



Parliamentary Monitor

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our parliament

our voice

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Parly Update

There are several portfolio committee hearings this week, see page 2. We encourage members to attend since this is an opportunity to input into public policies and also exercise an oversight role over the executive.

It is very sad to note that the issue of CDF returns could have died. What worries us is that the MPs ask questions but do not follow up as was the case here where the Minister asked for written submission.

Our apologies last week we disappeared. Our IT system was hit by a mysterious Virus.

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The Bottom-line

The shadow of the 2000 draft constitution remains cast on the current process with the Kariba draft also ghosting around. These two documents could be marvelous but they go against the grain of the people's expectation.

People Driven **NOT** Political Parties' Constitution

Once again, the political parties which have taken custody of the constitution making process, have shown that stakes are so high and they are not prepared to have the people's views prevail if the circumstances around the firing of Zanu PF's chairperson of the Stakeholders' Committee, Edward Chindori-Chininga is anything to go by. Chindori-Chininga was fired last week under very unclear circumstances. There are two versions to his firing. One is that he is alleged to have clashed with the Copac co-chairman, Munyaradzi Paul Mangwana over a number of issues including misleading Zanu PF on the progress of the constitution making process. It is also alleged that Chindori-Chininga was accused of leaking a Zanu PF prepared draft constitution to the MDC. This, it is alleged did not go down well with his party. While debate is on the circumstances around the firing of Chindori-Chininga, the Thursday event serves to show us that the stakes are high with regards to the final document and parties are likely to adopt a bare knuckle approach. While the other political parties have somehow

remained between objective and ambivalent, Zanu PF has been abundantly clear on its intentions on the constitution. This approach is likely to dent the credibility of the constitution. A reflection on how the process has been handled since the first stakeholders meeting shows a pattern of trying to influence the outcome. One remembers the dancing party supporters at the first stakeholders meeting. Then there was the issue of coaching the supporters on what to say about the constitution. There is nothing wrong with mobilizing supporters to have your views prevail but this is different from coaching. Coaching and a threat of sanctions for those who choose otherwise is a clear manipulation of the process. It is also important to mention that the other party in the tripartite constitution making, MDC-N has made it clear that the final document would be negotiated. The people of Zimbabwe need to further probe what this means and how this is feasible against the background of the people's participation in the outreach programme. The three parties have also been vacillating on what

actually should be done. The shadow of the 2000 draft constitution remains cast on the current process with the Kariba draft also ghosting around. These two documents could be marvelous but they go against the grain of the people's expectation. People expected a new process as espoused in the GPA. Why would they be asked to participate in a constitution making process twice within 12 years if the 2000 draft only needed to be dusted and made into the supreme law. The lesson learnt with the current process is that the constitution making process should not be taken by Parliament. This should be taken by, say a commission, constituted by personnel agreeable to the three political parties and in consultation with the civic society. MPs can be commissioners but there is need to involve other players. This process would then be monitored by the civil society and the political parties. As it stands, the constitution making process could be discredited by its own processes and the struggle for party views, not people's views to prevail.



Caucus: A +/- For Parly Democracy?

By Prince Tongogara

Parliaments the world over use the party caucus system and whipping system to allow for the smooth flow of business in the chambers particularly on contentious issues. Parties represented in the house have special meeting where their members discuss robustly on policy and how they would tackle the matter up for debate in line with their party policies and manifesto. However, the system in Zimbabwe has been abused. A close look at the party caucuses in the house show that the debates are dominated by party wigs. The other backbenchers are only seen and not heard. And for unexplained reasons the junior MPs do not have the stomach to engage in robust debates with their leaders. MPs from across the political divide in the last session held a number of caucuses that reveal how far the parties in the house are from finding common ground or to take head-on

the executive on some decisions. During the 2011 budget debate, the parties held party caucuses and one joint caucus putting demands for the executive to change the ministerial votes and improvement of their welfare. When the debate came, all MPs were whipped into line and the budget was passed without any debate or amendments. The party caucus positions have been further eroded by the creation of a coalition government. Party leaders do a trade off way before the issues are brought for debate in the house. Invariably, the MPs are reduced to rubber stamp the decision of the executive even if they may have reservations. The trickery nature of our parliamentary system that gives precedence to parties than the individual MP who received a direct mandate from the electorate ensures easier whipping of legislators into line. The MP for fear of risking their political careers more often than not toes the party line even if the decision is porous and retrogressive. The seventh par-

liament has witnessed the highest number of MPs sacked from the house for failing to abide by party policies or decisions. Tracy Mutinhiri joins the infamous trio from MDC who were sacked for backing the wrong candidate during the election of the speaker in August 2008. Such action has sent the chill down the spines of most MPs. This has limited the vibrancy in the house and leaving the nation poorer in terms of ideas to develop the country. Probably it is time for the house to consider amending the laws and constitution that restricts individual MPs powers in executing their mandate from the electorate. A starting point would be to strip the President power to dissolve parliament like in the United States. Parties should not be allowed to strip elected MPs of their seats during the course of their elected term. With these and other changes the parliament may be transformed and backbenchers may contribute to their potential without fear.

Portfolio Committee Hearings

A number of committee meetings are scheduled for this week as follows:

Ncube
ruka-Mudavanhu

Clerk: Mrs Mata-

mona
Mudavanhu

Clerk: Mrs Mataruka-

Monday 10th October at 10 am

Portfolio Committee: Mines and Energy

Oral evidence from Minerals Marketing Corporation on its role in exporting chrome

Senate Chamber Chairperson: Hon Chindori-Chininga Clerk: Mr Manhivi

Portfolio Committee: Higher Education, Science and Technology

Oral evidence from University of Zimbabwe Vice-Chancellor on the water situation and accommodation of students at UZ

Committee Room No. 3 Chairperson: Hon S.

Monday 10th October at 2 pm

Thematic Committee: HIV/AIDS

Oral briefing from Secretary for Health and Child Welfare on AIDS policies Government Caucus Room Chairperson: Hon D. Khumalo Clerk: Mrs Khumalo

Wednesday 12th October at 10 am

Portfolio Committee: Agriculture, Water, Lands and Resettlement

Oral evidence from Minister of Water Resources Development and Management on progress of major dam projects and water supply schemes Committee Room No. 4 Chairperson: Hon China-

Thursday 13th October at 9 am

Thematic Committee: Human Rights

Oral evidence from the Commissioner of Prisons on the current state of prisons Committee Room No. 2 Chairperson: Hon Marava Clerk: Ms Macheza

Thursday 13th October at 10 am

Thematic Committee: Indigenisation and Empowerment

Briefing by the Chamber of Mines on the implementation of the indigenisation policy Government Caucus Room Chairperson: Hon Muts-vangwa Clerk: Mr Ratsakatika



Virtual Public Gallery



Using Social Media to Monitor Parly

PMTZ's facebook group Parliamentary Monitor is an interactive virtual public gallery where instead of being spectators, citizens raise issues and seek solutions. As part of the integration of the social media platform and this e-newsletter, we take excerpts of some of the posts on the facebook group and share with others.

Nyamutatanga Makombe it appears elections are inevitable in 2012, if my reading of the statements by politicians are correct. What are the minimum standards expected for a free and fair elections in Zimbabwe? Like · ·

Itai Ncube Respect of law Well coordinated voter education Pre-and post-campaigns principals' joint press conference reiterating measures to be taken against perpetrators of violence. All monitors to respect the laws of this land Voters' roll to be inspected in time and the RG's office to do its work seriously

Elizabeth Ndhlovu-Dumbreni even if all tht happens. Someone,somehow jst has to do away wth th laid standards-it's a battle for survival ka. Thts why ppl end up acting as if there's no rule of law in zim. 04 October at 06:55

Itai Ncube So free and fair environment does not exist. 04 October at 07:26 via Mobile · Like
Gabriel Manheru IT HAS NEVER EXISTED..... 04 October at 11:22 · Like

Pmt Zimbabwe what interesting views! what about the voters, what should they have/do for elections to be free and fair? 04 October

Itai Ncube They must respect 1 another's likes and views. They must also seek knowledge of what they want to support. Avoid fighting.

Walter Sebele a new voters role plus unbiased reportage by the media 04 October at 12:47 ·

Pmt Zimbabwe @ Sebele, the media argues they have a right to even declare a candidate to have won an election. They also argue that they have a right to inform in a manner they see fit since they are in business to make profit. What media objectivity do you expect 04 October at 13:16 via Mobile · Like · 1 person

David Chin Chicco Not in the aftermath of violence that has erupted. I got it bro. 4 years validity 04 October at 15:12 · Like

Desiree Chikede @Pmt Zimbabwe the chickens are come to roost. Unfortunately, the Chicken Licken dagger is waiting for them...ha ha ha! 04 October at 15:20 · Like

Nyamutatanga Makombe @ desire, which chickens, which home, I am lost here, please help mate! Wednesday at 21:35 · Like · 1 person

Members' Take on UN

Hugh Ndakaporeswa Mupfunya UN is a very biased and undemocratic institution..... It is just like the rest of these international organisations tht are agreed and so abusive eg IMF.... I would like to urge the AU, Asia and Latin America to boycott or pull out. Ther is no equity in the institution, look at the so called security council..... Like · · Follow Post · 23 September at 12:27 via Mobile Ricky Munyaradzi Mukonza and Tichatonga Manfred Sunganai Muzira like this.

Gabriel Manheru pull out and then what?
Hugh Ndakaporeswa Mupfunya Mr Mapara. Staying isa huge expense which is unwarranted for and very unsustainable , rather pull out and join hands with those who respect you.. We can form our own blocks e.g Bricks.... This will enable us to divert all our energy and resources to things tht are of paramount importance, ther will be sustainability in this thn th UN.... UN has bn used as a platform to silence us while we are beign exploited.... Whn the west is in trouble they declare th world to be in trouble.... E.g financial crisis and th so called world war.... 23 September at 14:25

Tichatonga Manfred Sunganai Muzira Mupfunya u r ryt luk at libian war, thy use un 2 advance their interest.nw tht the war z ova their tru intrest r reveald, thy R nw scramblin at defences libian formin their ntc (nato transtional council). 23 September at 15:00 via Mobile · Like · 1 person

Hugh Ndakaporeswa Mupfunya lol Muzira..... Nato transtional council.... Its so pathetic..... It is up to this generation pple and tht generation is you and me,to change things, esp hw pple views us as Africa.....

ALL posts & discussions were copied from the Parliamentary Monitor facebook page on Friday 17/09/2011 @ around 1330 hrs

Tichatonga Manfred Sunganai Muzira yeah i urge al youths 2 neither luk east or west bt 2 luk 4ward and 2 engage whoever wnts 2 do fair busines with africa. 23 September at 15:37 via Mobile · Like · 2 people

Hugh Ndakaporeswa Mupfunya very true Muzira..... Its tym for equity. 23 September at 16:27 via Mobile ·

Hugh Ndakaporeswa Mupfunya thnknd Mr Nyingi, for seeng my point 27 September at 19:42 via Mobile · Like

Clay Vengayi Tsapi Life is exactly that gentlemen...life! Live by the sword you die by it! Maummar got power the same way he lost it regardless of who is involved... Someone was going to be involved. You seem to be saying bcoz he is black then what he did was right and bcoz they are the west what they do is wrong! Tell u what if it's wrong it's wrong period. Whoever is doing it! It's not a race thing! That's why we become so obsessed with the conduct of the west which in a lot of ways is very identical to our own, yet we don't see what's in our own eyes OR we simply choose to ignore! That way we risk just blaming everyone else for our mistakes but ourselves! That will never change the world but only make it worse!

Hugh Ndakaporeswa Mupfunya Mr Clay its nt abt race, open yr eyes and see bra, rmbtr its nt only Africa, ther is Latin America and Asia aswell, if these guys are really helping why then are they nt getting rid of th islamists in Somalia tht violets every human righty of civilian, hd Somalia hd bn hvnd oil or gas do yu thnk th case wld hv bn th same, definately nt. And cn yu tell me why. Why also is it tht Africa doesnt hva permanent member in th security council.....

Trust Mathanda Dube I agree wit u Hugh,what is the point of Africa being a signatory to any of these institutions(un&imf)if they do not serve our intrerests? Africa has been lobbying for membership on the security council for years,to this day we still remain the only continent with no representation on the council.Why is it that we only have candidates from the west as head of the imf? surely we have equally qualified people in Asia,Africa and South America! 30 September at 14:11 · Like · 1 person

Hugh Ndakaporeswa Mupfunya for sure Mr Dube. Africa has been ruthlessly been exploited. 30 September at 14:43 via Mobile · Like



Parly Terms: Quick Reference

Act. A Bill which has been made law.

Bill. Proposed legislation is termed a Bill. Bills may start in either House but have to pass through both Houses to become law. The 5 stages of a Bill are:

1. First Reading. Constitutes an order to have the Bill printed.
2. Second Reading. The debate on the principles of the Bill.
3. Committee Stage. The detailed examination of a Bill.
4. Report Stage. Detailed review of a Bill as amended in committee.

5. Third Reading. Final debate on a Bill.

dissolution. Parliament comes to an end either through dissolution by the Head of State or the expiration of a term of five years.

division. Any formal vote in Parliament.

Hansard. The official report of debates in both Houses.

hung parliament. A parliament where no single party has an overall majority of seats (106 or more). As is the current situation.

Minister. Head of a government department. S/he should be a member of either house to qualify to be-

come a minister.

private members bill. A Bill promoted by an MP who is not a member of Government.

select committees. Select committees are the means used by both Houses to investigate specific matters. An example is the current constitution making process.

sessions. The life of a parliament is divided into a number of sessions each one year in length.

standing orders. Rules which have been agreed by each House to regulate the conduct of their business.

...and @ the back!



Caricaturing the Power Politics in South Africa's African National Congress (ANC) Youth leader president Julius 'Juj' Malema is depicted as a naughty child and party president Jacob Zuma is shown as a cruel father

Clownish Run!

A clown riled politicians by running and winning parliamentary seat in Brazil last year. Tiririca, whose real name is Francisco Everardo Oliveira, gained a great deal of public support through a campaign consisting of comic advertisements and catch-phrases. Opponents have filed more than a dozen lawsuits against his bid to represent Sao Paulo state, claiming that

he is ridiculing the nation's legislature. Aloizio Mercadante, one of the clown's political rivals, said: "This should not be happening. You should vote for those who have something to contribute, and who keep their promises. Don't waste your vote on jokes." Another opponent tried to suggest that Tiririca was illiterate and therefore ineligible for candidacy. One of Tiririca's popular campaign slogans reads: "It can't get any worse if you vote for me."

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