



Ballot Update

Bulletin

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FREE

Draft Constitution: Unpacking the Proposed Electoral Hybrid Electoral System



Important principles for an electoral system are representation, transparency and inclusiveness. In line with the above mentioned principles there are different electoral systems that produce different kinds of results, and give voters different kinds of choices.

These are the Majority system, Proportional Representation system and the Mixed System. Under the current constitution in Zimbabwe, the electoral system is the first-past-the post for parliamentary elections. This is for both the House of Assembly and Senate.

"Many wasted votes, often need for by elections, requires boundary delimitation, and it may lead to gerrymandering."

The election system is a set of legal rules, techniques and frameworks whereby electors express their political will by casting votes for the purpose of constituting the representative government bodies in a state. A balanced election system, which contains and implements the principles of universal, equal and direct suffrage with secret voting, is a mandatory technique of establishing and maintaining democratic government.

The basic functions of an electoral system are to determine the mode of casting votes, the ways in which electors can express their political preferences, and to provide the methods of converting votes cast into mandates. Therefore, "a good" electoral system must provide a ready regulation (a combination of rules and possible solutions) of the entire electoral process from casting votes to determining the results.

The First Past the Post (FPTP) has its advantages as its strong geographic representation, which makes accountability easier to enforce, simple to understand, and offers voters a clear choice, also encourages a coherent opposition and excludes extremist parties, and allows voters to choose between candidates. It also enforces strong legislative support for president more likely in presidential systems and majority governments more likely in parliamentary systems. The disadvantages exclude minority parties, minority ethnic groups and women.

Many wasted votes, often need for by elections, requires boundary delimitation, and it may lead to gerrymandering. For the presidential election the Electoral Act in Zimbabwe provides for an absolute majority system, calling for a second election between the top two candidates if the first election fails to produce a winner.

Majority systems are simple and yield results but they lack representation; all votes for the candidate who does not win remain without their representation and are practically wasted. In light of the above mentioned shortcomings of the current constitution, the COPAC Draft proposes to retain the winner-take-all system for the House of Assembly and to introduce proportional representation for the Senate.

The proposal of a Hybrid system is a positive development which is vested in the leading classification of the Venice Commission which has the three most essential functions of an electoral system which are representation; selection; and investiture. The first function ensuring the representation of the people is doubtless the leading one; it actually gave its name to the "representative system".

The advantages of the hybrid system are that it enhances democracy, inclusivity, and it enables power sharing at the legislative level. It also promotes reconciliation and tolerance, provides high possibility for gender balance in the legislature and it encourages party coalition. It further retains accountability of MPs (FPTP), retains broad representation (LIST-PR), widens political complexion of parliament, opens two gates into parliament (party and constituency), and

facilitates power-sharing and consensus building amenable to gender equality and reconciliation and national harmony.

However the disadvantages are that it is more complex in terms of voting (double) and vote counting is complex and lengthy. It may also lead to fragmented parliament and it is more costly and may generate proliferation of parties. Political parties can find it difficult to gain a majority of parliamentary seats, making coalition governments a common feature. This tends to fragment the party system, and can lead to the election of MPs from micro-parties that can gain influence far in excess of their following in the community. Another disadvantage is that the Mixed system is unfamiliar in Africa. Generally, the drawbacks of all hybrid electoral systems could be reduced to their complexity. They often involve procedures that distort the results of the ballot boxes so as either to exclude certain votes from representation (thresholds) or, on the contrary, to increase the weight of other votes (bonus for the leading party). Then the elector who has difficulty in understanding the complexity of the arithmetic finds it even more difficult to accept the resulting discrepancy compared to the votes cast.

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Election news quotes

"According to the GPA, parties in Government cannot contest each other, equally they cannot sponsor proxy candidates and then support them as independent candidates that said, it means Bhebe, Mguni and Mpfu cannot stand as independent candidates because it is known that they belong to the MDC-T". MDC director for policy and research, Mr Qubani Moyo. THE HERALD 30 AUGUST

"We have always said there is no way MDC-T can win the forthcoming general elections. They have no other programme except to say 'Mugabe must go' and 'good governance' which people do not eat anyway." ZANU PF Spokesperson Mr. Rugare Gumbo. The Herald 4 September

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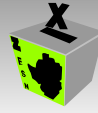
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Kutsanangura musanganiswa wenzira mbiri dzesarudzo dziri kuda kushandiswa semanyorerwo adzakaitwa mubumbiro remutemo risati radzikwa neparamende.

Chinyorwa ichi chakagadzirwa neboka reZESN

Nzira dzekusarudza nadzo hurumende zvinoreva mitemo inoshandiswa nevanhu kuti vakwanise kutaura zvivo panyaya dzezvematongerwo enyika kubudikidza nekuvhota vachisarudza vatungamiri vehurumende. Kuti pave nehurumende inokoshesa hutongi hweruzhinji, nzira inoshandiswa pakusarudza hurumende inofanira kunge ichikoshesa kodzero dzevanhu vese nekuenzana kwemunhu wese pamwe nekuti munhu wese akwanise kuita sarudzo yake pasina umwe anoziva zvaasarudza. Naizvozvo nzira yakanaka yekusarudza vatungamiri inofanira kujekesa mitemo inoshandiswa pakuvhota pamwe nenzira dzekugadzirisa matambudziko anosanganikwa nawo pakuvhota. Inofanira kukoshesa humiriri hwevanhu vese, kuitwa kwesarudzo pasina kubiridzira pamwe nekuti munhu wese aite rupande rwake panyaya dzezvematongerwo enyika.

Kune nzira dzakasiyana-siyana dzekusarudza nadzo vatungamiri vehurumende. Yekutanga inoti bato kana mumiriri awana mavhoti akawanda ndiye anotonga. Yechipiri inoti bato rimwe nerimwe rinowana humiriri muhurumende zvichienderana nehuwandu hwevanhu varivhotera. Yechitatu musanganiswa wemhando mbiri idzi. Izvi zvinoreva kuti chimwe chikamu chezvigo zvevamiriri vehurumende chinotarudzwa pachishandiswa mhando yekutanga inoti awana mavhoti akawanda ndiye anotonga uyezve chimwe chikamu chevamiriri vehurumende chinotarudzwa pachishandiswa mhando inoti bato rimwe nerimwe rinowana humiriri zvichienderana nehuwandu hwemavhoti arawana.

Bumbiro remutemo ririkushanda muZimbabwe parizvino rinoti, awana mavhoti akawanda ndiye mumiriri wenzvimbo pasarudzo dzemudare reparamende nemudare remasenator. Nzira iyi yakanakira kuti iri nyore kunzwisa uye vanhu vari mumatunhu akasiyana-siyana vanowana humiriri hwavanoda munzvimbo dzavanogara. Naizvozvo zvinove nyore kuona kuti mumiriri wenzvimbo ari kuita basa nemazvo here.

Nzira iyi yakashatira kuti vari mumapato madiki nesarudzi ane vanhu vashoma pamwe nevanhukadzi vanoshaya humiriri hwakakwana muhurumende. Kuraswa kwemavhoti, kudzororwa kwesarudzo nekubiridzira pakugadzirwa kwemiganhu yematunhu ekuvhota ndemamwe matambudziko anosanganikwa nawo kana pachinge pashandiswa nzira iyi.

Mushure mekuongorora bumbiro remutemo ririkushandiswa ikozvino muZimbabwe, varikunyora bumbiro idzva remutemo veCOPAC vari kuti mhando inoti awana mavhoti akawanda ndiye ahwina ngairambe ichishandiswa pasarudzo dzevamiriri vedare reparamende. Vari kuenderera mberi vachiti, padare remaSenator ngapashandiswe nzira yechipiri inoti bato rimwe nerimwe rinowana humiriri muhurumende zvichienderana nehuwandu hwevanhu varivhotera. Musanganiswa wemhando mbiri idzi idanho rakanaka richabatsira kuti pave nehumiriri hweruzhinji rweZimbabwe.

Musanganiswa wenzira mbiri idzi unokurudzira hutongi hweruzhinji, kupinda kwevanhu vese mune zvevatongerwo enyika pamwe nekupararira kwemasimba ehutongi. Unokurudzira zvakare kuyanana pakati pamarudzi akasiyana nekuremekedzana nyangwe paine maonero akasiyana. Zvakare unokurudzira kuti pave nehumiriri hwevanhukadzi nevanhurume nekubatana kwemapato ezvematongerwo enyika. Zvisinei, musanganiswa uyu wakashatira kuti kuvhota nekuvengwa kwemapapa ekuvhota hakusi nyore uye kunotora nguva refu. Panoshandiswa mari yakawanda uye unogona kukurudzira kunyuka kwemapato ezvematongerwo enyika akawanda. Zvakare nzira iyi haizivikanwi nevanhu vazhinji vemuAfrica.

“Kuraswa kwemavhoti, kudzororwa kwesarudzo nekubiridzira pakugadzirwa kwemiganhu yematunhu ekuvhota ndemamwe matambudziko anosanganikwa nawo kana pachinge pashandiswa nzira iyi.”

Muchidimbu, tingati vakashatira musanganiswa wenzira mbiri idzi ndezvekuti hazvisi nyore pakuvhota nepakuverengwa kwemavhoti. Naizvozvo munhu anenge achida kuvhota anogona kutadza kunzwisa nzira idzi dzesarudzo zvomomera kuti agamuchire zvinobuda musarudzo. Pakupedzisira zvinogona kumushaisa chido chekuda kuvhota.

Varikunyora bumbiro remitemo vari kuti, pakusarudza masenator ngapashandiswe nzira inoti bato rimwe nerimwe rinowana humiriri hwemasenator zvichienderana nehuwandu hwevanhu varivhotera muporovhinzi. Hapaitwi sarudzo dzemasenator dzakazvimirira asi kuti huwandu hwemavhoti ekusarudza nhengo dzedare reparamende ndihwo huchashandiswa pakugadza masenator muporovhinzi imwe neimwe.

Pfungwa iyi iri kutevedzera muenzaniso weLesotho. Dare reparamende reLesotho rine zvigo zana nemakumi maviri (120). Pazvigo izvi makumi masere (80) zvinosarudzwa nenzira yekuti awana mavhoti akawanda ndiye anotonga asi zvimwe makumi mana (40) zvinosarudzwa nenzira inoti bato rimwe nerimwe rinowana humiriri muhurumende zvichienderana nehuwandu hwevanhu varivhotera.

Musanganiswa wenzira mbiri idzi wakanaka nekuti unokurudzira hutongi hweruzhinji uye nekupararira kwemasimba ehutongi. Unokurudzira zvakare kuyanana pakati pamarudzi akasiyana nekuremekedzana kunyangwe paine maonero. Izvi zakanakira Zimbabwe sezvo iri kutarisira sarudzo dzine runyararo. Musanganiswa uyu unokurudzira kuti pave nehumiriri hwevanhukadzi nevanhurume panyaya dzezvematongerwo enyika naizvozvo zvichabatsira pakusumungurwa nekuwana masimba kwevanhukadzi.

➔ *from page 1*

There will be no separate election for the Senate. The allocation of Senatorial seats per province will be determined by the provincial vote. Of vital importance is that the electors' votes cast are converted into representative mandates; the multiple individual political will of the sovereign people is transformed and organized by forming legitimate representation of the people distributed in accordance with the expressed will of electors; this representation of the people gives life to and controls state government in democracy and at least makes itself accountable in the next set of elections.

This proposal by the COPAC Draft for the House of Assembly follows the model being used by Lesotho. In Lesotho, the National Assembly has a total of 120 MPs. Of these, 80 are elected in terms of a winner-take-all system in 80 constituencies while the remaining 40 are allocated on the basis of proportional representation based on the number of votes cast in the election of the constituency seats. On the whole the proposed hybrid system is commendable as it enhances democracy, inclusivity and enables power sharing at the legislative level. It promotes reconciliation and tolerance and Zimbabwe is in much need of a peaceful election and the aftermath of the Presidential runoff requires both. It provides high possibility for gender balance in the legislature. It will go a long way in the emancipation and empowerment of women.

Thus the main drawback of hybrid systems lies in the average elector's feeling of alienation vis-à-vis the operation of the electoral system, which if he is unable to grasp it, might regard it as "manipulated" by politicians. Regarding proportional representation in the draft constitution as a system of elections in the Senate, the COPAC Draft provides in 7.5 (2) for the majority of Senators to be elected "by registered voters in each province by a system of proportional representation based on the votes cast in the general election for members of the National Assembly."

Ballot Update feedback

I attended a workshop hosted by ZESN in Kambuzuma and it was both informative and educative, we have 6 sections and are requesting 100 sheets or more of your ballot News Bulletin
Jimmie, Hre

How do we access copies of the Newsletter in Hwange?
Newton



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AN ANALYSIS OF AUGUST 2012:

Introduction

The period under review witnessed a number of interesting events including the handing over of the draft constitution to the principals in the GNU, the start of the census, the 32nd SADC Troika Summit in Maputo, Mozambique and the celebration of the national heroes and defence forces days.

In addition, the period saw the non recognition of the Deputy Prime Minister Arthur Mutambara within the SADC and the resultant acrimony that ensued within the parties to the GNU as a result. The SADC facilitator President Zuma made a brief visit to Zimbabwe to have discussions with the principals ahead of the summit.

The GPA

The GNU continues on its fragile course while the constitution making process continues on its ailing path with ZANU PF proposing amendments that have potential to derail and delay the process even further. The SADC Troika agreed that Professor Mutambara was chosen as the Deputy Prime Minister as a representative of a MDC and now that he was not a leader of the party, he could not continue to claim to represent it. Such developments further complicate an already complicated GNU. ZESN encourages the parties to put national interests ahead of their personal interests. The SADC Troika encouraged the parties in the GNU to cooperate and bring to finality the constitution making process to enable the country to move ahead politically. The SADC facilitator President Zuma visited Zimbabwe briefly to speak to the principals in the GNU. He urged them to agree to the draft constitution and put it to referendum so that the stage can be set for a general election.

Isisekelo Sombuso esisabunjwa: Kuchasiswa izindlela zokuqhutshwa kokhetho

Kulotshwe yi- ZESN

Izindlela zokuqhutshwa kokhetho ngokwehlukana kwazo ziyimithetho njalo lezimiso ezenza uzulu enelise ukukhetha ngokusemthethweni uhulumende noma ingatsha zikahulumende elizweni. Indlela ebalulekileyo njalo etholisa uzulu amathuba alinganayo okuvota ensitha iqakatheke kakhulu ekwakheni umbuso olandela intando kazulu. Inhloso emqoka yendlela yokuphathwa kokhetho ngeyokubeka izimiso ezilandelwa nxa kukhethwa njalo iphinde ikwenze kweneliseke ukuthi abakhethiweyo baphathe umbuso bengaphikiswa. Ngakho-ke indlela yokuphathwa kokhetho elungileyo kumele iphawule ngokomthetho, izimiso ezilandelwa nxa kukhethwa kuze kube lempumela yalolokhetho ibeqotho. Okuqakathekileyo ekhethweni yikumelwa, ubuqotho kanye lomumo ovumela ukuphatheka kwabantu bonke.

Kulezindlela ezehlukeneyo ezinengi zokuqhutshwa kokhetho njalo zidal impumela etshiyeneyo kukantike labavotayo bazithola belamathaba ehlukeneyo okukhetha. Izindlela lezi ngezithi leyo enika labo abathe bavotelwa ngabantu abanengi amandla kungananzwa imbono yalabo abavotele uhlangothi oluphikisayo (Majority system), besekusiba laleyo evumela ukuthi lonke ibandla kumbe iqembu elivotelweyo lenelise ukuthola lokho okuyisilinganisovoti eliyitholileyo (Proportional system).

Ukukhetho kuyeneliseka njalo ukuthi luqhutshwe ngazo zonke izindlela zombili ngasikhathi sinye. Kwele Zimbabwe, isisekelo sombuso esisetsenziswayo sihlela indlela yokuqhutshwa kokhetho ethi lowo okhethwe ngabanengi nguye omela abantu okuthiwa yi-First Past The Post (FPTP) okutsho ukuthi lowo othole amavoti amanengi kumbe ochaphe kuqala umzila nguye osekhethiwe ukumela isigaba esithize lalabo abakade bengamvotelanga. Indlela le ilula ukuzwisisa njalo yenza uzulu abelokwenelisa ukukhetha abameli abazabalandeleyo ukuthi benze intando kazulu njalo yenza amabandla alohlonzi ancintise kuthi ke lawo amela imbono engalandelwa kakhulu nguzulu angatholi ithuba.

Indlela yenza njalo umongameli welizwe abe losekelo olukhulu lwabameli beadle lePhalamende abenza imithetho emazweni alomongameli olamandla amanengi njalo yenza kube labohulumende bentando yabanengi emazweni aledale lephalamende ehilamandla kakhulu kuleziyane ingatsha zombusazwe. Indlela le ilakho ukwenqabela amabandla ezombusazwe amancinyane, omama kanye lemihlobo yabantu emilutshwane elizweni.

Amavoti amanengi ayahlwa njalo intando yabanengi yande ukusetsenziswa ukuncindezela kanye lokuqilibeza amanye amabandla. Indlela le ekantando yabanengi yiyo esetsenziswa yi-Zimbabwe Electoral Commission, ugatsha olubona ngokuqhutshwa kokhetho kuleli ukuvalela abanye ekuncintiseni nxa sokudingwa lowo olamavoti amanengi ukuze abengumongameli. Labo abavotelwa amabandla angatholi amavoti amanengi basala bengaphathanga lutho njalo bengamelwa ngoba kuthiwa abanengi yiyo ababusayo. Amavoti abo ayahlaleka.

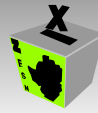
Ngolokhu okubethwe ngaphezulu, kubasegcekeni-ke ukuthi isisekelo esisetsenziswa khathesi silezigwenxa ezinengi. Isisekelo esisabunjwa esikhokhelelwa yi-COPAC (Ikhomithi yePhalamende emele kulotshwa kwesisekelo sombuso esitsha) sona siletha umbono wokuthi indlela yokuqhutshwa kokhetho iguqulwe. Le ekade ilandelwa eyokuthi ovotelwa ngabanengi uthatha konke ahle abe ngummeli, umbono walesisekelo ngowokuthi isale isetsenziswa ekukhetheni abameli beadle lePhalamende kuthi i-Senethi inkhethwe ngenye indlela.

ISenethi, lesi sisekelo esisalotswa sithi kayikhethwe kulandelwa indlela leya ethiwa yi-proportional representation, eyokuthi amavoti angahlwa, amabandla kube yiyo avotelwayo abesekhetha abantu abazamela abantu kusiya ngokuthi athole amavoti anganani kundawo yinye ngayinye. Umbono lo utsho ukuthi kuyabe sokusetsenziswa indlela embaxambili (mixed system) njalo kungumbono omuhle ohambelana lezimiso zeKhomishini yeVenice enanzelela ukuqakatheka kwezindlela zokuqhutshwa kokhetho. Umsebenzi wendlela yokuphathwa kokhetho ubonakala ungowokumanzelela izimiso eziqakathekileyo ezinjengokumelwa, ukukhetha njalo lokugcotshwa kwabameli kumbe abaphathi babantu. Ubuhle bendlela le embaxambili (mixed system) kumbe ehlanganisayo, yikuthi iyajulisa umbuso wentando kazulu, ukuphatheka kwabantu bonke kungabandlululwa, njalo lokwabiwa kwamandla phakathi kwamabandla ePhalamende. Indlela le ilakho ukwengezelela amathuba abomama okuba ngabameli njalo ilakho ukwenza uzulu axolelane ngezimpambaniso ezadaleka ngodlakela lwezombangazwe. Indlela le ivula njalo amasango okuya ephalamende abe mabili; abanye bangangena ngamabandla abo ezombusazwe kuthi abanye bangene ngokuthunywa ngabantu besigaba thize.

Indlela le inzima ukulandela nxa kuvotwa lanxa sokubalwa amavoti. Indlela le ingenza amabandla angabi lalo inengi labameli ePhalamende njalo lingabusi lodwa, okungenza ohulumende bokubambisana babe yinhlalayenza. Indlela le embaxambili ingadala njalo ukufa kwamabandla ezombusazwe kuthi lawo amancinyane atholakale eselosekelo olwedlulisileyo njalo ayivamanga e-Afrika. Izindlela zokuphathwa kokhetho lezi ezinhlanganisa imihlobohlobo yokuphathwa kokhetho ivame ukukhathaza ngokwenza impumela etshiya abanye abantu ngaphandle, iphinda iqinise kwezinye izikhathi amabandla amakhulu. Abavotayo babalobunzima njalo bokwamulela impumela ngoba indlela le iphica. Ukuphica kwale indlela embaxambili kwenza labo abavotayo babe yiyo ababalomlandu wokwamukela impumela kumbe ukusola abezepolitiki babagcone ngokuthi bayabasebenzisa.

Isisekelo sombuso lesi esisalotshwa siletha umbono wokuthi indlela yokuphathwa kokhetho ye-Proportional representation, le eyokuvotelwa kwamabandla ezombangazwe wona abesabelana ukuthi azakuba laboSenetha abangaki ngendawo yinye ngayinye kusiya ngokuthi athole amavoti anganani, isetsenziswe kuSenethi (indlu yedale lePhalamende ephezulu). Usahluko 7.5 wesisekelo esisalotshwa lesi uthi amaSenetha 'asezakhethwa ngabantu ababhalisayo ukuvotelwa abameli bePhalamende'. Akusoze kube lokhetho olwehlukeneyo lwamaSenethi kodwa ibandla linye ngalinye lizaphiwa izihlalo zobuSenetha kusiya ngevoti eliyitholileyo kusigaba sinye ngasinye (province). Amavoti awalahlwa, ayathanthwa wonke kuphume sokuxubene abameli babo bonke abantu abavotileyo. ISenethi yakhona iba layo yonke imbono kazulu njengoba bonke abavotileyo bayabe bemelwe lanxa bengavotelanga amabandla amakhulu wodwa.

Umbono lo obekwa yi-COPAC ufana lalokho okwenzalaka elizweni leLesotho lapho okulabameli bedale lePhalamende abangu-120 abakhethwa ngendlela le embaxambili. Abangu-80 bakhethwa ngendlela kamanqoba uthatha konke kuthi ke abangu-40 bakhethwa kulandelwa inani labameli abatholwe libandla linye ngalinye emncintiswaneni wokhetho. Ukuhlanganiswa kwezindlela zokuqhutshwa kokhetho lokhu okumunye kuthi yisisekelo esisezandleni ze-COPAC, esisabunjwa, kule kakhulu njalo kungasiza iZimbabwe. Iilizwe lingenelisa ukwengezelela amathuba abomama okuba ngabameli beSenethi njalo libe lokhetho olulukuthula njalo oluqotho.



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Constitution making process

After the relief that COPAC finally had a draft constitution, Zimbabweans woke up to new demands by ZANU PF with potential to stalemate and delay the process. While ZESN recognises that the draft is in fact a negotiated draft between parties in the GNU, it is surprising that fresh demands emanate from an already negotiated position. MDC T and MDC endorsed the draft, ZANU PF had new demands which included removal of devolution, removal of the peace and reconciliation commission, and removal of indigenous languages from being official languages, restored presidential appointments of the judiciary and wide ranging executive powers, introduced compulsory national youth service, removed the provisions for presidential running mate among other demands. ZANU PF has also been calling on COPAC to release the national report to citizens as it is basing its demand on the views expressed therein. The constitution process was meant to be people driven and the views of the people of Zimbabwe must prevail. It is critical to ensure that partisan interests do not overtake national interests. Parties in the GNU need to be continually reminded that the constitution is timeless for generations to come and not for partisan interests and its significance lies beyond any political aspirations and affiliations.

32nd SADC Troika Summit

ZESN is concerned over the contempt expressed by Professor Mutambara to the SADC facilitation team, it is important to note that SADC is the guarantor of the GPA and as such it is important for them to mediate when there is a deadlock in the process. The 32nd SADC Troika Summit was held in Maputo, Mozambique on the 17th and 18th of August 2012. Prior to the summit, civic groups in the SADC had convened in Maputo to find ways of influencing reforms within the SADC under the theme "The SADC we want." The overarching theme of the conference was the reform of the SADC to a people centred institution that serves the needs of the people within the SADC region. The summit commended the efforts of the parties to the GNU towards the constitution making process and further urged them to finalise the constitution making process and conduct a referendum. ZESN urges the parties to the GNU to pay heed to the summit recommendations and put an end to regressive politicking. The summit recognised Welshman Neube the principal to the MDC which led to the ouster of Professor Arthur Mutambara.

Heroes Day and Defence forces Day

ZESN joined the nation in commemorating Heroes and Defence Forces Day. ZESN continues to call for national celebrations to be national and not partisan. ZESN also recognises the contribution of civilians during the struggle through provision of shelter, food and other logistical support to fighters including moral, they deserve to be saluted on these days. The President stressed the need for the defence forces to keep peace. While the president's call for the improvement of the conditions of living for the defence forces personnel is welcome, it is equally important to recognise that all civil servants require equal attention to their living conditions as they earn below the poverty datum line. ZESN is concerned about the reports that villagers in some constituencies were forced to contribute \$5 for Heroes' celebrations. Villagers are already struggling with poverty given the poor harvests and unemployment and the collapse of safety nets and cannot afford to be abused further.

The census

Beginning of August saw the start of a census. The process began with chaos as soldiers, the police and office of the president personnel sought to be involved in the process crowding out traditional departments that conducted census in the past such as the Ministry of Education. In some areas training of census personnel was disrupted for two to three days. The process was also marred by logistical problems, lack of training Materials, changes in payment commitments and general confusion as people engaged as enumerators were at some point sent home and later recalled. While the census data is important for other development purposes such as education and health, it also serves as an important mechanism for electoral processes such as delimitation of constituency, ward boundaries and number of registered voters.

By elections

ZESN's call for by elections has been ignored since 2010. The by-elections debate that has heated up following the judgment that by-elections be held comes at a time when citizens in the respective constituencies have been prejudiced and under-represented. The timing is problematic given that the term of office for the current house of assembly ends in less than a year's time. The suspension of by elections under the GPA moratorium was unlawful and infringed on the rights of the affected citizens.

Human rights and fundamental freedoms

ZESN observers have reported reduced levels of violence in their various constituencies. Of the 210 constituencies, 10 per cent of observers reported the occurrence of violence in the constituencies. Political tolerance remains problematic in Zimbabwe with observers reporting high levels of intolerance as shown by 46 per cent of observers who reported a lack of political tolerance. As Zimbabwe prepares for elections, which are about choice, freedom of expression is a critical component in ensuring people is able to make free choices. The diagram below presents a picture of freedom of expression.

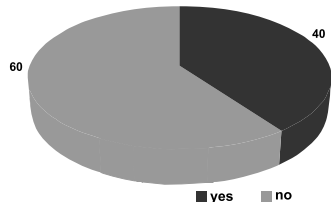


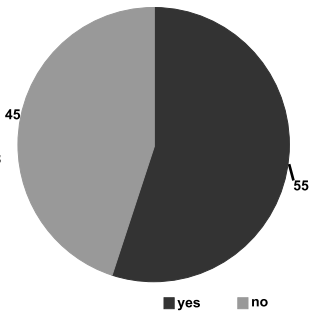
Figure 1: Freedom of expression in the constituencies

ZESN applauds political players in 40 per cent of the constituencies who reported that people are able to express themselves freely. However, there is concern about 60 per cent of the constituencies where observers have reported a lack of freedom of expression. This was mostly prominent in constituencies in Mashonaland Central, Mashonaland East, Mashonaland West, and Matebeleland South. These findings are in agreement with various opinion surveys which have reported that citizens are not able to express their opinions freely. The lack of freedom of expression brings concerns about the manner in which citizens are able to share opinions and persuade others in electoral processes. Observers have reported inability by citizens to talk about political issues; this is evidence of self censorship because of the consequences of self expression. Self censorship does not promote the growth of a democratic culture as citizens are unable to demand accountability from political leaders.

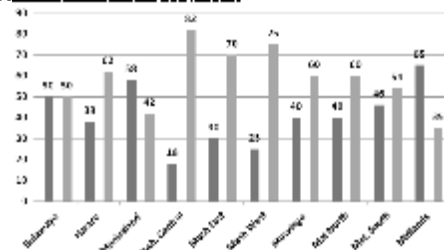
ZESN Observers have reported that discrimination based on which political party one supports remains rife in the various constituencies. Access to particular services such as loans for women and youths have been more accessible if one supports a particular party. Observers' reports show that in 56 per cent of the constituencies, discrimination is still rife compared to 44 per cent of constituencies where citizens are treated equally regardless of political party affiliation. Discrimination is also evidenced by reports that partisan distribution of food is rife in 26 per cent of constituencies in Zimbabwe. The political violence of 2008 resulted in citizen displacement. Observers have reported that in some constituencies displaced people have started to return to their former homes. However, in 62 per cent of the constituencies observers have reported that displaced residents have not been able to return to their homes. ZESN notes that the impacts of violence are long term and that violent disrupts people's lives in tangible ways.

Observers have reported a worrisome feature of some form of youth militia being recruited and trained in their constituencies. This was reported in 8 per cent of the constituencies particularly in parts Mashonaland Central and Mashonaland West. As Zimbabwe prepares for the referendum and elections, the spectra of violence that continues to hang on citizens does not instill confidence in their ability to make free choices. 17 per cent of observers have reported some youth militia activities in their constituencies characterised by marching and singing revolutionary songs in the early morning hours. This has served to intimidate residents and remind them that violence can be unleashed on them if they hold divergent views. Observers in 21 per cent of the constituencies reported that people were forced to attend political rallies, an infringement of their ability to their freedom of conscience. ZESN reiterates that people should participate in political activities out of their own volition not coercion. Political parties should not coerce support through intimidation and violence. Observers have also reported inability of citizens in certain constituencies to read newspapers of their choice. The GNU sought to foster a culture of tolerance through the organ on National healing and reconciliation which has become moribund. There is somewhat an improvement as reported by 54 per cent of observer who reported the existence of political tolerance and peaceful co-existence in their constituencies as shown by the diagram below.

Figure 2: The presence of tolerance and peaceful co-existence in constituencies



Elections entail political campaigns by different political parties and the ability of citizens to express themselves through song, regalia, slogans and persuading others. The ability to do this is curtailed if there is a dearth in political tolerance within communities. Some provinces reported a total lack of political tolerance as was reported by observers in Mashonaland Central provinces. Political "bases" have been a structure of violence that served as "torture" base for people perceived to be supporters of MDC. Observers in 4 per cent of the constituencies have reported the resurrection of these "bases" in their constituencies. Respect for human rights and violations have not been uniform in the various constituencies. It is important to note that in some areas there are more human rights violations than others. Some constituencies are peaceful while others experience a tense and fragile peace and yet others experience overt violations in various forms such as people being forced to attend rallies, and inability to support parties of their choice. The diagram below provides a picture of respect for human rights across provinces:



The graph shows a mixed picture of respect for fundamental freedoms with some areas experiencing more human rights violations than others.