

Access to Water in Rural Zimbabwe: The Realities of the Adoption of the Human Right to Water in Mtelo Village, Zhombe

Ms Edwick Madzimure

PhD Candidate, Great Zimbabwe University

Abstract

Water scarcity is a global challenge that has received a lot of attention from governments and multilateral institutions over the past decades. Zimbabwe is among many countries that adopted and domesticated the human right to water. The government established the national water policy to ensure the realisation of the right to water. However, the operationalisation of the national water policy and other frameworks in the community remains a challenge. This paper gives reference to the provisions of the National Water Act 1998, Section 77 of the Constitution of Zimbabwe Amendment 20 of 2013 and the Zimbabwe National Water policy to assess the extent to which the government has domesticated the human right to access to water. Based on a case study of Mtelo village in Ward 9 in Zhombe Communal Area in the Kwekwe District, the study used qualitative research methods such as the review of secondary literature, interviews and field observations to establish the extent to which the implementation of national frameworks has enabled access to water in Mtelo village. The villages in ward 9 face different degrees of water scarcity but Mtelo village has acute challenges because it didn't have a functional borehole. The research findings proved that lived realities of grassroots communities in Mtelo village were not speaking to the policies on the provision of water. The practical implementation of policies in Mtelo village were hindered by lack of resources, duplication of roles and responsibilities by implementing bodies, lack of monitoring mechanisms and the country's financial crisis. Water scarcity affected both men and women, nonetheless due to intersecting factors such as age, source of income and power dynamics women from low income households were disproportionately affected by water scarcity.

Keywords: water scarcity, human rights, livelihoods, grassroots implementation, rural women, patriarchy, shallow wells

Introduction

Water plays a pivotal role in the eradication of poverty, food security, health, well-being, empowerment of vulnerable groups as well as human development. Everyone has the right to water that is physically accessible, within or in the immediate vicinity of the household. The United Nations passed resolutions which recognise that water and sanitation is a human right. While water is recognised as a human right globally, the scarcity of water due to pollution and lack of water management infrastructure, among other factors has led to a number of challenges. The scarcity of water has negative effects on economic and

social activities. These include education, food supply and health.¹ Most communities are experiencing poverty and unemployment due to the consequences of water scarcity.²

Globally, multilateral institutions have been actively involved in efforts to address the challenge of water scarcity. During the past decades, resolutions calling for the implementation of goals targeted to reduce the challenge of water scarcity. For instance, resolution 73/226 of 20 December 2018 and resolution 75/212 of 21 December 2020 on the United Nations Conference on the Midterm comprehensive review of the implementation of the objectives of the International Decade for Action, ‘Water for sustainable development 2018-2028.’³ In March 2023 states convened for the United Nations Water Conference, to enhance action and political commitment at all levels to address water related challenges.⁴ The conference concluded by adopting the Water Action Agenda. These resolutions had a remarkable influence in putting in motion commitments in the realisation of the human right to water by international community. States are called upon to provide financial and technical resources in order to scale up efforts to provide safe, clean, accessible and affordable drinking water for all.

Locally, the government of Zimbabwe has undertaken major water sector reform programmes since gaining independence in 1980. The government aimed to align national water legislation with the international frameworks such as the Integrated Water Resources Management principles in line with the Zimbabwe National Water Act of 1998 as well as national goals of redressing the inequitable access to the country’s water resources which were embodied in the 1976 Water Act and.⁵ The Zimbabwe Constitution,⁶ under Section 77 (a) guarantees the right to safe, clean and potable water.⁷ This provision reflects Zimbabwe’s obligation to provide water to people as required in human rights instruments.

This article gave references to national frameworks that speak on the government’s obligation to ensure the realisation of the right to water in communities. The research focused on the practicalities of implementation of the national water policy in Mtelo village. In the first section, the article gives an overview of the water situation in Mtelo village. The second section focuses on the national legal frameworks that were put in place to ensure communities have equal access to safe and portable water. The third section focused on the lived experiences in Mtelo village.

Methodology

¹ F. Mulwa, Z.Li, F. F. Fangninou, ‘Water scarcity in Kenya: Current status, challenges and future solutions’, Open Access Library Journal, vol. 8, no. 1, 2021, pp. 1-15, p. 5.

² N. Al-Ansari, N. Abbas, J. Laue, S. Knutsson, ‘Water scarcity: Problems and possible solutions’, Journal of Earth Sciences and Geotechnical Engineering’, vol. 11, No. 2, 2020, pp. 243- 312, p. 308.

³ United Nations, ‘A/RES/73/226-Midterm comprehensive review of the implementation of the international decade for action, water for sustainable development 2018-2028’, [www.un.org](http://www.un.org/resolutions)>resolutions.

⁴ UN Environmental Programme, ‘UN 2023 Water Conference’, www.unep.org/un-2023-water-conference

⁵ M. Musemwa, ‘The politics of water in post-colonial Zimbabwe 1980-2007’, University of Witwatersrand, Johannesburg, South Africa, 2008, p.37, S. Pazvakavambwa, ‘*The process and dynamics of catchment management in Zimbabwe*’, Save Africa Trust Publications, Harare, Zimbabwe, 2002, p. 23.

⁶ Constitution Amendment Number 20, 2013.

⁷ Section 77 of the Constitution of Zimbabwe Amendment No.20 Act,2013.

The research used a qualitative research approach, to establish the lived experiences of the people in Mtelo village in relation to water. The researcher engaged in an extensive review of secondary data in the form of policy documents, international and national legal standards, and reports to establish the linkages between national frameworks on the human right to water and to establish the implementation of the frameworks in grassroots communities. Mtelo Village was used as a case study due to its unique situation of scarcity. The researcher used purposive sampling in selecting Mtelo village. In interviews the researcher used snow ball sampling technique. The interviews enabled the researcher to get a clear understanding of the nuances on the adoption of national frameworks on access to water and how these frameworks were being implemented at grassroots level. The researcher utilised key informant interviews in Mtelo village to understand the community's access to water and their lived experiences in relation to the decision making and implementation of frameworks guiding the provision of water. These views were essential in informing the realities and impact of national and international frameworks on the daily experiences of locals in Mtelo.

Background of water scarcity in Mtelo village

Zhombe communal area is adjacent to the town of Kwekwe. It lies along the Munyati River and has a total of 13 wards. Ward 9 has a total of 73 villages, Mtelo village is one of the villages that do not have a community borehole.⁸ The area, is characterised by poor rainfall, high temperatures and regular dry spells. While the Constitution of Zimbabwe under Section 77 (a) is clear on the right to safe, clean and potable water,⁹ water scarcity in Mtelo village under Zhombe communal area has been a perennial challenge which dates back to the colonial period.

Water scarcity is not unique to Mtelo village, rather in Zimbabwe the issue of water shortage and access to water affects most rural areas. Water scarcity is a historical phenomenon and various scholars have sited different factors to be contributing to water scarcity. Colonial imbalances in terms, of the distribution of resources is the main sited factor. For Nyandoro, the colonial government deliberately put in place a skewed water redistribution policy in favour of white settlers.¹⁰ Alex Bolding *et al* also argue that due to historical reasons access to water resources in Zimbabwe was skewed along racial lines, with a minority white commercial farming community having access to the bulk of the country's water resources to the disadvantage of the majority black or smallholder farmers.¹¹ Campbell notes that water allocation in the colonial period was based on the conception of starving Africans of land and water,¹² two of the country's most critical resources. The main motive of the colonial water policy was to systematically impoverish Africans so that they could supply cheap labour to the white-owned farms and mines. Elizabeth Schmidt has shown that the process of economic development in the British settler colony of Southern Rhodesia (now Zimbabwe) was dominated by the needs of European capitalists who had invested in water

⁸Interview with Innocent Mtelo, Village Head, Mtelo village, Ward 9, Zhombe Communal Area, 20 July 2022.

⁹ Section 77, Constitution of Zimbabwe Amendment No. 20 Act 2013.

¹⁰ M. Nyandoro, 'Zimbabwe's land struggles and land rights in historical perspective- The case of Gowe-Sanyati Irrigation (1950-2000)', *Historia*, vol. 57, no.2, 2012, pp.305-346, p.323.

¹¹ A. Bolding, E. Manzungu and P. van der Zaag, 'A realistic approach to water reform in Zimbabwe', in E. Manzungu, S. Aidan and P. van der Zaag (eds.), *Water for agriculture in Zimbabwe: Policy and management options for the smallholder sector*, Harare, University of Zimbabwe Publications, 2000, p. 230.

¹² H. Campbell, 'Reclaiming Zimbabwe: The exhaustion of the patriarchal model of liberation', Trenton, NJ: Africa World Press, 2003, p. 31.

development, agriculture, and mining.¹³ While the argument on the role of colonisation to the scarcity of water in rural Zimbabwe holds water, this paper's argument is based on the role the government has played in implementing post-independent policies which were meant to address the colonial imbalances.

The post-independent government introduced measures that were in line with the "Integrated Rural Water Supply and Sanitation Program 1985-2005".¹⁴ However, the measures did not adequately solve the challenge of water scarcity and some of the measures were affected by lack of maintenance. Cleaver pointed out that, although the government made huge investments in the field of rural water supplies, infrastructural dilapidation has affected most community boreholes.¹⁵ In Mtelo village, there was one functional borehole which was drilled in 1995 under the water and sanitation program which was implemented by Plan International in partnership with the government. The borehole collapsed in 2019, due to lack of resources the borehole was not fixed.¹⁶

Literature review

The Zimbabwean literature on water policy implementation is highly inclined to the analysis of the urban water supply service delivery mainly Harare, Masvingo and Bulawayo. Scholars such as Musingafi, Chidugu, Munemo, Nhapi, Makwara, Tirimboi and many others have analysed the implementation gaps of the various water supply reforms in Zimbabwe that were in line with the integrated water resources management. To add to this urban water supply bias, a review of the water cases that have been taken to the High Court and Supreme Court of Zimbabwe to question the contradiction of the Water By-laws Section 8 of statutory instrument 164 of 1913 empower the municipality to disconnect water supply to the consumer if there is prolonged non-payment of services with Section 77 of the Constitution which provides that every person has a right to safe, clean and portable water. Most of these cases are between the urban dwellers and the state or irrigation schemes and the state. The recent cases are *City of Harare v Farai Mushoriwa*,¹⁷ during the peak of the COVID-19 induced national lockdown the High Court was seized with urgent chamber applications in which several urban dwellers from Chitungwiza, Mutare and Masvingo were seeking orders to compel municipalities, councils and central government to provide water,¹⁸ *Hove v City of Harare*, where the applicant disputed water bills and argued that his right to water was protected by section 77 of the constitution would be infringed if the city of Harare proceed to disconnect water supplies to his premises,¹⁹ the High Court of Zimbabwe in December 2020 granted an order in an application that was filled by the Zimbabwe Environmental Law Association, the order

¹³ E. Shmidt, 'Patriarchy, capitalism and the colonial state in Zimbabwe', *Journal of Women in Culture and Society*, vol. 16, no. 4, 1991, p.735.

¹⁴ E. M. Tagutanazvo, 'Intergrated rural water supply and sanitation project', www.repository.upenn.edu, 2019, p. 2.

¹⁵ F. Cleaver, 'Community management of rural water supplies in Zimbabwe', Thesis submitted for the Degree of Doctor of Philosophy, University of Bradford, K, 1990, p.56.

¹⁶ Interview with Emmanuel Sibanda, Councilor Ward 9, Zhombe Communal Area, 22, July 2022.

¹⁷ T. Kondo, S. Masike, B. Chihera and B. Mbonderi, 'One step forward, two steps back: A review of *Mushoriwa v City of Harare* in view of Zimbabwe's constitutional socio-economic rights', *African Human Rights Law Journal*, vol. 21, no. 1, 2021.

¹⁸ Zimbabwe Lawyers for Human Rights, 'Zim courts seized with petitions for restoration of water supplies to residents to residents during Covid national lockdown', April 6 2020, www.zlhr.org.zw, accessed 14 July 2023.

¹⁹ Zimbabwe Law Report, '*Hove v City of Harare*', March 23 2016, www.zimbabwelawreports.com, accessed 14 July 2023.

interdicted Chitungwiza Municipality from releasing sewer into water bodies of which it was given three months to repair and upgrade its water treatment plants as well as sewer systems.²⁰

This study focused on a village that was disadvantaged for a long time, in terms of ensuring its access to safe water. Despite the existence of Integrated Water Resource Management framework in Zimbabwe through legislation and a national water policy. While much focus on urban water supply with scholars such as; Enock Makwara and Baxter Tavuyanago highlighting that dilapidated water infrastructure in most urban centres is caused by failure in service delivery; Romano and Akhmouch looking at the management of water in cities argue that sufficient funding and meaningful stakeholder engagement is significant to the efficiency of policies.²¹ While Chaminuka and Nyatsanza also did an assessment of water shortages and coping mechanism by Harare residents,²² as well as Marumahoko et al whose focus is also on urban water delivery.²³ This study critically analyses water policy implementation at grassroots level.

Musingafi, in his research on portable water supply in Zimbabwe focused on the national legislation, policy documents, international and regional conventions and protocols on the management of water resources.²⁴ He argues that Zimbabwe has the legal framework for Integrated Water Resource Management but the situation on the ground does not reflect the ideal situation because the reform process has not taken off as expected due weak institutional linkages, insufficient funding and conflicting policies hence no proper implementation of the frameworks. Discussing the implementation of the Integrated Water Resource Management (IWRM) Musingafi et al used Harare and Masvingo cities as case studies to show that the country has a perfect framework but the government is failing to implement the framework.²⁵ The study recommended involvement of stakeholders in decision making, interval reviews and check-ups as important factors in ensuring the practical implementation of the frameworks guiding water supply. The research that was conducted by ZIMCODD in Harare, identified lack of knowledge, gender imbalance corruption as factors affecting water policy implementation gaps there is no critique on the water policy or grassroots implementation.²⁶ This study therefore seeks to establish the extent to which communities are involved in decision making, particularly women who are the key stakeholders in household water management and supply. Lorreta Muzondi, in consensus with the majority of scholars who did research on water focusing on the city of Harare noted lack of proper planning for service delivery as the main

²⁰ Zimbabwe Environmental Lawyers Association, 'Case Alert! High Court of Zimbabwe orders Chitungwiza Municipality to upgrade its water treatment plants and sewer systems', December 18 2020, www.zela.org, accessed 14 July 2023.

²¹ O. Romano and A. Akhmouch, 'Water governance in cities: current trends and future challenges', *Water*, vol.11, no. 3, 2019, p. 500.

²² L. Chaminuka and Nyatsanza, 'An assessment of water shortages and coping mechanism of Harare residents: A case of Msasa Park and Dzivarasekwa Extension', *IOSR Journal of Agriculture and Veterinary Science*, vol. 4, no. 3, 2013, pp.21-35, p. 25.

²³ S. Marumahoko, O.S. Afolabi, Y. Sadie, and N.T. Nhede, 'Governance and urban service delivery in Zimbabwe', *Strategic review for Southern Africa*, vol. 42, no.1,2020, pp. 41-68, p. 50.

²⁴ M.C. C. Musingafi, 'The legal framework in the governance of portable water supply in Zimbabwe: A global, regional and national overview of the IWRM paradigm', *Journal of Law, Policy and Globalization*, 2013, vol.11, pp. 7-17, p.13.

²⁵ M.C.C. Musingafi, K. Chiwanza and S. Mutsau, 'Theory and practice in the water sector reforms in Zimbabwe: A comparative study of Harare and Masvingo local authorities', *Public Policy and administration research*, vol. 5, no. 10, 2015, pp. 132-143, p. 136.

²⁶ Zimbabwe Coalition on Debt and Development (ZIMCODD), 'Towards a pro-people framework on water management: An assessment of the political-economy of water service delivery in Harare, ZIMCODD, 2013, p.23.

challenge leading to water shortage in the city.²⁷ It is crucial to note that the paper does not discuss the importance of the water policy implementation in the provision of water services and the impact of the lack of policy analysis to inform programmes in water provision is contributing to failures in the sector.

In addition to scholars that have focused on urban water supply Innocent Nhapi exposed the water challenges being faced in Harare in terms of quantity and quality problems due to the pollution of Lake Chivero.²⁸ His main argument is that the City of Harare should have a higher degree of autonomy, free from political influence in order for effective water service delivery. Medial Hove and Auxilia Tirimboi also focused on Harare water service delivery. They noted that water service delivery in Harare and other cities has been declining from 2005 when ZINWA took over the mandate of water service delivery.²⁹ He attributed the challenges to population growth, inadequate maintenance of waste water and poor institutional framework. One may agree with Nhapi on the assertion that the lack of political will to deal with offenders on water pollution and economic hardships were the main challenges affecting effective clean water supply in the urban areas and rural areas. This was the case in Zhombe, where rivers and streams were polluted by artisanal miners.

While the literature above shows how much scholars have focused on urban water challenges, it is important not to dismiss the existence of literature that speaks on rural water challenges. Scholars such as Manzungu, Pazvakavambwa, Musemwa, Nyandoro and Mukonavanhu argue that water scarcity challenges being faced by most communities in rural areas are a result of colonial water distribution systems which disadvantaged the majority black African communities.³⁰ The existing legislation at the time did not allow the issuing of more water use rights whereas most of the people in Zimbabwe had no access to a decent water supply. The legislation stifled and limited the ability of most Zimbabweans to have access to water. The 1976 Water Act in particular, was a colonial law which was designed to safeguard the interests of the white minority, which made up less than 1% of Zimbabwe's total citizenry of 13 million people.³¹ Black people were forced to reside in segregated reserves where they had no ownership rights to land, could not buy or sell land and therefore excluded from owning any water rights.³² Hence, the legislation enforced the unequal granting of rights to water access between the white minority

²⁷ L. Muzondi, 'Urbanisation and service delivery planning: Analysis of water and sanitation management systems in the city of Harare, Zimbabwe', *Mediterranean Journal of Social Sciences*, vol. 5, no. 20, 2015, pp.2905-2915, p. 2910.

²⁸ I. Nhapi, 'The water situation in Harare Zimbabwe: A policy and management problem', *Water Policy*, vol. 11, no. 2, 2009, pp. 597-616, p. 600.

²⁹ M. Hove and Tirimboi, 'Assessment of Harare water service delivery', *Journal of Harare water service delivery*, *Journal of Sustainable Development in Africa*, vol. 13, no. 4, 2013, pp. 61-84, p. 67.

³⁰ E. Manzungu, 'The process and dynamics of catchment management in Zimbabwe', Save Africa Trust Publications, Harare, Zimbabwe, 2002, p.13, M. Musemwa, 'The politics of water in post-colonial Zimbabwe 1980-2007', University of Witwatersrand, Johannesburg, South Africa, 2008, p.37, S. Pazvakavambwa, 'The process and dynamics of catchment management in Zimbabwe', Save Africa Trust Publications, Harare, Zimbabwe, 2002, p. 23, T. Mukonavanhu, 'Commercialisation of water supply in Zimbabwe and its effects on the poor: A working framework', *OASIS Journal*, vol. 9, no. 1, 2021, pp. 1-13, p.6.

³¹ E. Manzungu, M. Mudenda-Damba, S. Madyiwa, V. Dzingirai and S. Musoni, 'Bulk water suppliers in the city of Harare: An endogenous form of privatisation of urban domestic water services in Zimbabwe', *Water Alternatives*, vol. 9, no. 1, 2016, pp. 56-80, p.60.

³² B. Mbiba, 'Communal land rights in Zimbabwe as state sanction and social control: A narrative, Africa', *Journal of the International African Institute*, vol. 71, no. 3, 2001, pp. 426-448, p.430.

and the black majority in colonial Zimbabwe. This legislation played a major role in the scarcity of water in most rural areas in Zimbabwe. It is important to note that this literature gives a background on why the independent government came up with water policies and reforms in the water sector to redress the imbalance between supply of water to the urban and rural areas which was created by the colonial legislation. This research therefore was meant to produce empirical evidence on the efficiency of the water policy in addressing the challenges of water scarcity in rural areas focusing on Mtelo village.

Musemwa and Nyandoro did an analysis on the water shortages in rural areas and indicated colonial imbalances as the primary cause of water challenges in most rural areas. It is crucial to note that the government of Zimbabwe adopted the National Water Policy to improve the security and availability of water to all users. This research does an analysis of the implementation of the National Water Policy at grassroots level in Mtelo village in order to establish if the objectives of the policy were achieved. Given the important role that women in rural areas play in provision and management of water the research seeks to establish the structural factors that were influencing or limiting the participation of women as key stakeholders in the decision making structures, that shape the implementation of the National Water Policy. The research does not forego the knowledge that has been built by other scholars on the gaps in the implementation of the water policies and water management framework, rather it builds on this pre-existing knowledge by examining how Mtelo village may be situated in the discourse.

Literature shows the existence of water challenges and the fact that water reforms were not addressing the challenge of water scarcity. The research examined the implementation of water policies at grassroots level. There was need for empirical evidence to identify gaps between Zimbabwe National Water Policy (ZNWP) and its implementation hence this study focused on case study analysis in order to unpack the gaps between policy and implementation contributing to the continuation of water shortages in as much as there were frameworks that stipulate the need to provide water to communities. Menard et al 2017, indicate that the adoption of national water policies and laws should not be the end rather the start of a longer process that requires substantial investments, and dedication of financial, social, political capital and establishing human capabilities.³³ Therefore, the aim of the research was to unpack the gaps in rural water supply, to ensure efforts to redress the challenges may focus on improving the gaps.

National frameworks on the right to equal access to clean, safe and portable water: An analysis of the realities in Mtelo village

The research gave reference to the Constitution of Zimbabwe of 2013, National Water Policy, Water Act, ZINWA Act are among the key frameworks that were put in place to guide the supply of water in rural and urban areas. Maxwell Musingafi et al, note that the unique feature of the Zimbabwe National Water Authority Act which distinguishes it from previous water policy frameworks in the country is the participation of all stakeholders especially users of water in the decision making process through consultative catchment management structures at various levels.³⁴ This research made reference to Sherry

³³C. Menard, A. Jimenez and H. Tropp, 'Addressing the policy implementation gaps in water services: Key role of meso-institutions', *Water International*, vol. 43, no. 1, 2017, pp. 13-33, p. 15.

³⁴ C.C. Maxwell, K. Chiwanza and S. Mutsau, 'Theory and practise in the water sector reforms in Zimbabwe: A comparative study of Harare and Masvingo local authorities', *Public, Policy and Administration Research*, vol. 5, no. 10, 2015, p. 132.

Arnstein ladder of citizen participation³⁵ to access the participation of women in Mtelo village. Sherry argues that for the participation of the community to be considered participation in any genuine or practical sense the redistribution of power is pertinent. Recognising that women are disproportionately affected by water scarcity the Constitution affirms the need for equal access as well as equal representation of men and women in decision making platforms. The National Gender Policy and the National Development Strategy 1 also highlight the important role women should play through their participation. While these are the guiding principles, it is crucial to highlight that the majority of women in Mtelo were not represented in the decision making processes. Hence without an authentic reallocation of power to women in decision making, participation allowed power holders to claim stakeholder participation. The participation of women manifested only in meeting attendance and not in making key decisions that translated in the improvement of the water situation in their village.

Environmental degradation was among the key issues that hindered access to water in Mtelo village. Daniel Chigudu's intervention on the factors affecting policy implementation in Zimbabwe noted the importance of political office bearers and law enforcement agents as important forces, particularly on ensuring persecution of people who flout environmental policies.³⁶ However, in Mtelo village, the Manzimunyama River was affected by siltation due to artisanal mining activities. While politicians may criticize the activities they cannot take decisive actions because stopping people from artisanal mining would affect their support base. Chidugu's research focused on the implementation gaps on the Zimbabwean economic policies, environmental policy, industrial policy, agricultural policy, healthy policy, financial policy and trade liberalisation. He noted that lack of capacity, inadequate material resources and lack of continuity in government policies are the major gaps to policy implementation in Zimbabwe.³⁷ It is imperative to note that, the research did not critique the Zimbabwe National Water Policy grassroots implementation gaps. The research in Mtelo village proved that the lack of alignment of the Environmental Policy and the National Water Policy was affecting the grassroots implementation of the water policy because while ZINWA has the right to govern water bodies the institution does not have the power to persecute those who were guilty of polluting water bodies.³⁸ The Environmental Management Agency is the one tasked with the responsibility of persecuting polluters.

Tom and Munemo, did an analysis of the gaps between policy and implementation of the Water Policy and the performance of the water reform sector.³⁹ Their desk review analysis of the Zimbabwe National Water Policy established the policy gaps as entrenched in the design flaws, unsanctioned drilling and operation of boreholes in urban areas, politicization of public policies, top-down policy implementation approach, ineffective human resources, duplication of roles in water supply systems. Similarly, in Mtelo village this research established that there was lack of practical implementation of the main tenancies of

³⁵ S. R. Arnstein, 'A ladder of citizen participation', *Journal of the American Planning Association*, vol.35, no.4, pp. 216-224, p.217.

³⁶ D.Chigudu, 'Navigating policy implementation gaps in Africa: the case of Zimbabwe', *Risk Governance and control: Financial markets and institutions*, vol. 5, no. 3, 2015, pp. 7-14, p. 9.

³⁷ *Ibid*, p. 12.

³⁸ Interview with Mr Muchena, Cooperate Communications Officer, ZINWA, Gweru, 10 July 2023.

³⁹ T. Tom and E. Munemo, 'Republic of Zimbabwe national water policy: A desk review of the gaps between policy and its implementation', *International Journal of public policy and administration research*, vo. 2, no. 3, 2015, 60-72, p.65.

the National Water Policy. In particular, the participation of women as well as the constitutional right to access to safe and portable water. The water point committees which were put in place to ensure the participation of women in water supply have been redundant. Trainings were conducted between 1992 and 1995 through the water and sanitation programme which was funded by an international non-governmental organisation, Plan International.⁴⁰ During the research it was established that the water point committee has been redundant since 1995.

Practical implementation of the national frameworks in Mtelo village

The lack of supervision and monitoring mechanism is a major gap affecting water supply in Mtelo village. The National Water Policy stipulates that Rural District Councils are supposed to ensure there is adequate water supply in their jurisdiction. It is important to highlight that, there were no mechanisms in place to ensure the rural district councils were supervised and monitored on their provision of services to the communities.⁴¹ The National Water Policy, asserts the need for the provision of equipment, financial resources to enhance capacity of the key institutions in the water sector, in a sustainable manner. ZINWA is a parastatal which works with different government sector ministries to ensure water provision through giving its expertise to the Rural District Councils while councils have the mandate to mobilize resources from the community and government. The research established that all government sector ministries have direct and indirect responsibilities in terms of ensuring water supply to rural communities. While the Ministry of Finance and Economic Development's responsibility lays in the provision of financial resources, other ministries are responsible for the technical support of the implementation. The Ministry of Environment, Water and Climate and the Ministry of Lands, Agriculture, Fisheries, Water, Climate play pivotal roles in the provision of water to communities. Hence, it is crucial to note that this creates gaps in the accountability framework.

The lack of financial resources was highlighted as the main challenge affecting the provision of water in communities. The government through the Ministry of Finance and Economic Development has implemented monetary policies that are inconsistent. An Engineer from the Zibagwe Rural District Council highlighted that the Rural District Council is aware of the water scarcity challenges not only in Mtelo village but in most parts of Kwekwe rural district.⁴² However, the council does not have the financial capacity and resources to address the challenge. For instance, in January the council resolved that it must drill at least 40 boreholes within the 33 rural wards but as of July 2023 only three boreholes had been drilled.⁴³ The policy indicated that Rural District Councils are supposed to use land taxes collected from the community to ensure water supply in vulnerable communities. The council collects taxes in local currency yet service providers are charging in hard currency. This was causing complications for the council hence failure to adequately provide for services in the communities. Currently households were required to pay local currency equivalent to USD 2 at interbank rate, while service providers use the black market rate which is often double or triple the interbank rate.⁴⁴

⁴⁰ Interview with Mr Sibanda, Ward 9 Councillor, Zhombe, 16 July 2023.

⁴¹ Interview with ZINWA Kwekwe District official, Kwekwe, 15 July 2023.

⁴² Interview with Engineer Mangoro, Zibagwe Rural District Council, Kwekwe, 15 July 2023.

⁴³ Interview with Engineer Mangoro, Zibagwe Rural District Council, 15 July 2023.

⁴⁴ Interview with Zibagwe Rural District Council Official, Kwekwe, 15 July 2023.

The lack of clear responsibilities and duplication of roles were among the factors that were highlighted as hindering the effective supply of water to Mtelo village. The government of Zimbabwe has legal frameworks that are meant to ensure equitable access and use of water. However, it is crucial to note that the Water Act 1998, ZINWA Act 2002, Rural District Councils Act 1988, Public Health Act 2018 and EMA Act 2020 are not synchronized with the National Water Policy 2012. The Acts are contributing to duplication of roles and responsibilities. For instance, ZINWA is given the mandate over water bodies, while EMA is given the responsibility to issue tickets to water polluters. This is a challenge and it directly affects the practical implementation of the policy. EMA has the right to deal with polluters of water bodies while, ZINWA is given power to govern water bodies but doesn't have the responsibility to deal with pollution and the polluters.⁴⁵ In Mtelo village, residents were using water from shallow wells. According to the Water Policy each water point is supposed to be monitored at least twice a year to verify suitability of water for human consumption. During the field research a number of inconsistencies were observed in relation to water monitoring. ZINWA officials indicated that they have Water Quality Assurance Technicians but they have not done monitoring in a while because they act upon invitation by the Rural District Council. The Rural District Council indicated that water monitoring is supposed to be done by the Ministry of Health through Environmental Health Technicians that are based in community. The research established that water quality monitoring was done when a household indicates that they may be having a challenge (for instance, if members of the household are suffering from diarrhoea) they alert the village head who tells the ward councillor then the ward councillor approaches the Environmental Health Technician.⁴⁶ One village stated that she had a shallow well at her homestead and she noted that the water has not been tested for the past five years.⁴⁷

The realities of water access in Mtelo village

The use of hand-dug wells for drinking and domestic purposes is very common in Mtelo village. 36 out of a total of 75 households have hand-dug shallow wells. The community utilizes men who have indigenous knowledge on siting water. These men use basic home designed devices that include copper wire or water bottles to identify groundwater distribution. The drilling of wells costs on average \$20 (United States Dollars) per metre, and an average shallow well in Mtelo village ranges from 20 meters to 25 meters.⁴⁸ The depth of the shallow well is based on the depth of the underground water. Hand-dug wells are constructed using simple tools such as hoes, shovels, pickaxes and diggers, a pit is dug into an aquifer. It usually requires three to four men to dig a well. The research established the extreme danger in the digging and construction of the wells. The total cost of drilling and the construction of a deep well was \$500 (United States Dollars). The research findings indicated that this amount of money was beyond the reach of the poor households.

⁴⁵ Interview with Mr Muchena, Corporate communications officer, ZINWA, Gweru 15 July 2023.

⁴⁶ Interview with Mr Mujakachi, Village Head, Mtelo village, Ward 9, Zhombe, 10 July 2023.

⁴⁷ Interview with Mrs Chishiri, Mtelo village resident, Ward 9, Zhombe, 10 July 2023.

⁴⁸ Interview, S. Mugove, Shallow well digger, Mtelo village, Ward 9, Zhombe communal area, 20 July 2023.



Figure 1: Shallow well, Mujakachi Homestead, Mtelo village © Picture by Author

While the digging of shallow wells is a strategy to deal with water scarcity, unprotected hand-dug wells are vulnerable to contamination. There is an idiom well known in the community *nhundira mutsime* referring to someone who pees in the well (this is a description given to a naughty child).⁴⁹ An elderly villager stated that cases of young or old people who have been caught in the act of peeing in the well are common and in addition to this cats or dogs can fall into wells.

*“Rimwe gore taingonzwa kuti mvura haina mweya wakanaka, takazoziva kuti yaive katsi yakafira mukati yacherwa mumugomo unoburitsa mvura, (At some point we noticed that the water we were drinking had an odour, but we did not know what the cause was until one day while fetching water a dead cat appeared in the bucket).”*⁵⁰

The community was aware that the water was dirty, but these were the sources available to them: river or shallow well. It is also important to note that wells with a depth of less than 100 meters lack enough soil thickness to absorb all the contaminants seeping into the ground, this can result in poor water quality.⁵¹ Shallow wells extract water which is highest in the water table which means that the water can be vulnerable to surface water contamination from fertilizers and sewage waste. Shallow wells should be tested to ensure communities are drinking safe water but research respondents who have shallow wells in their homesteads indicated that the process was never done in Mtelo village. Shallow hand dug wells,

⁴⁹ Interview with Gogo Mushayi, Mtelo village, Ward 9, Zhombe Communal Area, 8 July 2023.

⁵⁰ *Ibid.*

⁵¹ E. S. Liddle, S. Mager and E. L. Nel, ‘The suitability of shallow hand dug wells for safe water provision in sub-Saharan Africa: Lessons from Ndola, Zambia’, *Applied Geography*, vol. 57, 2015, pp. 80-90, p. 85.

although widely used, do not constitute safe access to water under the Millennium Development Goals definition.⁵² The villagers in Mtelo village also highlighted that apart from health issues, the availability of water in shallow wells is seasonal. During the dry seasons the wells dry up then women must walk for long distances to fetch water. Women from households without shallow wells indicated that borrowing water from the neighbours whose shallow wells have water in the dry season is not sustainable because you can be given only two 20 litre buckets, which are not enough to carry out the domestic chores.⁵³ These findings indicated that women are disproportionately affected by the water situation in their village.

Situating Mtelo women in the water scarcity discourse

The government of Zimbabwe recognises the important role women play in the provision and management of water in the household. Access to water may reduce or widen inequality gaps, and to that effect the National Gender Policy gives reference to the aims of the water reforms, which include fair access, improved administration of the Water Act and improved management of water resources. The policy prioritises strategies that ensure that there is awareness of the importance of gender sensitive budgeting, planning and management of water resources. However, it is important to note that while appointments in ZINWA and councils should be gender sensitive only three posts are reserved for women and youth as stipulated in the National Water Policy. The allocation of 30 % of positions to women in a way contradicts the constitutional provision on gender equality because section 56 recognises the equality of all persons and it outlaws discrimination on the grounds of gender,⁵⁴ and the National Gender policy.⁵⁵ Hence one may be justified to question why not reserve 50 percent of the positions in the catchment councils to women to ensure women are equally represented. Suffice to argue that the National Water Policy is not aligned with the National Gender Policy and the Constitution of Zimbabwe.

Additionally, it must be highlighted that the National Gender Policy strategies omitted social transformation. Social transformation is important because in Mtelo village and in most studies water is regarded as a women's problem,⁵⁶ not a community problem. The National Gender Policy is clear on the need to promote micro catchment and harvesting strategies and technologies that are gender sensitive and provision of domestic water to be readily available to reduce women's loads. There is need to change the systems that make water scarcity a burden for women. The policy indicates that at institutional level, there should be a gender desk in all ministries to monitor the progress being made in improving the status of women however this is yet to be realised as a reality.⁵⁷ Furthermore, the National Development Strategy 1 2021-2025 was developed building from the Transitional Stabilization Programme (2018-2020) and its failures, the government launched the NDS1 which is to run from 2021 to 2025 under the theme *Towards a prosperous and empowered upper middle income society by 2030*. On paper the NDS1 is well crafted because it recognises the important role that women play in development and this is to be enabled through their participation in all decision making platforms. While decentralisation seeks to empower provincial

⁵² World Health Organisation, 'Millennium Development Goals', February 2018, p.23.

⁵³ Focus Group Discussion, Mtelo village, Ward 9, Zhombe Communal Area, 20 July 2023.

⁵⁴ Section 56 of the Constitution of Zimbabwe, Amendment No. 20 Act 2013.

⁵⁵ Ministry of Women Affairs, Gender and Community Development, 'The National Gender Policy (2013-2017)', Zimbabwe.

⁵⁶ Ibid, p.8

⁵⁷ Ibid, p.12

and local councils giving communities a chance to participate in local developmental issues, it must be noted that the low representation of women in decision making platforms remains a matter of concern.

lack of visibility of women's voices creation of spaces where women's voices can be heard and taken into account active presentation of women who chairs meetings at village level?

Women from low income households in water scarce Mtelo village are also victims to traditional norms and patriarchal dominancy that shapes the provision and management of water within the households and at community level. Water access is intrinsically linked with the lives of women in Mtelo village, and it plays an important role in ensuring a sustainable livelihood. Jean- Marc and Santini reiterated that inadequate water access for productive purposes is one of the factors that increases the vulnerability and poverty of women and their households.⁵⁸ Where there is a challenge of water scarcity the result is a multiplication of negative effects, such as food insecurity, water-borne diseases, lack of income, girls dropping out of school and water-related conflicts. Women bear the brunt of water scarcity because their livelihoods are highly dependent on water. Patriarchy, has shaped how men and women should collect water. The use of water collection tools such as scorchcarts and wheelbarrows is inclined to men. This is the case where the tools are available. For homestead without these tools women carry water on their heads for multiple trips. This practise cannot be done by men. This shows that men can only intervene in the collection when there are tools that make the process less vigorous. The study proved that the Mtelo village governance is characterised by male dominance over women. These social relations of power between men and women are shaping how women are adapting to water scarcity. The power relations are therefore responsible for the maintenance of the privileges of men over women because water scarcity is regarded as a women's problem. Traditional and cultural norms are the principles that regulate how women are supposed to behave and this is perpetuating inequality and increasing the vulnerabilities of women. In most households the role of water collection is solely the responsibility of women. Women are exposed to vulnerabilities and double duties as they try to avail this scarce resource in their households.

One may argue that patriarchy is the structural force which is influencing the power relations that are existing in Mtelo village and ensuring women are abiding to their gendered assigned roles such as household water provision and management. In order to challenge this system, women's agency should entail women claiming their rights to self-determination and equality. It is imperative to confront gender conformity by replacing relationships of power with relationships where women are treated as partners, not subordinates who are to act and behave in a way approved by the system. Women's agency to water scarcity should translate in women leading governance and decision-making processes not just participation in the processes. In Mtelo village, women are not in control of the decision-making process. Rather they communicate their challenges to the village head who then takes it up to the councillor, the councillor reports to the office involved that are also led by men.

⁵⁸ F. Jean-Marc and G. Santini, 'Water and rural poor: Interventions for improving livelihoods in Sub-Saharan Africa', Rome, FAO Land and Water Division, 2008, p. 27.

Women are supposed to make decisions from family levels to the highest level which in this case is the national level. Currently, the system has normalised the negotiation and subtle strategies being used by women to circumvent their way through the structures. Agency must be exhibited through the meaningful representation of women in all these structures, this representation will ensure that the actual voices of women are heard. The use of subordination and sexual relations to men to gain access and pseudo control must not be internalized in women. While women are being groomed to be subordinate, the system is normalising the males’ hold on primary power, dominating roles of political leadership, social privileges, and control of property. Women in Mtelo village have been confined to accepted gender roles while men dominate the private and public spheres. The rights of women to self-determination are being controlled by regressive principles and societal institutions.

Table 1: Distribution of Leadership Positions According to Gender in Mtelo © Table by Author

| Position | Sex |
|---|------------|
| Village head | Male |
| Headman | Male |
| Councillor | Male |
| Chief | Male |
| Rural District Council (Chief Executive officer) | Male |
| District Development Fund Chairperson | Male |
| Kwekwe District Water Technician | Male |
| District Administrator | Male |

Dismantling patriarchy and all structures of oppression is crucial to the system change in Mtelo village. System change means creating societies based on women’s sovereignty and this should be seen through the representation of women in leadership and strategic positions. The representation of women in the structures of power is important because the research findings proved that when women use third parties to share their challenges. The fact that the village has been without a borehole for many years proves that the process does not yield the expected results. Men not only govern the private sphere, but this is extended to the public sphere. This has made women’s access and control over resources a far-fetched reality which has made it impossible for women to independently make critical decisions. Real determination is one that gives women power over access and control of resources which translate in them deciding on actions that solve the real issues that are affecting them.

Conclusion

While the Zimbabwean Constitution Amendment number 20 of 2013 recognises the right to access to clean, safe and portable water, which is in line with the stipulated International Standards. The study established that the human right to water was not being realised in Mtelo village in as much as the government adopted frameworks to guide the provision of water to communities. The implementation of the frameworks in Mtelo village was affected by lack of financial resources, duplication of roles by implementing partners, lack of monitoring mechanisms and the fact that policies and acts are not aligned. Water scarcity in Mtelo village was affecting women particularly from low income households because they did not have access to water collection tools and their homesteads did not afford the cost of

constructing shallow wells. The National Water Policy, National Gender Policy and Water Act were put in place to ensure equitable access to water. These frameworks emphasise, water as a women's challenge without ensuring they have a voice in decision making. Women in Mtelo village were not participating meaningfully in the decision making processes due to the existence of structural institutions which strive on the dominance of men.

References

1. Al-Ansari N., Abbas N., Laue J., Knutsson S., 'Water scarcity: Problems and possible solutions', *Journal of Earth Sciences and Geotechnical Engineering*, vol. 11, No. 2, 2020, pp. 243- 312.
2. Arnstein S.R., 'A ladder of citizen participation', *Journal of the American Planning Association*, vol.35, no.4, pp. 216-224.
3. Bolding A., Manzungu E. and van der Zaag P., 'A realistic approach to water reform in Zimbabwe', in Manzungu E., Aidan S. and van der Zaag P. (eds.), *Water for agriculture in Zimbabwe: Policy and management options for the smallholder sector*, Harare, University of Zimbabwe Publications, 2000.
4. Campbell H., 'Reclaiming Zimbabwe: The exhaustion of the patriarchal model of liberation', Trenton, NJ: Africa World Press, 2003.
5. Chaminuka L., 'An assessment of water shortages and coping mechanism of Harare residents: A case of Msasa Park and Dzivarasekwa Extension', *IOSR Journal of Agriculture and Veterinary Science*, vol. 4, no. 3, 2013, pp.21-35.
6. Chigudu D., 'Navigating policy implementation gaps in Africa: the case of Zimbabwe', *Risk Governance and control: Financial markets and institutions*, vol. 5, no. 3, 2015, pp. 7-14.
7. Cleaver F., 'Community management of rural water supplies in Zimbabwe', Thesis submitted for the Degree of Doctor of Philosophy, University of Bradford, K, 1990.
8. Constitution of Zimbabwe Amendment Number 20, 2013.
9. Hove M. and Tirimboi, 'Assessment of Harare water service delivery', *Journal of Harare water service delivery*, *Journal of Sustainable Development in Africa*, vol. 13, no. 4, 2013, pp. 61-84.
10. Jean-Marc F. and Santini G., 'Water and rural poor: Interventions for improving livelihoods in Sub-Saharan Africa', Rome, FAO Land and Water Division, 2008.
11. Kondo T., Masike S., Chihera B. and Mbonderi B., 'One step forward, two steps back: A review of *Mushoriwa v City of Harare* in view of Zimbabwe's constitutional socio-economic rights', *African Human Rights Law Journal*, vol. 21, no. 1, 2021.
12. Liddle E.S., Mager S. and Nel E.L., 'The suitability of shallow hand dug wells for safe water provision in sub-Saharan Africa: Lessons from Ndola, Zambia', *Applied Geography*, vol. 57, 2015, pp. 80-90, p. 85.
13. Makwara E.C. and Tavuyanago B., 'Water woes in Zimbabwe's urban areas in the midst of plenty: 2000 to present', *European Journal of Sustainable Development*, vol. 1, no. 2, 2012, pp. 151-180, p. 160.
14. Manzungu E., 'More than a headcount: Towards strategic stakeholder representation in River Basin management in South Africa and Zimbabwe', *Physics and Science of the Earth. Journal*, vol. 27, 2002.
15. Manzungu E., 'The process and dynamics of catchment management in Zimbabwe', Save Africa Trust Publications, Harare, Zimbabwe, 2002.
16. Manzungu E., Mudenda-Damba M., Madyiwa S., Dzingirai V. and Musoni S., 'Bulk water suppliers in the city of Harare: An endogenous form of privatisation of urban domestic water services in Zimbabwe', *Water Alternatives*, vol. 9, no. 1, 2016, pp. 56-80.
17. Marumahoko S., O.S. Afolabi, Sadie Y., and Nhede N.T., 'Governance and urban service delivery in Zimbabwe', *Strategic review for Southern Africa*, vol. 42, no.1,2020, pp. 41-68.

18. Maxwell C. C., Chiwanza K. and Mutsau S., 'Theory and practise in the water sector reforms in Zimbabwe: A comparative study of Harare and Masvingo local authorities', *Public, Policy and Administration Research*, vol. 5, no. 10, 2015.
19. Mbiba B., 'Communal land rights in Zimbabwe as state sanction and social control: A narrative, Africa', *Journal of the International African Institute*, vol. 71, no. 3, 2001, pp. 426-448.
20. Menard C., Jimenez A. and Tropp H., 'Addressing the policy implementation gaps in water services: Key role of meso-institutions', *Water International*, vol. 43, no. 1, 2017, pp. 13-33.
21. Ministry of Women Affairs, Gender and Community Development, 'The National Gender Policy (2013-2017)', Zimbabwe.
22. Mukonavanhu T., 'Commercialisation of water supply in Zimbabwe and its effects on the poor: A working framework', *OASIS Journal*, vol. 9, no. 1, 2021, pp. 1-13.
23. Mulwa F., Li Z., Fangninou F.F., 'Water scarcity in Kenya: Current status, challenges and future solutions', *Open Access Library Journal*, vol. 8, no. 1, 2021, pp. 1-15.
24. Musemwa M., 'The politics of water in post-colonial Zimbabwe 1980-2007', University of Witwatersrand, Johannesburg, South Africa, 2008.
25. Musingafi M.C.C., 'The legal framework in the governance of portable water supply in Zimbabwe: A global, regional and national overview of the IWRM paradigm', *Journal of Law, Policy and Globalization*, 2013, vol.11, pp. 7-17.
26. Musingafi M.C.C., Chiwanza K. and Mutsau S., 'Theory and practice in the water sector reforms in Zimbabwe: A comparative study of Harare and Masvingo local authorities', *Public Policy and administration research*, vol. 5, no. 10, 2015, pp. 132-143.
27. Muzondi L., 'Urbanisation and service delivery planning: Analysis of water and sanitation management systems in the city of Harare, Zimbabwe', *Mediterranean Journal of Social Sciences*, vol. 5, no. 20, 2015, pp.2905-2915.
28. Nhapi I., 'The water situation in Harare Zimbabwe: A policy and management problem', *Water Policy*, vol. 11, no. 2, 2009, pp. 597-616.
29. Nyandoro M., 'Zimbabwe's land struggles and land rights in historical perspective - The case of Gowe-Sanyati Irrigation (1950-2000)', *Historia*, vol. 57, no. 2, 2012, pp. 305- 346.
30. Pazvakavambwa S., 'The process and dynamics of catchment management in Zimbabwe', Save Africa Trust Publications, Harare, Zimbabwe, 2002.
31. Pickering A.J. and Davis J., 'Freshwater availability and water fetching distance affect child health in Sub Saharan Africa', *Environmental Science Technology Journal*, vol. 46, no. 4, 2012.
32. Romano O. and Akhmouch A., 'Water governance in cities: current trends and future challenges', *Water*, vol.11, no. 3, 2019.
33. Section 56 of the Constitution of Zimbabwe, Amendment No. 20 Act 2013.
34. Section 77 of the Constitution of Zimbabwe Amendment No.20 Act,2013.
35. Shmidt E., 'Patriarchy, capitalism and the colonial state in Zimbabwe', *Journal of Women in Culture and Society*, vol. 16, no. 4, 1991.
36. Tagutanazvo E.M., 'Integrated rural water supply and sanitation project', www.repository.upenn.edu, 2019. accessed 15 July 2023.
37. Tom T. and Munemo E., 'Republic of Zimbabwe national water policy: A desk review of the gaps between policy and its implementation', *International Journal of public policy and administration research*, vo. 2, no. 3, 2015, 60-72.

38. UNICEF, 'Collecting water is often a colossal waste of time for women and girls', 2016, available at www.unicef.org, accessed 16 June 2021.
39. United Nations, '*General Assembly adopts resolution recognizing access to clean water, sanitation as a human right*', UN Press, 28 July 2010.
40. World Health Organisation, '*Millennium Development Goals*', February 2018.
41. Zimbabwe Coalition on Debt and Development (ZIMCODD), '*Towards a pro-people framework on water management: An assessment of the political-economy of water service delivery in Harare*', ZIMCODD, 2013.
42. Zimbabwe Environmental Lawyers Association, 'Case Alert! High Court of Zimbabwe orders Chitungwiza Municipality to upgrade its water treatment plants and sewer systems', December 18 2020, www.zela.org, accessed 14 July 2023.
43. Zimbabwe Law Report, 'Hove v City of Harare', March 23 2016, www.zimbabwelawreports.com, accessed 14 July 2023.
44. Zimbabwe Lawyers for Human Rights, 'Zim courts seized with petitions for restoration of water supplies to residents to residents during Covid national lockdown', April 6 2020, www.zlhr.org.zw, accessed 14 July 2023.