

“It’s in your hands”

– An Analysis of Stakeholder Participation in Water Resources Management in Zimbabwe: A Case Study of the Manyame Catchment

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Abstract

The paper makes an analysis of effective stakeholder¹ participation in water management in Zimbabwe, which was facilitated by the enactment of a new Water Act in 1998. Prior to the promulgation of the act, water management was the responsibility of the central government through the Ministry of Water. Attempts to involve stakeholders in water management issues had been done through the establishment of River Boards which were however not compulsory and also covered parts of some catchment areas. These were composed of a few people with interest in water issues, drawn largely from large-scale commercial farming areas. The majority indigenous population was disenfranchised with respect to accessing agricultural water. The study was conducted by means of a case study of Manyame catchment for the period March 2002 to March 2005. The analysis focuses on functions and responsibilities assigned to the institutions according to the new Water Act as well as their capacity in relation to information, knowledge and technical ability for the period. Results from the study reveal that while legislation has attempted to involve the previously marginalized groups in water management issues, this has not resulted in their meaningful participation in water management issues. This situation calls for the present government to revisit the issue of water governance in order to facilitate full participation by all stakeholders.

Introduction

Prior to the promulgation of the Water Act of 1998 (Chapter 20:24), the management of Zimbabwe’s water resources was the responsibility of the central government, specifically the Ministry of Water Resources through the Department of Water Development. The Water act then, enabled the formation of River Boards, which had the power and authority to regulate and supervise all water management issues within their areas of jurisdiction (Water Act 1976, Chapter 20:22). Such functions included water allocation as well as water quality aspects. Their primary objective was to exploit and conserve the water resources of specific areas. (Water Act 1976, Chapter 20:22)

¹ Stakeholder- as defined in Statutory Instrument 33 and 47 of 200 define a stakeholder as any person under the jurisdiction of the Catchment/ Subcatchment Council who has an interest in water.

Catchments Boards and River Boards were located in many parts of the country but their areas of jurisdiction did not cover the entire country. Legislation then allowed formation of River Boards but did not make them compulsory (Water Act; 1976, Chapter 20:22)

The prevailing situation meant that only those people with critical interest in the day-to-day management of water constituted the boards. These were largely people drawn from large-scale commercial farming areas. These boards in most cases did not cover the entire catchment areas but only covered part of the catchment areas. There were no formal mechanisms or processes, which could be used to facilitate participation amongst stakeholders. (Zimbabwe Water Resources Management Strategy, 2000, Ch 4). The situation meant that the majority of the indigenous population was legally disenfranchised with respect to accessing agricultural water. Following a growing realization that stakeholders should be involved in putting together laws and regulations on matters that would directly affect them, the Government of Zimbabwe replaced the then Water Act (1976) with a new Water Act in 1998. The basic objective of the new act was to empower all stakeholders in the water sector and ensure their full participation in making decisions concerning water management issues. (Halcrow, 1993). The main argument was that when people participate in decision-making over issues affecting them, participatory democracy is achieved (Rowland, 1996). This nurtures self-reliance and self-esteem as people feel that they are engaged in their own projects, which may lead to financial and material rewards accruing to the participants (Hartwig, 1999).

This article makes an analysis of the effectiveness of the new Water Act and the Zimbabwe National Water Authority Act (ZINWA) Act (1998) in empowering and ensuring participation by all stakeholders in the water sector. The Acts created seven Catchment Councils in the country namely Mzingwane, Runde, Save, Mazowe, Manyame, Sanyati and Gwayi which covered the whole country (Fig 1). Within each Catchment area, there are sub-catchment councils whose chairpersons and vice-chairpersons sit in the main catchment council meetings. The structures are meant to ensure co-ordination between catchment and sub-catchment councils as well as ensuring that water is managed at the lowest appropriate level. However, it should be noted that the Catchment boundaries follow ecological river system boundaries, which do not match political boundaries such as districts council boundaries.

Meaningful participation in water resources management is analyzed in this article by juxtaposing the responsibilities of catchment and subcatchment councils as contained in the Water Act (1998) and ZINWA Act (1998) and the realities that are actually taking place on the ground. The degree

and level of stakeholder participation is actually examined and how such participation assists in the betterment of water resources management for the benefit of stakeholders. The study also makes an analysis of the degree of decentralization to stakeholders meant to empower communities to manage the resources that they use. Empowering approach emphasizes decision-making autonomy, self-reliance and participation (Friedman, 1992, Farrington et.al 1993). According to Rawlands, 1996:87, decision-making autonomy refers to where all stakeholders are able to make crucial choices concerning their affairs or resources, which can affect their local development. Self-reliance refers to a situation where stakeholders are able to function or direct their own affairs without depending financially and material on help from outsiders (Hart wig 1999:58). Viera (1999:17) defines direct (participatory) democracy as a process based on stakeholders' real participation in managing, shaping and benefiting from local development.

Discussion in this article revolves around an evaluation of these new institutions as vehicles of meaningful and effective participation by various stakeholders. The institutions are evaluated with respect to a) the scope and functions and responsibilities assigned to them b) the level and effectiveness of participation by all stakeholders in making the voices of the previously disadvantaged sections of the society be considered in the governance of water.

Methods and Materials

The analysis was based on a) attendance to some of the Manyame Catchment and Subcatchment council meetings by the authors as observers b) an analysis of the catchment and subcatchment council minutes held between March 2000 and March 2005 and c) interviews with water managers at the Zimbabwe National Water Authority.

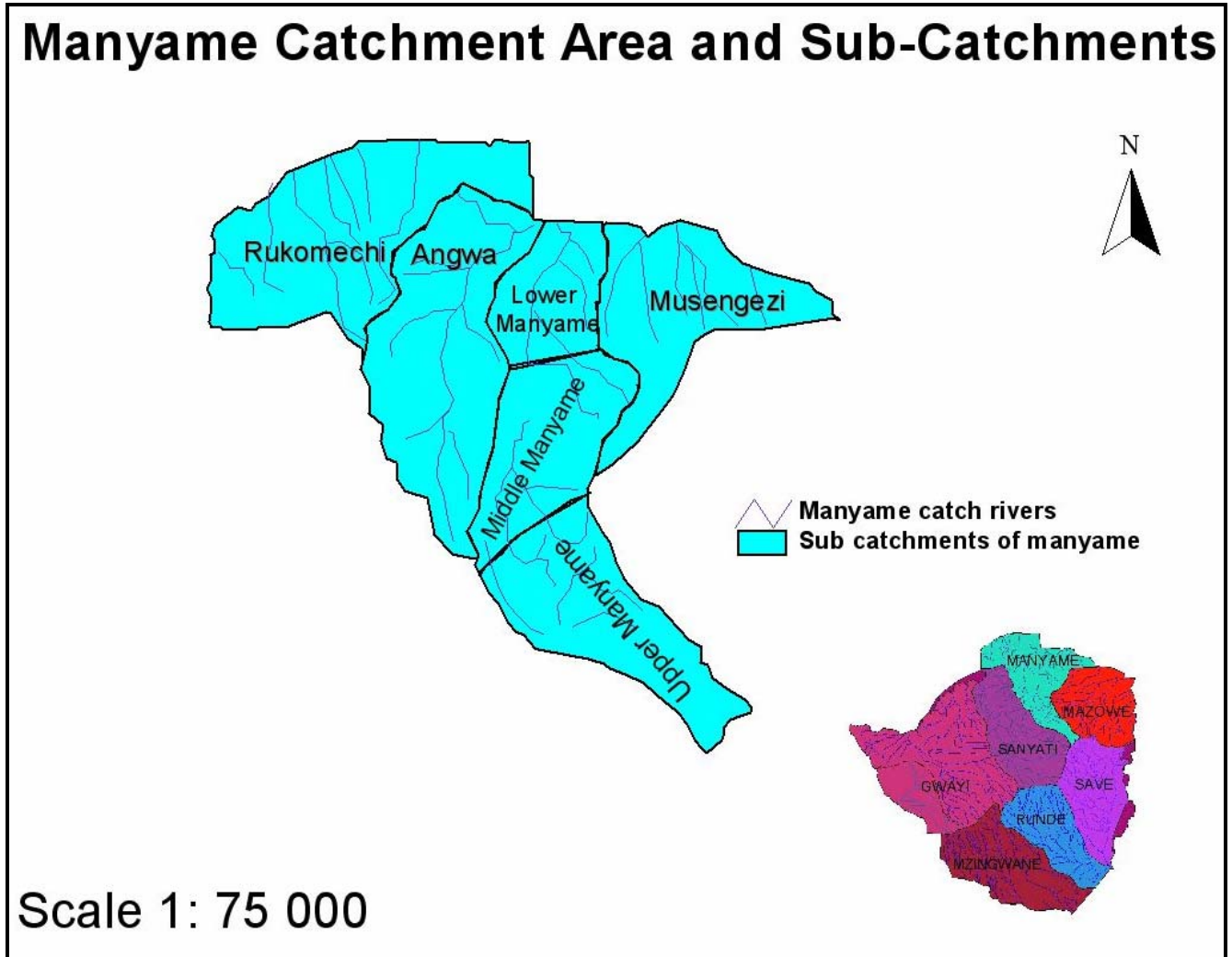
A total of 15 meetings were attended in all Sub-Catchments. The majority of the meetings attended were those of the Upper and Middle Manyame Sub catchments Authors attended a total of ten, while two were attended in each of the Lower and Msengezi Sub-catchment Councils. The Authors were able to attend at least one meeting for the Angwa-Rukomichi Sub-catchment. The authors felt that evidence gathered from these meetings as well as an analysis of minutes of other meetings and views individual stakeholder representatives and water managers at ZINWA would provide enough information to make a good assessment of the effectiveness of the new institutions of water management in Zimbabwe.

The study area

The study was based on evidence gathered in the area covered by the Manyame Catchment Council. The catchment area covers an area of 40 499 square kilometers within four

administrative provinces² covered by the Catchment Councils include Harare, parts of Mashonaland West, Mashonaland East and Mashonaland Central. All these river systems drain into the Zambezi River. The Catchment Councils spans over 13 Rural-district Councils³ (See map 1)

Map 1. The Study Area: Manyame Catchment Council and Its Sub-catchments.



The catchment council has a total population of 3 219 662, which makes it the most populated catchment in the country. Population figures are however, based on administrative boundaries, which are however, different from catchment boundaries, which follow river systems. Approximate

² Zimbabwe has a total of 10 administrative Provinces

³ There are 58 Rural District Councils throughout the country.

figures were therefore obtained using statistics from District councils within the catchment areas. These are shown in Table 1.

Table 1: Population Distribution in the Manyame Catchment Council

Subcatchment	District	Population (estimate)	Total Population
Upper Manyame	Ruwa	22038	2150311
	Marondera	102869	
	Seke	77840	
	Harare	1903510	
	Norton	44054	
Middle Manyame	Zvimba	220595	449665
	Part of Mazowe (90%)	179467	
	Chinhoyi	49603	
Lower Manyame	Guruve	166345	186285
	Part of Mazowe (10%)	19940	
Angwa-Rukomechi	Makonde	123580	433401
	Chirundu	1802	
	Hurungwe	308019	
Msengezi	Part of Mt Darwin	39821	
	Centenary	107718	
	Part of Guruve	16602	
	Total		3 219 662

Source: - CSO (2002)

Institutional Framework in Water Resources Management in Zimbabwe

Water Act (1998, Chapter 20:24) establishes Catchment Councils to manage the use of water in the catchment areas under their jurisdiction. The act's intention is to make established councils representative of all water users in the area covered, through the incorporation of people from the Communal and Resettlement⁴ areas, which were previously not involved in any water management issues

Relationship between ZINWA, a Catchment Council and a Sub-Catchment Council

The Catchment Manager, an employee of ZINWA oversees the day-to-day management and administration of the affairs of Catchment Council. The manager acts on the advice of the Catchment Council and is supervised by ZINWA, which also provides secretariat services to all

⁴ Former Large Scale Commercial Areas that were allocated to people from Communal Lands after land invasions and land redistribution in between 2000 and 2005.

Catchment Councils and Sub-Catchment Councils. Catchment Council supervises the performance of functions by Sub-Catchment Council. The Water Act (Chapter 20:24) states that the Minister of Water Resources has the responsibility to: -

- Fix the number of members of the catchment councils, the manner in which they shall be elected and appointed, assign name and prescribe the procedures for the discharge of its functions, fix levels of any remuneration and allowances payable to members.
- Confer all or any powers of officers upon all or any members of Sub-Catchment Council.
- In consultation with ZINWA and the Catchment Council, may prescribe the matters to be accounted.

The Sub-Catchment Councils, which are comprised of various stakeholders, have jurisdiction over subcatchment areas. The group consists of elected representative with a maximum number of 15 per sub-catchment. The elected chairperson and vice-chairpersons represent the sub-catchment councils in the main Catchment Council

Powers and Duties of Catchment and Sub-catchment Councils.

The following section identifies the nature of the role to be undertaken by the Catchment Council and its Sub-catchment Councils as outlined in the Water Act, 1998 (Chapter 20: 24). In order to simplify this, six general roles are adopted

As defined below: -

Administrative: - receiving, processing and responding to applications or requests received from water users and other bodies.

Technical: - creating and understanding the technical basis on which operations are performed and decisions are made.

Information Management :- obtaining and retrieving information

Regulatory :- requiring water users to respond to directives of the Catchment Council.

Advisory :- providing advice to other decision makers in a consultative manner where the decision is outside the responsibility of the Catchment Council.

Decision Making: - Making decisions within the Catchment Council in an autonomous manner.

Table 2. Powers and Duties of Catchment and Sub-catchment Council in Zimbabwe

Component Powers and Duties	Nature of Catchment and Sub-catchment Council Role and Associated Responsibilities	Required Capabilities of a Catchment Council
Prepare an outline Plan which ensures optimum development and utilization of the Water Resources of Zimbabwe	- role is administrative technical, information management advisory.	- to plan the development of water in the catchment
Draw-up an inventory of water resources of the river system	- role is technical, information management	-define river systems and associated aquifers -quantify water resources -inventorise water resources
Indicate major water uses within the river system	- role is technical, information management	-identify major water users -identify major amenities or recreation areas -identify areas for development
Recommend the apportionment of water to different sectors of the economy.	- role is technical and decision making	-define water demands of different sectors of the economy -apportion water to different sectors
Recommend maximum permissible levels of pollution	- role is technical and decision making in accordance with ZINWA	-to prescribe water quality standards -define maximum permissible levels of pollution
Develop water development proposals in line with the inventory of resources	- role is decision making – subject to prioritisation by ZINWA and to policy guidelines from the Minister	-priorities proposals for new water developments -develop a programme of phased new water development

Source: adapted from the Water Act, (1998), (Chapter 20:24).

Operational guidelines of Catchment & Sub-catchment Councils

The operational guidelines of Catchment and Sub-Catchment councils are contained in Water Act and is some statutory instrument. This section highlights some of the operational issues.

The act states that a Councilor may remain in office for the period of 3 years. Among those chosen at the inaugural Annual General Meeting (AGM) which is held in the month of October of

each year, one third of them have to vacate office at the first Annual General Meeting. The other one third will vacate office at the second AGM with the remainders vacating office at the third AGM (Water Act, Catchment Council Regulations 2000 a, 2000b)

A representative who misses three consecutive meetings without notice will have his/her position declared vacant. The regulations also require a period of 14 days notice for a Catchment Council or Sub-Catchment Council meeting with details and time of the meeting. A meeting with two thirds of its members present will take place as it is regarded as constituting a quorum.

AGMs are held to receive and consider the chairperson's report, financial statements from subcatchments and elect members to fill any vacancies .(Water Act, Catchments Regulatory 2000a and 2000b)

Stakeholders requiring water permits are required to forward them to the catchment council for consideration at a fee set by the Minister of Water Affairs in consultation with Catchment Councils. Before approval of any application for a Water Permit, any persons whose interests are likely to be affected by such application and shall be given a period by which objections and comments may be lodged. (statutory Instrument 47,2000)

Results

Attendance to Catchment and Sub-catchment Council meetings.

Between March 2002 and March 2005, attendance at meetings was generally low. A number of these stakeholders, especially from the Communal Lands and Resettlement areas simply failed to attend without giving apologies. The attendances are summarized in table 3.

Table 3. Attendance to Sub-catchment council meetings by members

Name of Sub-catchment	Average percentage attendance
Upper Manyame	45
Middle Manyame	20
Lower Manyame	50
Angwa-Rukomichi	25
Msengezi	35

Source: Recorded minutes of Sub-catchment council meetings held between March 2002 and March 2005.⁵

⁵ Minutes of Sub-catchment councils are found at the Manyame Catchment Council Offices, Harare, Zimbabwe.

Analysis of the recorded minutes of meetings held in all five sub-catchments indicates an average attendance of 40% by various stakeholder representatives. With the exception of the December, 2004 meeting of Lower Manyame sub-catchment council, the rest of the meetings recorded a figure far less than 50% attendance.

According to Water Act, Catchment Regulatory 2000a and 2000b, a meeting can only take place if eight or more councilors are present and this constituted a quorum. Records indicate that most meetings took place without a quorum. An analysis of stakeholder groups attendance to meetings done showed that meetings were characterized by low attendance as well as a lack of continuity by representatives in attending meetings.

Table 4. Average Percentage Attendance of Sub-catchment Council Meetings by Stakeholders of Different Sectors between March 2002 and March 2005

Sector	Sub-catchment Councils				
	Upper Manyame	Middle Manyame	Lower Manyame	Angwa-Rukomichi	Msengezi
CFU ⁶	68	70	74	50	55
ZFU ⁷	52	46	48	56	42
Small-scale irrigators	28	25	23	38	42
City Council Officials	88	66	N/A	N/A	N/A
Traditional leadership	35	29	20	38	42
Industry	60	50	N/A	N/A	N/A
Rural-District Council	50	52	60	65	58

Source: Recorded Minutes of Meetings held in Sub-catchment Councils Between March 2002 and March, 2005.

Issues

The following section examines each of the roles of Catchment and sub-catchment councils as outlined in the 1998 Water Act (Chapter 20:24) and how Catchment and sub-catchment councils have handled each of the roles outlined below.

⁶ Commercial Farmers Union (UFU) was composed of Large Scale Commercial farmers who virtually controlled all the agricultural water before the promulgation of the 1998 Water Act.

⁷ Zimbabwe Farmers union (ZFU) was composed of Small Scale and Communal Farmers who did not use agricultural water for any commercial purpose before the promulgation of the 1998 Water Act.

1. Planning the development of water resources of the catchment by preparation of the outline plans.
2. Draw – up an inventory of water resources of the river system
3. Identification of major uses of water within catchments and sub-catchment areas.

Evidence from the meetings attended by the authors as well as recorded minutes of other meetings held indicate that nothing on the three issues was discussed in any of the meetings. Issues that are so technical in nature were left to ZINWA officials and most councilors admitted their inability to make an input to any such matters.

4. Recommend the apportionment of water to different sectors of the economy.

The issue was discussed especially in the Upper Manyame sub-catchment council where stakeholders like the City of Harare had a lot of interest.

5. Recommend maximum permissible levels of pollution.

This issue of pollution levels was discussed at most the Upper Manyame Sub-catchment council which includes Harare, the country's capital city and two other urban centers, namely Chitungwiza and Norton. These centers are greatest producers of pollutants at national level since the greatest number of industries are located here. The urban centers in this sub-catchment also have greatest population densities in the country. Debates witnessed clashes between the Water Authority and Harare city council where the later was the chief culprit in terms of discharging untreated sewerage in rivers and dams. Again debate on the issue was restricted to the representatives of the City Council, Industry and ZINWA Officials. The majority of the councilors took no active part.

6. Proposals of water development in line with the inventory of resources.

The issue was never raised in meetings perhaps because no new water development projects were proposed during the period under review.

Capacity of Councilors

The authors carried an assessment of councilors'ability to deal with functions and roles stipulated in the legislation. This was done through interviews held after meetings.

Results revealed that very few councilors had full knowledge of their roles and responsibilities. These were largely from the former Commercial Farmers Union, City and Town Councils, especially Harare City Council. Councilors representing Communal Areas, Resettlement Areas and Traditional leaders had very little knowledge of their roles and responsibilities. They knew of the existence of the water Act, but always complained that it was written in a language too

technical to be easily understood by ordinary people. Some stated that their main roles were to see that irrigation schemes are established in their areas of jurisdiction. Some saw their roles as lobbying for boreholes in their home areas.

Finances/Allowances

The issue of allowances for councilors (sitting, traveling and subsistence) was raised on a number of occasions at almost all catchment councils. Councilors actively participated on the issue and always complained about low rates in face of ever increasing inflation⁸. Some meetings had to be postponed to later date due to lack of funds to pay sitting, travel and subsistence allowances to councilors. Councilors were asked to use their funds to attend meetings, which would be refunded when funds become available, an issue they strongly objected. Some councilors felt they should enjoy benefits extended to full time employees such as monthly salaries as well as medical cover and life insurance. Attendance fees were pegged at ZD 100 000 (USD 16) while allowances for meals were pegged at ZD55 000 (USD 9). A councilor using his own vehicle to attend a meeting would be paid at a rate of ZD 2000 per kilometer (USD 0.33) (minutes of 5.3.05, Middle Manyame Sub-catchment Council meeting) The new rates were well received by councilors who argued that they sacrifice other activities in order to attend the meetings.

Discussion

In assessing the issue of empowering the stakeholders, it is important to consider the following aspects,

- a. Participation
- b. Capacity of stakeholders
- c. Financing
- d. Adherence to stipulated regulations
- e. Autonomy of the new institutions.

Stakeholder participation and capacity

The background and knowledge of a subject matter normally determines the level of participation by any individual in a debate or meeting. Evidence from the minutes of the meetings of the Manyame Catchment Council and its Sub-catchment Councils held between the study period show that a few stakeholder representatives dominated most meetings. Former members of the now defunct Commercial Farmers Union (CFU), and representatives of local authorities, City of Harare dominated most meetings. Whenever representatives from communal and resettlement

⁸ Inflation was quoted at 250% in June 2002 by the Reserve Bank of Zimbabwe.

areas attended the meetings, their contributions made very little impact. The explanation could be that these representatives were representing people who had no stake in water because of low usage. As of 1999, some 85% of agricultural water in the country was used by a mere 45000, Large Scale Commercial farmers constituting less than 1% of the country's 12 million people. (Manzungu, 2002) Some representatives did not represent a constituency since they were simply handpicked. (personal communication with a ZINWA official, December, 2004). As Dube and Swatuk (2001) observed, if stakeholder representatives attend meetings but do not participate in the debate, that cannot be termed participation. Communal area as well as resettlement area farmers had not used water for any commercial purposes before, had no stake in commercial water, and hence many of them had not been aware of the existence of the Water Act. There was no policy by the government to involve this group of people in water management issues. On the other hand, Large Scale Commercial Farmers had always been involved in water management issues since the inception of the Water Act in 1926. They held many water rights and hence were conversant with legislation governing water resources. They had greater technical knowledge derived from river boards era. They would always refer to the provisions of the water act from time to time during meetings. Other stakeholder groups active during meetings were those from City of Harare and other municipalities namely Chitungwiza, Norton, Chinhoyi and Karoi. The level of debates as well as the use of English during the debates made the communal and resettlement area representatives uncomfortable. This situation meant that full participation was not achieved and that only some sections of stakeholders benefited. Contributions from all groups of people would have improved water management given that the bulk of the land is now under the jurisdiction of resettled farmers. It would be useful if strategic representation were explored to ensure that the groups are empowered before they are brought together in circumstances that do not promote their interests.

Adherence to stipulated regulations

Adhering to Catchment and Sub-catchment regulations was also found to be a draw back towards effective participation. The new institutions failed in most cases to follow laid down procedures. For example, members continued to hold office even to after missing three successive meetings when the stipulated regulations requires such members to be sacked. Reports from other catchment councils, specifically the Save Catchment, Budzi sub-catchment council sites a problem of traditional leaders who after failing to attend three consecutive meetings were asked to leave, but the expulsion was not affected. This according to Mtisi (2000) could have been due to the fact that traditional leaders now have power enshrined in the Traditional Leaders Act that includes governance of natural resources including water.

Financing

Good governance of any natural resource depends on stakeholder institutions (in this case Catchment and Sub-catchment councils) to act independently and to make independent decisions (Burkey, 1998). The question that one might pose is that to what extent were these institutions granted the autonomy to determine their own destiny? However the study revealed that catchment Councils as well as sub-catchment councils under study suffered from lack of financial resources. The institutions are struggling to pay travel and subsistence allowances (personal communication with Zinwa official, 2004). They are not generating enough from water levies and rates and are owed huge sums of money by most local authorities. However the new institutions come under heavy criticism from the government and members of the public each time they enforce collection of funds through cutting out water supply to local authorities. The government views them as agents of opposition parties who are trying to indirectly force people to revolt against the government. The land invasions of the large scale commercial farms by members of the ruling party and subsequent land redistribution to people from communal lands, which took place between 2000 and 2004, has also adversely affected financing of the water sector. Some farms with irrigation infrastructure were taken over by politically powerful individuals who are unwilling to pay water levies. The new farmers now occupying land previously occupied by Large-scale commercial farmers are people largely drawn from communal areas and not keen to pay water levies. Differences in view to water also create a problem. Commercial farmers and private companies tend to view water as an economic good while traditional leaders, communal and resettlement view it largely as a “God –given resource” and therefore should be regarded as a “free good” Consequently, this situation leaves the new institutions with very little funds and have to rely on outsiders.

Autonomy

Autonomy, according to Hart wig (1999) is when an institution does not rely on outsiders for financial help. This means that the Manyame Catchment Council and its five sub-catchment councils can act independently without outside financial help. The study has proved otherwise. The institutions suffer from serious lack of finance. The donor syndrome appears to have adversely affected operations of the stakeholder institutions. The view that very little can be done without financial assistance from a donor agency is very strong among councilors. According to a ZINWA official, only Z\$ 63 000, 00 (US\$ 10 500) was allocated the entire council for the 2005 financial year from the Central Government. This figure is inadequate to cater for the operations of the Catchment council and its five catchment councils for only a quarter of the financial year. The institutions are supposed to generate extra funds from water levies. However, their inability to



do so due to reasons already discussed means that they will not become autonomous at least for some time to come.

Conclusion

Paper reviewed some problems that are being encountered in trying to place water management into “ the hands of the stakeholders” through the decentralization initiatives by the Government of Zimbabwe. The intention of this process is basically to improve the effectiveness and efficiency water resources governance. The paper has shown that placing water management into the hands of the stakeholders through the creation of catchment and sub-catchment councils has not achieved its intended objective. The majority of the members of the new institutions do not have capacity to carry out their main roles and functions, mainly water allocation to different sectors and individuals. The councils also lack sufficient funds to carry out their duties efficiently. Basing on this research, it can be concluded that full participation of stakeholders in water resources management is yet to be achieved. Structures established by Acts of Parliament alone do not guarantee empowerment. Though Catchment Councils and Sub-catchment councils have been in existence for five years now, they have not been effectiveness in ensuring participation in the management of water resources. If what is currently taking place in the Manyame Catchment is a reflection of what is happening throughout the six other catchments, then the whole water sector needs a re-visit by the government to ensure meaningful participation by the majority of stakeholders.

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