and affect everyone irrespective of their political affiliations.

- ❖ Lack of appreciation and capacity building for councillors with regards to PB and its benefits to both council and residents are a major drawback. The councillors are not conversant with the PB approach and sometimes they do not have the appreciation of what they are expected to do or have limited capacity to comprehend budgets and other issues. Residents in Gweru indicated that they have had a situation where local councillors had problems in articulating budget issues to the residents during ward consultation meetings. This can largely be attributed to the fact that no educational qualifications are a conditional entry requirement to councillorship. There is no local government legislation that specify certain qualifications as a pre-requisite for the assumption of office by an individual as a councillor except that an individual is supposed to be registered voter in that ward and he/ she must be aged 18 and above. This problem becomes serious if there are no deliberate attempts to train councillors on their duties. To curtail challenges posed by incapacity and knowledge gap, Shurugwi Town Council entered into partnership with Midlands State University's Department of Local Governance Studies where the department is providing capacity building programmes for Council to enhance the knowledge of councillors in conducting their duties and obligations.
- ❖ Limited fiscal space is also crippling execution of participatory budgeting. With the current macro-economic challenges being experienced in the country, very few resources are availed by councils towards the implementation of the PB process.
- ❖ Legislative flaws are a major drawback to participatory budgeting in Zimbabwe. LG laws are heavily tilted towards serving the interests and priorities of the Council and in favour of the Minister of Local Government, Public Works and National Housing at the expense of those of the citizens. According to Section 314 of the Urban Councils Act the Minister may reverse, rescind and suspend the decisions of the Council which may serve the interests of the stakeholders. The power of the Minister to interfere and intervene in council business also makes it a difficult task for councillors to bring the Town Clerk/Town Chairperson and his/her team to account. The Harare City Council case between former Town Clerk Mahachi vs Mayor Manyenyeni epitomise this challenge⁸.
- ❖ There is general lack of transparency, accountability, legitimacy, openness and stakeholder participation. It was noted in Gweru that the Local Authority is not responsive to calls from the public to involve them and tap experiences of the residents in their strategic planning process. The residents perceive the Council's lack of engagement as a reflection of their fear of exposing their bad practises to the public. A bilateral relationship should be harnessed between residents and Council for the effective and efficient delivery of public services and the shared mutual understanding of duties and responsibilities of both Residents Associations and Council are crucial for the fruition of this relationship.
- ❖ Corruption is adversely undermining PB implementation in the sense that the funds allocated for implementing PB activities such as participatory planning, formulation, monitoring and evaluation are gobbled by the hefty salaries earned by the executives, undervaluation of stands and flouting of tenders. This was noted in Bulawayo where Council lost a considerable amount

⁸ ZBC, <http://zbc.co.zw/index.php/news-categories/local-news/58029-town-house-confusion-as-mahachi-returns>

of money due to selling of undervalued stands to councillors and issuing of tenders and advance payment to contractors without due diligence being undertaken on their capacity to deliver. The Council also failed to invoke the liquidated damages in the respective clauses of the contracts issued and failed to utilize the advance payment guarantee facilities to recoup the advance payment⁹. This indicates tendencies of corruption in awarding the tenders and monitoring of the projects

- ❖ Poor communication and mobilization of stakeholders is a challenge being faced by Local Authorities. Poverty and apathy levels are high in Zimbabwe (as noted during advocacy meetings in Gweru, Shurugwi and Bulawayo) and for participatory budgeting to happen it requires enough mobilization and communication capacity to obliterate citizen apathy and enhance participation.

1.4 Recommendations

- ❖ Government should design programs aimed at strengthening the Institutional Capacity of LAs
- ❖ PB should be legislated to ensure compliance and that the PB cycle must be followed according to the plan to derive maximum benefits
- ❖ Local Authorities must commit financial resources to the PB process and ensure that the process is inclusive and involve all major stakeholders
- ❖ Government should develop and cultivate a strong political will at both national and local level to steer the PB process. This will also reduce corruption incidences.
- ❖ The Government through the Ministry of Local Government must align Local Government laws to the Constitution with regards to Devolution (Limit Ministerial Powers) and craft subsidiary legislation that activates provisions of the constitution on devolution
- ❖ CSOs should create or demand space to engage local authorities in PB Process
- ❖ CSOs should raise awareness among the public on the importance of engaging in PB. CSOs especially Residents Associations should spearhead public awareness and education beyond their membership and structures for the residents to realise their specific duties and roles. Awareness raising programmes are necessary to demystify partisan politics in participatory budgeting process so that people are encouraged to participate.
- ❖ There must be more projects to capacitate local authorities and other key stakeholders on the role of Residents Associations in local service delivery governance. Residents associations' role should not be viewed from only an angle of providing watchdog but also from an advisory perspective where residents associations can lobby councils with alternative strategies and solutions to deplorable service delivery.

⁹Bulawayo City Council Investigation Team Report

- ❖ There is need for Government to invest in continuous capacity building for the councillors to bridge the knowledge and capacity gaps.

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