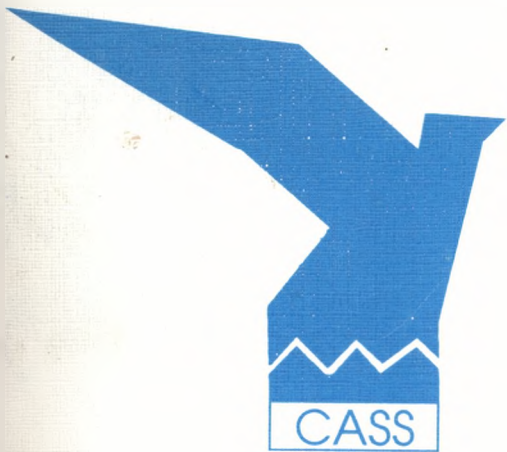


Centre for

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**TOWARDS REFORMING**  
**THE INSTITUTIONAL AND LEGAL BASIS OF**  
**THE WATER SECTOR IN ZIMBABWE :**

*Current Weaknesses, Recent  
Initiatives and Their Operational Problems*

Edited By

Calvin Nhira<sup>1</sup>

with Bill Derman<sup>2</sup>

*August 1997*

University of Zimbabwe

**CENTRE FOR APPLIED SOCIAL SCIENCES \***

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Mount Pleasant

HARARE

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- A Member of IUCN - The World Conservation Union

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## POST-SCRIPT

Bill Derman

The Government of Zimbabwe, like its Southern African neighbours, is attempting to grapple with a set of inter-related yet often independent problems. The first is strategies for public and private economic growth, shifts in agricultural production in the context of increasing human populations and consequently a growing need for water; second, a predicted decrease in the overall quantity of rain combined with increased variability due to the anticipated consequences of global warming; third, the inability of the state to provide water at subsidised prices; fourth, a desire to provide all citizens with a clean and safe water supply; and fifth, programs to protect the environment. These processes taken together, require new strategies and approaches to water. Yet, governments everywhere seek to control these processes even as they argue for flexibility and decentralisation. Thus, attempts to rationalise operations in water management may well mean ignoring local and regional differences. What is particularly significant about the papers in this volume, is that they point to the variations already existent in Zimbabwe despite a strong state and centralised government planning.

In the new water strategy, government seeks to have its view of water as an economic good prevail over alternative understandings and conceptions of water. Historically, most water (approximately eighty percent) has been allocated for irrigation. Thus, it is not surprising that water is most often considered in its productive dimension of facilitating and increasing agricultural production. (This volume reflects the centrality of irrigation in water management.) This system of water allocation, requiring blocking the flow through dams of most of the major rivers, cries out for more systematic analysis in a holistic ecological framework. Continuous damming of rivers should lead to a new series of questions about how far one can and should go in controlling water viewing it primarily as a commodity. One could cite multiple examples of great ecological change produced by dams. For example, damming the Manyame on the plateau has meant profound changes in ecology in the Zambezi Valley, while damming the Zambezi has meant the loss of flood plains in Mozambique. There needs to be greater study of how Southern Africa's environment in general and Zimbabwe's in particular, has been altered by such extensive damming in the same way as this has been done for the Colorado River in the semi-arid American west. Lastly, insufficient attention has been paid to water quality. The University of Zimbabwe's just published study of Lake Chivero has demonstrated how disconnecting water supply from other issues can lead to serious public health concerns. All too often, public health is not incorporated into systematic analyses of water. Water quality is an important part of all agricultural production, and ultimately of the integrity of Zimbabwe's different ecosystems. One can and will debate how best to improve water quality -- through regulation or through the market, etc. -- but water is far more than just an economic good. There are reasons to be concerned about this conceptualisation. Cleaver and Elson (1995) observe that because women's labour is already undervalued, their property rights less, and the responsibilities for domestic water greater, that they are likely to be increasingly

disadvantaged in this process without continuously asking questions about gender. The essential question is who decides what for whom? How and in what ways will women be included in decision-making processes where especially in the communal and resettlement areas they are the primary gardeners and providers of primary water? There is an enormous literature on irrigation which demonstrates that without planning and involvement of women from the beginning, that the outcomes can often be detrimental to women's economic and social positions. I'm not saying anything new, nor implying that WRMS, for example, is not concerned about gender. But, there are biases in the entire process that can potentially lead to greater difficulties down the road.

The papers in this volume provide much needed empirical material on how current water law is heeded or not complied with, and the limits to government presence due to personnel and budgetary constraints on the ground, particularly in the Eastern Highlands. The situation in the Mazoe Valley and the commercial farm areas is quite different than that in parts of the Eastern Highlands. During the colonial period farmers certainly could count on government to provide assistance. However, they also developed their own stake-holder driven system which attempted to provide for conflict resolution. This River Board system needs to be studied in greater detail since it will provide much of the initial personnel and patterns for managing Zimbabwe's waters. River Boards were, in their own way, stakeholders (although clearly limited in membership) managing their own resource. What requires change is the inclusivity within the River Boards. In addition, only those who held water rights were participants in River Boards. It appears that the Mazoe Catchment Pilot scheme has worked hard to be inclusive and bring all interests in water to the table. Significantly they are seeking to make an important place for those currently without water rights during what appears to be a long transitional period. There will be much to be learned from how they proceed and balance the range of interests in the Mazoe's waters. This major governmental initiative to devolve authority to catchment authorities leads to a series of questions on broader issues of democracy, natural resource management, and the balancing of equity with a market-driven system.

Precisely what capacity does government have to manage water, the resources to set up the system of documentation and inspections required, and the necessary back-stopping to emergent catchment authorities? These are precisely the questions that the new Zimbabwe National Water Authority will attempt to answer. However, there is a tendency for governments to seek to control, whether or not they have the resources to do so. However, water is just one of many scarce resources and will have to compete for government resources. Who and what organisations lobby for what water policy will become increasingly significant in the next decade. Water politics, in the broadest sense, will become increasingly important. There will be broad scope for researching hydropolitics in the near future.

Conversely, how much will government permit catchment authorities to proceed on their own? If the reallocation of water is to be done by catchment authorities, who will see that they are democratic, fair and leave appropriate voice for those without current water rights? In my judgement, government can be viewed as a site of contestation over water policy and of water allocation. A range of powerful interests will attempt to have new dams constructed, or irrigation projects fashioned (especially if funded by)

donors), etc. But Government does not start from a neutral position. There is a huge vested interest in the vast allocation of water to irrigated commercial agriculture. This intersection of private and public interest will seek to maintain current use patterns. The allocation or purchase of large farms by those close or in government will only intensify this bias toward large-scale commercial farming at the expense of alternative uses. In short, government is not just a neutral party in reallocation issues. There is much to be learned from how government has acted upon land issues which we can hypothesise will be similar to how it will act with respect to water. However, there is a critical difference. The new Water Act and ZINWA are to be based upon ending water subsidies and having new Catchment Authorities collect water levies. This is in the broader context of reducing government expenditures which, in turn, may most likely reduce government's capacity to act on issues of equity.

Thus, we come back to Dr. Kambudzi's question on what should be the relationship between water democracy and water development, and water tenure and land tenure. Catchment authorities and stakeholder-based systems can be viewed as an effort to introduce democracy into water management systems. When water is scarce there will be conflict and Manzungu voices appropriate concern for how water conflict management may emerge apart from the arbitration role described for District Administrators. Two points can be made taking the last first: conflict management will have to emerge as part of an emergent stakeholder system. Part of the task of each catchment authority will be to determine how water will be allocated (be it proportional as advocated in these papers, or another system), a system of inspection to assess who is using what, and a system of redress when someone or some entity has exceeded their allotted amount. The second point goes to the heart of the Land Tenure Commission Report which observes that commercial farms are simply too big. The adoption of a single tenurial system (namely the private one) was not what communal area residents desired nor what the LTC recommended. The absence of a land market in the communal areas has not meant the absence of commercial production. The best example of which is cotton. How then to continue to blend differing land tenurial systems with that of water will remain a clear challenge. However, simply moving to a unitary system was not the LTC's finding. This clear finding complicates further how a new water act will fit, or not fit, with changing land tenure, land acquisition, and resettlement issues. There is not space here to fully elaborate but only to re-emphasise the current bias in the system. If there are no fundamental changes in land tenure and there is simply a substitution of one set of land owners by another who are vested in irrigation then the constraints upon reallocating water will be vast. Many of the promises in the new water act and ZINWA can only be realised with corresponding changes in land. Even if this were politically feasible, it would require levels of communication, consultation and acting in concert within and between different ministries difficult to do even in the best of circumstances. Here lie multiple applied research issues where interdisciplinary studies will be essential in working with water user groups and government to generate new questions and new answers.

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