

DEMOCRACY IN THE CONSTITUTION MAKING PROCESS, (2009-2013): AN  
ANALYSIS OF WOMEN PARTICIPATION IN GOROMONZI SOUTH  
CONSTITUENCY

BY

NETSAI ZVAKASIKWA

A DISSERTATION SUBMITTED IN PARTIAL FULFILMENT OF THE  
REQUIREMENTS FOR THE DEGREE OF EXECUTIVE MASTER IN PEACE  
AND GOVERNANCE IN THE INSTITUTE OF PEACE, LEADERSHIP AND  
GOVERNANCE OF AFRICA UNIVERSITY

2014

## **Abstract**

*Having noted that women were not adequately consulted and did not adequately participate during the constitution making process from 2009-2013 under the Government of National Unity (GNU), this study became necessary. The purpose of this study was therefore to contribute to existing work on democratization of the constitutional reform process in Zimbabwe as well as to give the researcher an in depth understanding of the concept of women participation in constitution making. The study utilized the Q-Squared approach whereby qualitative and quantitative data was elicited from the respondents. Qualitative data was in the form of women's views on how democratic the process was, how far it allowed women participation and the strategies employed to enable their participation. This was done through questionnaire, focus group discussions and interviews. The sample size was fifty two and was selected through systematic random sampling and purposive sampling respectively. Interviews were carried out with key informants- councillors from Goromonzi South Constituency, women organisations-ZWLA and WoCOZ which participated in the process and government departments that led in the process -the former Minister of Constitutional and Parliamentary Affairs, former National Coordinator of COPAC. Focus group discussions were held with groups of women in the wards. Microsoft Excel program was utilized to analyze quantitative data. Qualitative data was analyzed through Thematic Content Analysis approach whereby data is recorded, coded and grouped according to the main idea/theme emerging from the data. The research concluded and found out that women participation was far from being democratic because of political party interference and lack of capacity building on the part of women. It is recommended that the government introduce and maintain the quota system to enable women to get more seats in decision making organs and empower them to be economically independent so as to enable them to participate.*

**Declaration**

I Netsai Zvakasikwa declare that this dissertation is my original work except where sources have been acknowledged. The work has never been submitted, nor will it ever be, to another University in the awarding of a degree.

STUDENT ..... DATE .....

Signature

SUPERVISOR ..... DATE.....

Signature

## **Copyright**

All rights reserved. No part of this dissertation may be produced, stored in any retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise from scholarly purpose, without the prior written permission of the author or of Africa University on behalf of the author or Africa University

© Netsai Zvakasikwa

Institute of Peace, Leadership and Governance

Africa University, 2014.

## **Acknowledgements**

Special thanks go to my husband Vusani, who never failed to encourage and give me hope to soldier on. His unwavering support made this study a success. This study would not have had the meaning it now has, had it not been for my two little angels Mufarowashe and Nokuthula who gave me the strength to pull through. I would also like to acknowledge my friends, relatives and most importantly my parents Sekuru VaZvisikwa and Mbuya VaMurozvi, you will always be my inspiration. The academically insightful, guidance and constructive criticism of my supervisor Mr Fungai and the coordinator Mrs Bere made this study a success. I would also want to thank my supervisors and management at Ministry of Justice and the Government of Zimbabwe for allowing me to take on this course. I would also want to thank all those who assisted me with my research, interviewees and respondents to my questionnaires. Above all I would want to thank God Almighty for seeing me through, I say Ebenezer, this far my Lord you have taken me.

**Dedication**

This study is dedicated to my family, my husband Vusani and my two precious jewels Mufarowashe and Nokuthula Kelly, I love you.

## **Table of Contents**

Abstract .....	i
Declaration .....	ii
Copyright .....	iii
Acknowledgements .....	iv
Dedication .....	v
List of Figures .....	ix
List of Appendices .....	x
Abbreviations .....	xi
CHAPTER 1 .....	1
INTRODUCTION .....	1
1.1 Introduction .....	1
1.2 Background .....	1
1.3 Statement of the problem .....	3
1.4 Purpose of the study .....	4
1.5 Significance of the Study .....	4
1.6 Research Objectives .....	6
1.7 Research Questions .....	6
1.8 Research Assumptions .....	7
1.9 Delimitation of the Study .....	7
1.10 Limitations .....	8
1.11 Definition of concepts .....	8
1.11.1 Participation .....	8
1.11.2 Constitution making process .....	9
1.11.3 Constitutionalism .....	10
1.11.4 Democracy .....	11

1.12 Summary and Structure of the study .....	12
CHAPTER 2 .....	15
LITERATURE REVIEW .....	15
2.1 Introduction.....	15
2.2 Theoretical Framework.....	15
2.2.1 Relevance of the theory .....	18
2.3 Conceptualization of participation. ....	19
2.3.1 Women participation as a legal right .....	19
2.3.2 Women participation and democracy .....	26
2.4 Importance of women participation .....	32
2.5 Constitution making the Zimbabwean context .....	38
2.5.1 History of women participation in Zimbabwe .....	38
2.5 Summary .....	41
CHAPTER 3 .....	42
METHODOLOGY .....	42
3.1 Introduction.....	42
3.1.2 Research Design.....	42
3.1.3 Population .....	43
3.1.4 Sample Selection.....	44
3.1.5 Sample size .....	44
3.2 Research Instruments .....	46
3.2.1 Key Informant Interview.....	46
3.2.2 Questionnaire .....	46
3.2.3 Focus Group Discussions.....	47
3.3 Ethical Considerations .....	47
3.4 Data Collection Plan .....	48



3.4.1 Document Analysis .....	50
3.4.2 Semi-structured Interviews .....	50
3.4.3 Questionnaires.....	50
3.4.4 Focus Group Discussions.....	51
3.5 Data Analysis Procedure .....	51
3.6 Summary .....	52
CHAPTER 4 .....	54
DATA PRESENTATION, ANALYSIS AND INTERPRETATION .....	54
4.1 Introduction.....	54
4.2 Findings, themes and concepts .....	54
4.2.1 Institutional framework of the constitution making process.....	54
4.2.2 Sitting of the thematic committees .....	56
4.2.3 Drafting .....	57
4.2.4 The Second All Stake Holders Conference.....	58
4.2.5 Evaluating women’s participation as a democracy measure .....	58
4.2.6 Civil Society and State’s role in empowering women.....	67
4.2.7 Summary .....	71
SUMMARY, CONCLUSIONS AND RECOMMENDATIONS.....	72
5.0 Introduction.....	72
5.1 Summary .....	72
5.3 Conclusions.....	73
5.4 Recommendations .....	75
References .....	78
Appendices.....	82

## List of Figures

Figure 1: COPAC Organisational Structure.....	56
Figure 2: Gender Breakdown of Participants at Drafting Stage.....	57
Figure 3: Distance from Respondents' Homes to COPAC Outreach Meeting Venues.....	60
Figure 4: The Difference Mediums used to Disseminate Information about the Meeting.....	60
Figure 5: Number of Women Attendees at COPAC Outreach Meetings.....	61
Figure 6: Reception of Contribution by other Participants.....	62
Figure 7: Reception of Contributions by COPAC Officials.....	63

## **List of Appendices**

Appendix A-Semi Structured Interviews for Former COPAC National Coordinator.....	82
Appendix B-Interview Guide Women's Organisations.....	83
Appendix C-Semi -Structured Interview Guide : Village Head/Councillors in Goromonzi South.....	84
Appendix D- Semi-Structured Interview Guide: Focus Group Discussion for Women.....	85
Appendix E-Interview Questions for the Former Minister of Constitutional and Parliamentary Affairs.....	86
Appendix F-Questionnaire : Women in Goromonzi South Constituency.....	87
Appendix G-Clearance Letter .....	94

## **Abbreviations**

AU	African Union
CEDAW	Convention on the elimination of all forms of Discrimination against Women
COPAC	Constitution Parliamentary Select Committee
ECOSOC	United Nations Economic and Social Council
GPA	Global Political Agreement
GNU	Government of National Unity
FGDs	Focus Group Discussions
ICCPR	International Covenant on Civil and Political Rights
IPU	Inter Parliamentary Union
KIIs	Key Informant Interviews
MDC-T	Movement for Democratic Change-Tsvangirai
MDC-M	Movement for Democratic Change-Mutambara
MDC	Movement for Democratic Change
NGOs	Non Governmental Organizations
UNHRC	United Nations Human Rights Committee
SADC	Southern Africa Development Community
UDHR	Universal Declaration of Human Rights
UN	United Nations
ZANU-PF	Zimbabwe African National Union Patriotic Front
ZWLA	Zimbabwe Women Lawyer Association
ZRPPISI	Zimbabwe Republic Police's Internal Security Intelligence
WoCOZ	Women Coalition of Zimbabwe

## **CHAPTER 1**

### **INTRODUCTION**

#### **1.1 Introduction**

In 2013 Zimbabwe concluded a historic constitution making process that began in 2009. The new constitution was aimed at replacing the adopted 1979 Lancaster House Constitution which had been in use since independence in 1980. The research explored the extent to which women participated in the constitution making process under the Government of National Unity (GNU) analyzing universally agreed tenets of inclusion of women in the constitutional making process. The study looked at efforts put in place by both government and civil society, especially women organisations in promoting women participation at all stages of the constitution making process bearing in mind that woman participation is a component measure of how democratic the process was. It concludes by exploring the various ways in which women can participate to ensure a democratic constitution making process.

#### **1.2 Background**

The constitution making process in Zimbabwe was a process viewed by many as long overdue. This is so considering the fact that the Lancaster House Constitution was a transitional constitution drawn up to necessitate take off from colonial rule .Therefore it did not adequately provide for the needs, aspirations and priorities of Zimbabweans despite being amended nineteen times. It was agreed that a new constitution was necessary for the country. The disputed 2008 election results

between Zimbabwe African National Union Patriotic Front (ZANU)(PF) and the two Movement for Democratic Change(MDC) formations, the main political parties in Zimbabwe created an impetus for the nation to demand a new constitution. This crisis resulted in the formation of a Global Political Agreement (GPA) which became a mediated solution to Zimbabwe's crisis. Coming up with a new constitution was one of the agreed terms under Article IV of the GPA of 2009. All parties to the GPA knew that there is need for inclusion every citizen in the constitution making process, meaning therefore that women should be included in the process as they form the greatest number of the Zimbabwean population. When they embarked on the constitution making journey, the three political parties were awake to the fact that the Lancaster House Constitution had not given the majority of the people let alone women a chance to give their views concerning its contents hence the need for every Zimbabwean to participate.

However it is important to note that this Constitution Parliamentary Select Committee (COPAC) led process was not the first attempt by the nation to come up with a constitution that is Zimbabwean made. Previously, the country had unsuccessfully attempted to have constitutional reform in the 2000 Constitutional Commission led process which failed dismally to sail through at referendum mainly because it lacked participation from the people of Zimbabwe. In 2007 there was another attempt again by the three political parties thus ZANU (PF), and the two MDC formations who secretly met and drafted this document known as the Kariba Draft, which also was never brought to the referendum because of so much pressure from civic society and the majority of the people due to its lack of citizen input .All

these attempts show that the issue of constitutional reform has been a burning issue within the people of Zimbabwe hence the need for the GPA to address this issue and in doing so the GPA dictated a new constitution as a precondition for the next elections .To make the constitution making dream a reality , the three main political parties then nominated members to constitute COPAC which was going to oversee the constitution making process in the country. The process spanned for four years thus from 2009 to 2013 when the new constitution was finally enacted.

### **1.3 Statement of the problem**

There is a perception that women participation was minimal during the constitution making process, meaning therefore that women were not adequately consulted or did not adequately participate during the process and others were even suppressed from airing their views during the constitution making process from 2009-2013 under the GNU. The constitution making process was supposed to be a people driven process that was all encompassing in terms of participation, meaning that both men and women were supposed to be given the chance to air their views and ideas in the process. The general perception is that Zimbabwe is a patriarchal society where men are dominant and women are supposed to be docile and submissive hence the influence of culture affected the participation levels of women. This is a general absence or poor representation of women in many aspects of life changing opportunities, as such, it is likely that they did not participate fully in the constitution making process. Therefore, it became necessary to investigate how democratic this process was, using women participation as a benchmark for the democratization of the constitution making process.

#### **1.4 Purpose of the study**

The purpose of this study is to contribute to existing work on democratization of the constitutional reform process in Zimbabwe as well as to give the researcher an in depth understanding of the concept of women participation in constitution making process under the Government of National Unity (GNU).

#### **1.5 Significance of the Study**

The constitution making process in Zimbabwe under the GNU was received with mixed feelings, perceptions and acceptability levels by ordinary observers on the nature of women's participation in the whole process. Considering the fact that this constitution making process was the first of its kind to have the government consult the people, it so importantly depicted the level of women participation in the process. Also bearing in mind the fact that of all the constitutional reforms that the country went through, like the Lancaster House process and those that it attempted to carry out like the Constitutional Commission led and the Kariba Draft were not all that participatory in nature, this process was the only one in which there was positive move and obligation to consult the public, women included. It therefore became necessary to look at the nature of women participation in the process. The study therefore sought to make a contribution towards existing work on constitutional reform in Zimbabwe and internationally, such as the work by Shonhe (2010) who wrote on citizen participation in the constitution making process focusing on the period 2009-2010 but having a main thrust on examining deliberative democracy and the policy of legitimacy concluding that deliberative democracy was not practiced in the process.



Tsanga (2010) also wrote on addressing gender equality in the constitution making process having her main thrust on issues that affect women . She highlighted that, in crafting a new constitution, there is need to treat all citizens the same but also make room for special treatment for disadvantaged groups such as women in order to level the playing field because those who have been marginalized need to be treated differently. Kariuki (2010) also wrote on women participation in relation to Kenya where she highlighted that women participation is of paramount importance. This she emphasized through the words of an American civil rights leader Susan B Anthony who highlighted that there never was complete equality until women themselves help to make law and elect law makers so participation of women has been regarded as vital to democracy since time immemorial, women have always been considered agents of positive change and development.

Magaisa (2011) also wrote on constitutionality and constitutionalism highlighting that the constitution making process was dominated by the government which intended to advance its interests hence no public participation in the process. However, this study is focusing mainly on investigating women participation in the constitution making process under the GNU between 2009 and March 2013 when the process was finalized. The research highlighted women participation as a legal right which women just like any other human being should enjoy without restrictions. It also looked at various international and national pieces of legislation that confer this right upon the women. The research therefore underscores women participation as a measure of democracy in the whole process since it is one of the democratic tenets of

governance for wide consultation, including women's participation in the constitution making process. The study scrutinized the process, ascertaining how it was conducted, how women participated in Goromonzi South Constituency and will explore the various ways which can be implemented to ensure women participation in the constitution making process. This research will be conducted as a case study of Goromonzi South Constituency, looking at the constitution-making process from the year 2009 up until the Final draft was completed in March 2013. This study therefore assessed and analysed women participation in all the stages of the Zimbabwe constitution making process with regard to universal democratic tenets in constitution making process.

### **1.6 Research Objectives**

The research sought to:-

1. Investigate the extent of women participation in the constitution making process in Goromonzi South Constituency
2. Analyse women's opinions on whether the constitution making process followed the democratic tenet of women inclusively.
3. Assess the role of women organizations and the state in ensuring women participation in the constitution making process.
4. Recommend the various methods which can be implemented to ensure women participation in the democratic constitution making process.

### **1.7 Research Questions**

This research answered the following research questions:-

1. How did women participate in the constitution making process in Goromonzi South Constituency?
2. To what extent did the constitution making process follow the democratic tenets of women inclusion?
3. What role did women organizations and the state play to ensure women participation in the constitution making process?
4. How can women participate fully in the democratic constitution making process?

### **1.8 Research Assumptions**

This study assumed that the socio-political environment in the country during the GNU was conducive for women participation in the democratic constitution making process and that Zimbabwean women wanted a democratic constitution. It was also assumed that the women of Goromonzi South Constituency were going to open up about their participation in the constitution making process and their opinion about the whole process.

### **1.9 Delimitation of the Study**

The study was limited conceptually and geographically. In terms of geography, the study was based on only seven wards out of the 18 wards in Goromonzi South Constituency. This is because given the period of the study; the researcher was not able to carry out the study in all the 18 wards. Conceptually, the research's scope is limited to looking at women participation levels in the constitution making process,

circumstances surrounding them and how this participation can be gauged against a global democracy measure on advancing women's rights, despite the fact that there are various topics of academic interest in the whole constitution making process.

### **1.10 Limitations**

The researcher faced constraints in gaining access to information from other people considering the nature of the subject matter as others perceived it as sensitive and political hence were not willing to share their experiences.

### **1.11 Definition of concepts**

#### **1.11.1 Participation**

Hart (2003) highlights that participation is often taken to mean voting in referendum but there are new forms of participation that are attempting to place initiative in the hands of citizens and to create an open constitutional conversation in which the public shares in agenda setting, content and ratification. Thus for Hart participation in the constitution making process entails involvement of the public in all stages of the constitution making process.

The United Nations Economic and Social Council (ECOSOC) (2007), points out that participation is about making people realise their right to participate in decision making processes and to access information relating to those decisions that have an effect on their lives. Therefore participation is when all the people influence details of policy legislation and also continuously monitor their implementation. Benomar

(2003) also defines participation as a process of substantial consultations among stakeholders and awareness raising campaigns leading to more formal mechanisms of participation such as inviting submissions on a draft constitution or a referendum.

Brandt, Cottrell, Ghai and Regan (2011) highlight that participation covers a broad spectrum of activities including voting and standing for election, being part of decision making and others but participation in constitution making processes is more specific, directed as it is toward influencing the final outcome of the process that is the constitution itself. However, they go on to argue that public participation takes a variety of forms which includes much more than formal procedures for reviewing people's views and extends to private initiatives to mobilize support and lobby constitution making bodies which often take place even if there is no such formal procedure. Therefore for the purposes of this study, women participation is drawn from the definition of participation highlighted above, thus it means the involvement of women specifically on issues of national importance without discrimination on basis of them being women. Thus women participation points to the degree of inclusion of all the women in all the stages of the constitution making process.

#### **1.11.2 Constitution making process**

Benomar (2003) defines constitution making process as a process which attempts to represent the will of the people, to achieve a consensus on the future of the state and to ensure respect for universal principles such as respect for human rights and

democratic governance. Zembe and Sanjeevaiah (2013) define it as the act of giving ideas from which a constitution is produced. They highlight that the act of giving constitutional ideas is a mental process of thinking that is performed directly by individual persons as part of the people and that constitution making occurs in the human mind. Constitution-making is therefore a process where a people agree to and reach an understanding among them to make a document that shall be the supreme law of their country.

### **1.11.3 Constitutionalism**

Henkin (2000) defines constitutionalism as governance according to the constitution, with separation of powers where the people are the sovereign and democratic government. He further highlights that there was very limited state power to suspend the operation of the constitution. This is supported by Belz (1998) who also highlights that constitutionalism is about placing limits on state power arguing that it is not simply about a collection of rules and institutional arrangements but about control of those rules and institutions.

Allen and Thomson (2005) argue that constitutionalism is set in contradistinction to arbitrary power, meaning therefore that it is the opposite of arbitrary power. They further highlight that government is established to promote and protect certain values such as justice, freedom and liberty among others but it is necessary to control government power so that it does not destroy the same values that it intended to protect. Therefore the concept of constitutionalism revolves around rights protection

and limitation of state powers through strict adherence to the constitution thus summarily refers to the practice by governments of what is in the Constitution.

#### **1.11.4 Democracy**

According to Campbell (2008), democracy came from ancient Greek word *dēmokratiā* which was the combination of two words *demos* which means people and *kratos* which means rule. Therefore when the two are put together they mean rule by the people. Also the United States president Abraham Lincoln on November 19 ,1863 in his famous Gettysburg Address coined democracy as government of, by and for the people.

However, for Sodaro (2004) democracy is when the people have got the right to determine their rulers. It is when the people hold these elected governors accountable for their actions. Therefore when the people impose legal limits on the authority of the government through the guarantee of certain rights and freedoms essentially that's democracy .He further highlights that democracy has four faces which are : popular sovereignty; rights and liberties; democratic values; and economic democracy.

In support of what Campbell highlighted earlier, is Beetham, as quoted by Samarasinghe (1994) where he highlights that the classical idea of democracy in its simplest form can be defined using the two Greek words *demos* (people) and *kratos*

(rule) which when combined gives the word democracy which means rule by the people. Beetham further highlights that democracy is a

mode of decision-making about collectively binding rules and policies over which the people exercise control, and the most democratic arrangement to be that where all members of the collective enjoy effective equal rights to take part in such decision making directly - one, that is to say, which realizes to the greatest conceivable degree the principles of popular control and equality in its exercise....

Democracy as defined by Mangu (2004) revolves around the famous definition by the United State of America President Abraham Lincoln however with some addition. He highlights that, democracy is a political organism made up of participation and government of the people through representatives who must be freely elected. It is also characterised by recognition and promotion of human rights and in a democratic government the people are the sovereign and this government must be based on principles of rule of law.

Therefore given all the definitions highlighted above, democracy proves to be an ancient phenomenon which has developed over time and hence collectively mean government for, by and of the people. This is this definition that was adopted for this study.

## **1.12 Summary and Structure of the study**

### **Chapter One**



This chapter introduced the study, giving a background to it and laid out the research problem, objectives and questions. The justification, delimitation and limitations of the study shall also be discussed in this chapter.

## Chapter Two

This chapter looked at the existing literature and empirical evidence that run in tandem with the research subject. The theory of liberal feminism that gives women participation as a measure for a democratic constitution making process was employed to find out how the process was conducted in the study area.

## Chapter Three

This chapter outlined the research design used in the research giving an explanation of how the study was carried out, how research questions link with the data collection tools to be employed, the procedures for analyzing the data. The chapter shall also explain how the empirical data is going to link up with the study's initial research questions as well as the conclusion.

## Chapter Four

This chapter highlighted the interpretation, presentation and analysis of the data collected from the field. A presentation, in sequence and logical order of research results, an interpretation and analysis of the gathered results gave an informed response to the main research problem.

## Chapter Five

Conclusions and recommendations were presented in this chapter. The chapter gave conclusions as to how women participated in the constitution making process in the chosen case study area thus Goromonzi South constituency and recommendations on what needs to be improved in the future.

## **CHAPTER 2**

### **LITERATURE REVIEW**

#### **2.1 Introduction**

Women participation in the constitution making process is an essential part of democracy. Many African countries have seen great strides in democratic reforms emanating from constitutional reform. Whereas a lot of literature has been written on public participation in the constitution making process, there is nothing much on women participation in this process thus the subject is a novel concept. This chapter will therefore outline the literature available on public participation, highlighting the importance of women participation in constitution making process as a measure of how democratic the process was. This chapter shall examine the following subtopics:-

1. Conceptualization of women participation
2. Women participation and democracy
3. Constitution making the Zimbabwean context
4. Summary

#### **2.2 Theoretical Framework**

This study is informed by the liberal feminist theory. This theory highlights the importance of equality between men and women. It came from the views of Elizabeth Candy Stanton who rejected the treatment of women as third class citizens. She and other women created the Declaration of sentiments and Resolution at the Seneca Falls Convention in 1848 where they deliberated on a number of issues to do

with women's rights. They discussed the inequalities between men and women and the right for women to vote, own property, and get an education. Stanton's sentiments on women's rights are supported by Betty Friedan who penned the famous *Feminine Mystique*- where she exposed main issues in society that restrain women and keep them from reaching their full potential or equivalency with men. (Dubois, 1992).

Liberal Feminist argue that all people are created equal by God and therefore deserve equal rights and that women are oppressed because of how both men and women were socialized where most societies supports the domination of men over women thereby keeping men in power positions as compared to women. They argue that women therefore have the same mental capacity as their male counterparts hence should be accorded the same opportunities in all spheres that is political, social and economic. This therefore asserts that, women should have the right to contribute to decision making processes and issues to do with their own life not to have others choose for them simply because of their sex. In simpler terms, men and women must be equal in terms of decision making process hence the removal of legislation that bars women from exercising their full potential but rather challenges patriarchy ideology and liberates women (Ward, Geoffrey and Burns ,1999).

The main aim of liberal feminism is to attain a fair and just society where men and women are treated the same. Liberal feminism argues that women are capable and are also rational beings just as men if given a chance. Liberal feminism cannot be

separated from human rights since its origins are based on the emphasis on social justice as well as the creation of a society that is good and just for all. Liberal feminism demands equal opportunities and participation in society management. This can emanate from legal reforms and can be activated by increased participation in politics and education (Dubois, 1992).

Liberal feminism is highly influenced by values of liberalism. This is so because Liberal feminists believe that individuals are rational therefore they should have the freedom to determine their own destiny though governments should provide the social order necessary for this freedom to expand. Women should thus be allowed to vote and have good educational opportunities. Liberal feminist argue that women are more disadvantaged than men mainly due to gender inequalities which arise from individual attitudes learned through socialization process where traditionally women were disadvantaged. Betty Friedan published “The Feminine Mystique” in 1963 and was the founding leader of the National Organization for Women. She argues that education reform, equality and better employment opportunities for women would promote gender equality more effectively (Tong, 1989).

Other feminists theorists like Simone de Beauvoir argue that there is the existence of self/subject and the Other and the Other is the woman while self/subject is the male. The self/subject is the active one and the knowing subject of epistemology while the Other exists for the self/subject in an asymmetrical relationship. She however highlights that the Other is not an equal complement to the male but rather serves as

a projection of everything that the male rejects that is passivity, voiceless and immanence. In her own view, De Beauvoir believes that women may not resist their designation of the Other because of lack of resources, close ties with the men as well as perceived advantages of being the other. An analysis of what De Beauvoir highlights above show that women are therefore disadvantaged from the beginning but they can pull themselves out of that scenario through standing up for themselves. This she argues through her famous statement that one is not born but rather becomes woman (de Beauvoir, 1972).

### **2.2.1 Relevance of the theory**

Liberal Feminism represents an attempt to give a voice to women and female perspective which is achieved when women are given an equal platform to be themselves and speak for themselves. Women should therefore enjoy the same rights as men in society and should have a share in the society's opportunities. It therefore means that in order to break the male domination in all spheres of life thus social, political and economic, women should be accorded an equal opportunity with their male counterparts. In the decision making process, women should contribute to issues that have an impact on their lives so as to avoid other people dictate the way they live. Women should live their own life through effective participation in issues of national importance such as the constitution making process (Mills, 1998).

Since this theory advocates that women and men created as equal by God, it therefore means that they must not be treated as third class citizens. This advocates

for equal participation between men and women in decision making processes. This shows that the issue of gender is not important when one looks at according women the right to participate in national issues because gender is just a variable within human interaction which must not influence the right of women to participate. Therefore gender inequality must not get in the way of women participation because as the liberal feminism theory asserts, women and men were created as equal by God so they all should have an equal opportunity to have their voices heard. This therefore calls for removal of barriers that hinder women's full participation but rather advocates for legislation that is favourable to women and can ensure that they reach their maximum level in terms of opportunity.

## **2.3 Conceptualization of participation.**

### **2.3.1 Women participation as a legal right**

The right to participate in the constitution making process is a right that refer to a citizen's right to participate in decision making regarding his or her state's political status, constitution or government and the conduct of political affairs. At international law, this participation right is based on Article 25 of the International Covenant on Civil and Political Rights (ICCPR) which states that:

“Every Citizen shall have the right and opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions.

- (a) To take part in the conduct of public affairs, directly or through freely chosen representatives;
- (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the elections.
- (c) To have access, on general terms of equality, to public service in his country.” (ICCPR Article 25, 1966.)

The above sentiments have been expanded by the United Nations Human Rights Committee (UNHRC) which has highlighted that the right to participate in the conduct of public affairs extends to constitution making. This right is not only conferred to a group of people but to everyone in general meaning that women are also included. The committee thus highlighted in the celebrated case of Marshall versus the State of Canada that participating in the constitution making process is a legal right for each citizen regardless of gender. The tribal society known as the Mikmaq claimed that they had been excluded by the state, from participating in the constitution making process. The Mikmaq Tribal society contended that the State's refusal to allow it to attend the constitutional outreach programs violated their right to participate and the Human Rights Committee also held the view that the actions of the Government of Canada were tantamount to exclusion and consequently to violation of the Mikmaq tribe's right to participation in the constitution making process.

Dann, Riegner, Vogel and Wortmann (2011) also support this notion where they say that this participation trend in constitution making is supported by International law, notably the ICCPR of 1966. The ICCPR establishes minimum obligations for participation in public affairs that are also applicable to constitutional making process and give citizens an individual right to participate in constitutional making process directly or through representatives it must not be restricted in unreasonable or discriminatory ways.



However, in crafting a new constitution there are different expectations some of which will be that it is enough to treat all citizens the same. This is regardless of any special treatment for disadvantaged groups such as women and youths, but there are instances where not all citizens ought to be treated the same because of existing inequalities that have already tendered the other group to be disadvantaged than the others. In this regard, there are instances where in order to level the playing field, those who have been marginalized need to be treated differently and fairly. Therefore it is important to consider the past situation about the disadvantage borne on women and accord them the right to be involved in matters of decision making that affect them. Accordingly women's right to participate in the constitution making process is a standard of human rights internationally. Zimbabwe ratified international and regional instruments that advance the rights of women, notably the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and the Optional Protocol to the African charter on the Rights of Women respectively. To cement these protocols, the country also signed the Southern African Development Community (SADC) protocol on Gender and Development which is an important indicator of the seriousness of women's struggle in so far as their participation is concerned. At national level there is the National Gender Policy (Tsanga , 2010). This is supported by Robinson (2010) who highlights that National Action Plans are an important sign of commitment to conferring women their right to participate since the process of dialogue, consultation and participatory planning can have a lasting positive effect on any given society, Zimbabwe included.

Section 23 of the old constitution that is the Lancaster House Constitution that was in place at the commencement of the constitution making process clearly states that no law shall make any provision that is discriminatory. This means that the participation of women just like any other group of people was conferred to them by this constitution that was in place when the constitution making process commenced in the country. Also Article 2(a) of CEDAW requires states to recognize the principle of equality between men and women as both human beings with equal rights and Article 2(1) (a) of the Protocol to the African Charter on the Rights of Women also emphasizes this principle. In essence this means that women should be regarded as equal partners in all matters that need input, let alone the new constitution which is regarded as the supreme law of the country and a policy that is of great importance to all citizens. Article 9 of the Protocol of the African Charter which Zimbabwe is a party also states and advocate for states to adopt positive action to enable women to participate without discrimination at elections and all levels of development and implementation of state policies and development programmes. (Tsanga, 2010).

What Tsanga (2010) highlighted above, is supported by Madam Robinson the former Irish Ambassador to Zimbabwe who in her address to the GNU leaders highlighted that, constitutions clearly should comply with international human rights norms and standards, including a provision and guaranteeing of the equality of men and women under the law including customary law. As signatory to CEDAW, Beijing Platform of Action, the African Union Protocol and Women's rights and the SADC Protocol

on Gender and Development, Zimbabwe has made commitments to protect the rights of women and address and value women's rights above cultural and religious norms and practices. Women should therefore be encouraged to take the centre stage at participating in the constitution making process since they are the majority population in the country and leaving them out would be tantamount to discrimination. She further asserts that the AU and SADC protocols which Zimbabwe is a party to, encourage equal representation in decision making such as the constitution making process. It is important to note that women play a critical role as peace-builders, community organizers, and as voices of the marginalized hence the need to have their input in the constitution making process. Also in support of that right of women to participate in the constitution making process, Robinson quotes Article 1 of the Universal Declaration of Human Rights (UDHR) which states that,

*All human beings are born free and equal in dignity and rights.*

This therefore means that women are equal to men in terms of dignity and rights hence their right to participation is given and must not therefore be taken away from them (Robinson 2010).

The United Nations Committee on Human Rights has also recognized a specific right to participate in constitution making where participation is now promoted as both a right and a necessity, a right in that it is established in international law adopted by many countries and a necessity which stems from the forceful advocacy of democracy as the sole model for legitimate governance in the world. Participatory

constitution making has thus produced remarkable innovative process that have helped a process-driven constitutionalism to evolve and have changed perspectives on what makes a constitution legitimate. As highlighted earlier, participatory constitution making is supported by international law as an emerging legal right (Hart, 2003).

Besides the ICCPR and the UDHR, the Beijing Platform for Action also highlights critical areas of concern which are to ensure women's equal access to full participation in power structures and decision making as well as to increase women's capacity to participate in decision making and leadership. The United Nations (UN) also put in place many Resolutions to ensure the advancement of women's participation in decision making processes, constitution making included. Chief among them is the United Nations Security Council Resolution 1325 which calls for women's equal and full participation in peace processes of which constitution making is one of them. (Brandt et al , 2011).The UN goes further to stress that this resolution does not only deal with inclusion of women in peace and security issues but also reaffirmed the important role of women in the prevention and resolution of conflicts and in peace building and stressed the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security as well as the need to increase their role in decision-making where constitution making is also included. (UN, 2005).

Brandt et al (2011) summed this up where they highlighted that the operation of national and sub-national constitution making processes are increasing influence and even determined by a wide range of norms, standards and precedents including those provided by other constitution making processes they are a source of guiding constitutional principles. The human rights norms are also having an increasing influence on the design of processes in particular the emerging right to democratic participation based on UDHR (1948), article 21 and the ICCPR (Article 25) as well as various other UN conventions and declarations. These have a significant effect on guiding principles intended to the process of making decisions on constitutions (Brandt et al, 2011).

Some constitutions seek to move away from the indirect model of democracy involved in electing representatives who make decisions on behalf of the people and instead provide scope for citizens to participate in constitutional processes and consultation on policies through plebiscites like the constitution of Uganda, Switzerland and some states of the United State (Brandt et al 2011).

Regardless of what Tsanga (2010) noted about Zimbabwe having been using the Lancaster House Constitution by the time the constitution making process commenced ironically section 23 of the same did not expressly give women the right to participate in the constitution making process as it tends to generalize men, women and everybody. This is despite the fact that Zimbabwe is itself a signatory to all the international instruments highlighted above thus the ICCPR of 1966, the

UDHR, CEDAW, Beijing Protocol, SADC Protocol and the AU Protocol. One can thus argue that, even though women participation is a legal right, it is so in other jurisdictions and not in Zimbabwe at the time when the constitution making process commenced simply because, the constitution that was in place at the time did not provide for such a right let alone did it contain a comprehensive bill of rights hence the need to replace it.

### **2.3.2 Women participation and democracy**

Democratic constitution making in Zimbabwe has been a myth more than a reality, this is because historically, women participation has never been expressly provided for by any legislation. The constitution of Zimbabwe which was adopted as part of the 1979 Lancaster House Agreement was a process where there was no women representation. It should be noted that most constitutions which have been adopted in recent times have been developed through processes in which people participate directly. This has demystified the tradition of constitution making by experts and brings it into the sphere of democratic participation. A democratic constitution cannot thus be written for a nation nor can one be written in a non-participatory approach therefore in order to have a democratic constitution there must be women participation in the process.(Robinson, 2010).

Democracy internationally is thus measured through the participation of women as well in the constitution making process and in decision making processes. This was highlighted at the fourth world conference on women, held in Beijing in 1995 which

drew attention to the persisting inequality between men and women in decision making. The Beijing Platform for action reaffirmed that women's persistent exclusion in decision making raises a number of specific questions regarding the achievement of effective democratic transformation in practice. It actually undermines the concept of democracy hence the absence of women from political decision making; it has a negative impact on the entire democratization process. The Beijing platform for Action at Paragraph 181 therefore states that,

Women's equal participation in decision-making is not only a demand for justice or democracy but can also be seen as a necessary condition for women's interests to be taken into account without the perspective of women at all levels of decision-making, the goals of equality, development and peace cannot be achieved (UN, 2005).

The United Nations therefore wished for special attention to be paid to the question of women's participation in political life.

The Inter Parliamentary Union (IPU) highlights that, the possibility for all citizens to participate in the management of public affairs is at the very head of democracy meaning therefore that there can never be democracy without the inclusion of all people in public affairs constitution making being one of them. The IPU therefore agrees that in the majority of countries, the political arena remains largely dominated by men and is even an exclusively male stronghold in some countries. This therefore works against a fundamental principle of democracy which is incorporated in the universal declaration on democracy where it says that democracy is said to have been achieved through a genuine partnership between men and women in the conduct of

the affairs of society where they are expected to work in equally and in harmony drawing reciprocal fortification of their partnership from their differences. (IPU, 1999).

Participatory constitution making is by definition inclusive and defines how democratic the process is. Considering that women are usually demographically a majority, their social contribution and political participation have been identified as important. This is so because it is linked to democratization and development of many nations. Women inclusion in constitution making is thus important because they bring attitudes and experience highly appropriate to democratic constitution making and their increasing participation will give momentum and intensity to developing practice (Hart, 2003).

Increasing women participation in governmental decisions making is becoming a large part of democratization process because even international law grants the right to their participation. The participation of women gives them an open dialogue with the government where they air their views on the decision that affect them (Burgess and Malek, 2005).

This is supported by the United Nations where it is highlighted that proper function of democracy is seen through the active participation of women and the incorporation of women's perspectives at all levels of decision-making. Democracy cannot be achieved without women's participation hence women's equal participation is a



necessary condition for women and girls interests to be taken into account and is needed to strengthen democracy and promote its proper functioning. Women's participation is therefore not only advantageous for women themselves but for development and democracy. The lack of women participation therefore undermines democracy. (UN, 2007).

Other early feminists also points to the important of women participation to democracy, Susan B Anthony an early liberal feminist and civil rights leader as quoted by Kariuki (2010) highlighted that there never will be complete equality until women themselves help to make law and elect law makers. This therefore highlights that the participation of women has been regarded as of paramount to democracy since time immemorial; women have always been considered agents of positive change and development. This is supported by Robinson (2010) where she highlights that, effective participatory constitution making has to provide for women's equal representation in the process and outcome. No process which excludes or marginalizes the majority of the population can be representative. No constitution which has failed to fully ensure the perspectives and concerns of women can be seen as fully legitimate over time. Therefore the equal participation of both men and women in constitution making is an essential element for democratic governance. (Robinson, 2010).

Constitution making is today a fact of constitution life as well as a good in itself. This is so because if such a process is done in a democratic manner is crucial to the

potency acceptability and legitimacy of the final constitutional document. A democratic constitution is no longer simply one that establishes democratic governance but is a constitution that is made in a democratic process. According to the norms of democracy when stakeholders have not participated in the process there is no general sense of “ownership” that comes from sharing authorship therefore stakeholders will not respect the constitution and the government. The reputation and effectiveness of modern constitutionalism depend upon democracy in its process as well as its outcome. Therefore participatory constitution making has become one criterion of a legitimate process (Hart, 2003).

Hart (2003) also go on to argue that we are far from any agreed set of standards that would both satisfy the advocates of ‘authentic’ participation and be enforceable in law. Constitution makers must therefore find ways to implement, clarify and enforce the most effective processes and those most appropriate in each nation that embarks on this important task of democratic governance. She also highlights that for a constitution to qualify as a democratic one, it must not be written for a nation nor can the drafting be done hurriedly for this will result in breaching the requirements of a democratic process. This therefore shows that for a constitution to be acceptable, it must be a democratic constitution not that it establishes democratic governance but it was made in a democratic process and democratic process is when the constitution was made by the people for the people not by a few selected individuals. This idea of having the public included in all the process of the constitution making process is called new constitutionalism, one that respects and calls for the public’s voice in the process.

Participation inculcates democratic skills, habits and values such as trust, tolerance and efficacy. Participation serves to educate citizens on matters of public importance, accelerating the acquisition of political information and equipping citizens to evaluate their government more critically. Participation in the constitution making promotes democratic values in citizens and educates them in the operations of democratic processes. This therefore have an effect of increasing the success of democracy in governance and thus participation in the constitutional approval and adoption will carry over to governance under the constitution. (Barber, 1984)

The constitution as a supreme law provides the framework within laws have to be passed and policies have to be applied. They also ensure smooth operation of the political system, but it has to be noted that constitutions have not always functioned to promote or consolidate democracy however they have been more of instruments of domination or oppression, (Ghai and Galli, 2007). However, on the other hand, participation may actually undermine democracy instead of enhancing it. This happens when it expands beyond the scope of the elites when the people endorse what political parties want thereby sacrificing their liberty to participate may be in exchange for promise of economic security and equality. Under such circumstances, an average citizen is generally ill informed and can be easily deceived by opportunistic politicians (Elkins, Ginsburg and Blount, 2008)

Widespread popular participation may pose a threat of instability and disorder hence might be too risk. Highly participatory processes in pre-modern societies may also exacerbate conflicts among citizens over resources, identity and other societal

cleavages and this could prevent a constitution from emerging, or even hinder operation once adopted, all this through the intermediate effect on citizens (Lipset, 1959). This is supported by Voigt (2004) who also argues that increased public participation in constitution drafting can lead to more conflicting interest being represented and thus less overall document consistency than would be produced by homogenous group of drafters.

#### **2.4 Importance of women participation**

Participatory constitution making has provided an opportunity for women to gain representation in both process and outcome. Constitution making is regarded as a way to resolve conflict and a forum for reconciling division and redressing grievances. Women across the world have been instrumental in demanding such a constitutional opening where governance or social conditions have previously made their participation difficult. However, in some countries, women participation in the constitution making process was outstanding. In Uganda they mobilized themselves to participate in the 10 year process that came into force in 1996. In Cambodia women demanded inclusion at all levels of policy making including the drafting of the new constitution from 1992-1993. They make up 63% of the population so it became necessary to include them in the constitution making process as a way of legitimizing the process bearing in mind that they form the majority of the population (Hart, 2003).

It is important to note that, some recent constitutional processes have deliberately undertake special measures to ensure that women are represented by at least 25% in constitution making bodies and that they participate more fully during each stage of the process, for example Afghanistan in 2004. This is so because there is need for women to be able to say out issues that concern them so leaving them out would not be doing justice. In the constitution making process in Uganda, the constitution assembly's female delegates formed a non-partisan women's caucus. If offered workshops on parliamentary procedures, speech – making and how to build a coalition, it also made sure that the women's views and concerns were represented in a weekly radio program on the assembly debates. This shows that women can be united for a purpose of building their country; they can forego difference in the fight for the rights that benefit all women kind (Tripp, 2001).

This idea of awareness campaign programmes to advance and support women participation was is recognized internationally. It was advocated for by the General Assembly at its fifty-eighth session in 2003 whereby they adopted Resolution 58/142 on women and political participation .The Resolution urged governments, the UN system, Non-Governmental Organisations (NGOs) and other actors to develop a comprehensive set of policies and programmes to increase women's participation in decision making which includes constitution making (UN, 2005).

This is important because the right to self-determination and the right to participate in the conduct of public affairs provide a legal foundation for citizen inclusion in the

constitution making process. Constitution making is therefore not only an aspect of public affairs but is also a means by which citizens can participate in determining the state's political status and its economic, social and cultural development (UN, 1996).

Participatory constitution making means that there are conditions in place to ensure free participation of women therefore a pre-requisite for open meeting is a secure environment one that must promote the free expression of views. This is important to enable women and to be free to talk if they are unable to express their views in the presence of other people. Such separate meetings should thus be created for them. Civic education is important before carrying out consultations. In Fiji 1997 constitution making process, the public was not adequately capacitated when consultations were held on how to reform the constitution. A representative of the Women's Advisory Forum highlighted that they did not have access to a copy of the constitution and that those in authority did not provide it when it was mostly needed and this compromised the outcome of the process because women did not endorse it since they did not adequately participate. (LeRoy, 2010).

The above experience therefore shows that the role of citizen participation in constitution making is critical to the acceptance and durability of the constitution. It is necessary to identify other participants who have an impact on the process and its outcome if one is to understand this role, which means that the process needs to be inclusive to women, youths and other disadvantaged groups. Therefore participation is essential to the legitimacy of the constitution and the ability of the people to

understand and mobilize its provisions. Inclusion of women in the process promote a sense of common belonging and destiny critical for national unity and the constitution itself on the other hand should create space for women participation in order to protect constitutional values. (Ghai and Galli, 2007)

Consultation in the constitution making process involves ordinary citizens, women, civil society groups, political parties. The key issue here is however not about who participates but how effective such meetings are in terms of generating real input into the process. When consultations are carried out, the belief is that the process will provide direct substantive input on the constitutional draft rather than relying on the elites to prepare the document (Samuels, 2006). Participation is therefore not only a device to aggregate pre-existing preferences but an opportunity to generate new ideas and institutions in the process. Participation facilitates the flow of reliable information so that the resulting policies are high quality, appropriate to circumstances and congruent with preferences (Moehler, 2008). This is the reason why the Zimbabwean process had to include all stakeholders, although the degree of inclusion needs to be analyzed because history had shown that a constitution made for the people is not acceptable as can be highlighted from the previous attempts which failed dismally.

The need for participation is based on the belief that without the general sense of ownership that comes from sharing authorship of the constitution, today`s public will not understand, respect and support or ever live within the constraints of constitutional government. Therefore genuine public participation requires social

inclusion of all stakeholders including women and also personal security, freedom of speech and assembly. A strong civil society that gives civil educational help creates good channels of communication between all levels of society in order to facilitate this process. This means that women should also be capacitated about their participation. However this needs a great commitment of resources and time in order to make genuine public participation (Hart, 2003).

Ghai and Galli (2007) bemoan the lack in newly democratizing countries of a populace that is able and willing to engage in the political process and to insist on its rights. Thus, they attribute this circumstance to the fact that the populace may be accustomed to older forms of rule or based on tradition or by little possibility of challenging the authorities. It is important however to note that, people's participation is important in order to develop the agenda of constitutional and social reform. Participation confers legitimacy on the constitution because if people have participated they are more likely to have a commitment to it even if they have not fully understood the process of the constitution or even if their participation was ceremonial.

It is imperative however to note that civic education is a key component of participation in constitution making. This is when state and non state organizations take it upon themselves to empower the citizens on their right to participate highlighting the importance to have their voice heard. Civil education must reach all the people in order to get different ideas since they all bring different ways of understanding and skills to the process. Women participation has substantial political



and practical benefits. It supports national unity, increase understanding of the constitution, strengthen its legitimacy and acceptance, broaden the drafters' information base, foster innovative solutions and contribute to sustainable ownership for the new constitution (Dann, Riegner, Vogel and Wartmann, 2011)

Comprehensive and permanent direct involvement of all citizens including women, gives them a chance to directly influence the thinking of decision makers and the outcome of the process. Broad consultation in constitution making can strengthen national unity thereby contributing to political stability. Participation in transitional contexts can thus play a big role in building democratic institutions based on the rule of law and respect for human rights. An inclusive and open participatory process can also assist to reconcile conflicting groups and sensitive people to diverse viewpoints. A successful participatory process is a cornerstone for the legitimacy, acceptance and hence stability of the new constitutional order. It forms the basis for the normative legitimacy of the constitution and also increases the social acceptance of the entire legal order. Therefore women participation is important in that, it has a potential to be informative and innovative. (Dann et al, 2011).

Women involvement in constitution making is increasingly considered to be essential for the legitimacy and effectiveness of the constitution making process because it is becoming more widespread, advocated for by constitutional advisors and the international community. This is so judging from the various international instruments calling for women participation in the process (Ginsburg et al, 2008) . This is supported by Widner (2008) who also highlights that, it is important to

mention that participation in constitutional design is increasingly more direct and penetrates more deeply if it is exercised right from the beginning of the process. This is done through making sure that everyone including women gets involved even in the selection of those that will draft or deliberate over different aspects of the draft.

This means that the constitutional assembly itself also needs to include women representatives. The process should be a direct consultation with the representative groups at various stages before, during and after the drafting of the initial constitutional draft. This is however a bit difficult considering that it is usually a committee that sits about to draft a constitution so the drafting period is the least participatory of them all (Samuels, 2006).

## **2.5 Constitution making the Zimbabwean context**

### **2.5.1 History of women participation in Zimbabwe**

Citizen participation, let alone women participation in constitution making in Zimbabwe has been very minimal since all the previous processes never included stakeholder consultation in the process. The Lancaster House Constitution was drafted by the British Parliament as a transitional document to hand over power to the black majority. This was done under Statutory Instrument 1976/1600 of the United Kingdom, after which enactment a negotiation conference was held where it was decided to give independence to the then Zimbabwe-Rhodesia. The Lancaster House conference was therefore part of the negotiation to give independence to the country hence no stakeholder participation in the process. The only delegates were representatives of the former guerilla fighters who were invited to take part in the

negotiations for independence. The only women available on these negotiations were those serving the men who were delegates to the meeting. This means that there was no women participation at the Lancaster House Conference which gave birth to the Lancaster House Constitution which was in use in Zimbabwe since independence up to 2013 (Zembe and Sanjeevaiah, 2013).

After having realized that the Lancaster House constitution did not provide for the needs, priorities and aspirations of Zimbabweans, there was a need to draft another constitution that was more democratic. Therefore the government of Zimbabwe set up a Constitutional Commission in 1999 which comprised of 400 members of which 150 of them were Members of Parliament. All commissioners for this commission were appointed by the President and were all from his ruling ZANU (PF) party. The commission was headed by the Chief Justice who was also a presidential appointee. It is important to note that the Chief Justice at the time was a man and that women Members of Parliament constituted less than a third of the commission. The commission was thus mandated to gather, analyze and evaluate data from the people as far as provisions for the new constitution were concerned. They were supposed to produce a final draft for adoption by the government. The commission went on to gather the views to some few people through thematic committees whose composition was on party grounds as well so the outreach program was rejected and boycotted by many. Regardless of the process being highly government driven, the commission went on to produce a draft which was accepted by the government but

was heavily rejected during referendum in February 2000. (Zembe and Sanjeevaiah, 2013).

The above notion is supported by Burgess, Heidi and Malek (2005) who also highlight that the government of Zimbabwe failed to take advantage of stakeholder participation by wanting to short-circuit this democratization process. This is so because it appeared as a model process with consultative and outreach program but in reality the ruling party controlled the constitutional commission. This therefore shows that the Constitutional Commission led process lacked legitimacy from the people of Zimbabwe mainly because the people, women included, were not adequately consulted in the process hence they could not vote for a document which does not carry their own views and interests. It was thus an imposed document which they rightfully rejected on referendum.

Then came the 2007 Kariba Draft which was secretly drafted by the principal negotiators of the three political parties in the country, thus ZANU(PF) and the two MDC formations in a clandestine meeting that was held in Kariba. It was written secretly, little is known about the process that led to the creation of the draft. It has been suggested that no more than 6 individuals assumed primary responsibility for writing this draft. It is important to note that of the 6 individuals assumed to have been at this meeting, there was no woman, it was just a male dominated process. There was no women consultation in the Kariba Draft hence the process was dominated by male elites, the political parties who were furthering their interests and

not those of the rest of the country. It therefore rendered this draft undemocratic in terms of both process and content. The process usurped the right of the people of Zimbabwe to write their own constitution (The Standard Newspaper, July 2, 2009).

Kambudzi (1998) as quoted by Shonhe (2010) therefore highlights that, the post independent Zimbabwe period was characterized by policy formulation pattern that was hugely party-structure driven, that can be described as a partocratic policy making system meaning that policy reforms in the country were usually dominated by political parties and not by the people. Therefore when one looks at the history of constitution making in Zimbabwe, it is apparent from the three processes highlighted above that public participation is a rare phenomenon to the people of Zimbabwe since they have been denied this right for quite a long time.

## **2.5 Summary**

Women participation is therefore the cornerstone of democratic constitution making process because women being the majority of the population in the country, for them to legitimize a constitution, they would have put an input to its making. The Zimbabwean processes historically have not been inclusive of women. This constitution making process under the GNU being governed by the GPA made it mandatory to consult the all stakeholders, women included. Women participation is therefore both a legal right domestically and internationally and must not be denied or manipulated.

## **CHAPTER 3**

### **METHODOLOGY**

#### **3.1 Introduction**

This chapter explains the research design, data collection tools and data analysis procedures that were used in this study. The overall research design was set out bearing in mind the objectives of the study as well as the time and resources available for the study.

##### **3.1.2 Research Design**

A research design is a plan that outlines how the information is to be gathered for a study and this includes identification of the data collection methods, instruments to be used, how these instruments were administered, how the data was organized and how the information was organized and analyzed (Instructional Assessment Resources, 2011). According to Shuttleworth and Martyn (2008) the function of a research design is to ensure that the evidence obtained enable the researcher to answer the research questions as clearly as possible.

This study employed both qualitative and quantitative research methods .The aim of this mixed method approach was that they would complement each other such that the strengths and weaknesses of each tool were complemented by the merging of the different tools. This approach enables the study to discover insights that would not otherwise be possible with the singular use of qualitative or quantitative tools alone

(Johnson and Turner, 2003). The mixed method approach therefore avoids methodological biases by capitalizing on methodological strengths associated with each methodological approach (Greene, 2007). This study made use of the case study approach with the population being the respondents who took part in the constitution-making process.

According to Stake, (1995) and Merriam, (1998), a case study is an approach that enables intensive description and analysis of a social unit such as an individual group, institution or community. It involves the collection and presentation of detailed information about that particular community, group or institution usually including the accounts of subjects themselves. A case study is thus, a form of a qualitative descriptive research which looks intensively at an individual or small group drawing conclusions only about that participating individual or small group only in that specific context. It aims at understanding context-bounded phenomena by examining one or more particular instances of the phenomena in a holistic manner. The researcher chose the case study approach because of its ability to clearly bring out in-depth data through the mixing of different data collection tools. This will enable the researcher to answer the “how” and “why” type of questions.

### **3.1.3 Population**

Population represents the group onto which the research findings were generalized. According to Wegner (1993), population includes only those sampling units with characteristics that are relevant to the problem being researched on. The researcher

used the women population in Goromonzi South Constituency which comprises of eighteen wards. Due to time and resource constraints the researcher cannot gather information from every woman in the population, the researcher thus found a representative sample of women in Goromonzi South Constituency.

#### **3.1.4 Sample Selection**

A sample is a subset of the population under study which represents the larger population where inferences about the population are drawn. The researcher generated the sample from the women population of Goromonzi South Constituency. Questionnaire respondents were selected through systematic random sampling where-by more questionnaires were handed to women of age group between 18 and 35, and a lesser portion to those above 35. This deliberate variation takes into cognisance the fact that younger women are still willing and hopeful, and hyperactive such that response rate could be deliberately perceived to be higher as well as that they are the ones with dreams and aspirations that are still to be ‘tested’.

#### **3.1.5 Sample size**

The total sample size for this study was fifty two people comprising two key informants from the constitution driving and management government institutions, two respondents from special women groups, two male household heads which consists of one village heads and one councillor and twenty (30) randomly selected questionnaire women respondents. The questionnaire was employed targeting women in the constituency so that the questionnaires complement the interviews.



Two Focus group discussions comprising of eight people each were held with the women in the constituency. Participants for the focus group discussions are going to be purposively selected from the area of study and some will come through snowballing from the village head and councillor who are also the gate keepers. They agreed to cooperate with the researcher hence the participants for the focus group were readily available. The researcher was also aware of avoiding biases that is getting participants from the gate keepers who belong to the same political party with them as this would compromise the objectivity of the discussions since the main aim of the discussions is to get the participants' personal experiences and perceptions on the constitution making process.

The key informants from the government and its sub-committees include the former Minister of the then Ministry of Constitutional and Parliamentary Affairs and former COPAC National Coordinator. The same purposive sampling was used in the selection of two out of the most active women organizations in the country that is Women Coalition of Zimbabwe (WoCOZ) and Zimbabwe Women Lawyers Association (ZWLA). Two males, at least one in traditional leadership, whose participation would help to assess the rural community's perception of women participation in general national and one councillor whose perception of women participation in both developmental and decision making processes were sought. The last group of questionnaire respondents comprised women of age above 18 who were eligible to vote but biased in numbers towards the younger adults.

### **3.2 Research Instruments**

Instruments employed under a case study enable the researcher to collect and integrate quantitative and qualitative data which also facilitates reaching a holistic understanding of the case under the study. The researcher made use of archival records, focus group discussions, interviews and questionnaires.

#### **3.2.1 Key Informant Interview**

Key Informant Interviews (KIIs) were conducted with strategic personnel from government departments such as the former National coordinator for COPAC and the former Ministry of Parliamentary and Constitutional Affairs. The Key Informant Interviews were also conducted with personnel from women organizations, to identify their roles, levels of involvement and perceptions on women participation in the constitution making process.

#### **3.2.2 Questionnaire**

The researcher constructed a questionnaire which was administered on selected respondents at the household level in the ward. The questionnaire was aimed at discovering in-depth personal experiences and evaluations of women participation in the constitution making process since the respondent had enough confidentiality and secrecy to explain their views.

### **3.2.3 Focus Group Discussions**

The researcher constructed interview questions for Focus Group Discussions (FGDs) which were held with people in the selected wards in groups of 8 per discussion. The probing was focusing on the discussants' experiences as well as commonly held views perceptions and assessments of the constitution making process with a particular emphasis on extent of their participation. This is so because some people felt free to speak about their experiences when they were in the company of many people than they were on their own, so this is the rational for having focus group discussions.

### **3.3 Ethical Considerations**

Research ethics can be viewed as a set of rules of conduct followed by the researcher when interacting with people during the study. The wording of research questions was given much attention so as to avoid harming the feeling and conduct of the respondents. The researcher ensured that the research remained very objective and not subjective by avoiding personal biases and stereotypes to get into the way of the study. The researcher employed informed consent to ensure that the participants in Goromonzi South Constituency understood what it meant to participate in the research study. The researcher assured confidentiality, willingness and consent of participants before engaging them in this study. Since the informants encompass women of various ages, the researcher endeavoured to relate to every age and class of the respondents. The informants were required to share their experiences as far as their participation is concerned during the constitution making process, therefore their anonymity was assured as the researcher used pseudonyms and not their real

names and identities. The researcher ensured confidentiality and consent of participants in order to come up with objective, reliable and original information. The researcher made sure that the participants were adequately informed of the type of information needed and how they were expected to participate in the study. The researcher treated all participants with respect and dignity, regardless of their race, colour or creed.

### **3.4 Data Collection Plan**

Creswell, (2008), states that research is a process of steps used to collect and analyze information to increase understanding of a topic or issue. It consists of three steps, which are to pose a question, collect data to answer the question, and to present an answer to the question.

Before embarking on the research, the researcher managed to get access to the case study area in order to interview people and obtain other important documents relevant for the study. The researcher carried and introduced herself formally through a letter from the Institute of Peace, Leadership and Governance. This increased the respondents' confidence in the researcher's credibility and sincerity. Equipped with the letter from the Institute, the researcher sought full consent of informants to participate in this research, making use of councillors from different wards under study helped introduce the researcher to other stakeholders and participants.

The researcher went through the mayor's office for Ruwa Town Council since many wards fall within this office's jurisdiction and then proceeded to the Zimbabwe Republic Police's Internal Security Intelligence (ZRPPISI) department for clearance. The researcher also sought permission to interview members of the women NGOs which took part in the constitution making process. Some key informants were approached on a personal note like the former Minister of Constitutional and Parliamentary Affairs as well as the former National Coordinator for COPAC were also interviewed.

The first week of the research period was for distribution as well as administration of the questionnaire. This was so because the researcher was self administering the questionnaire because some answers on the questionnaire are already coded. During this week the researcher also managed to book for interviews with different interviewees and key informants.

The second week of the research period was for interviews. This is the period when the researcher was travelling around the constituent to carry out interviews with the key informants and other interviewees. The third week was for collating the data whereby the researcher consolidated what had come out of the interviews and the questionnaires, before proceeding to findings.

### **3.4.1 Document Analysis**

The researcher analysed documents on the constitution making process including outreach reports and update reports prepared by COPAC especially those that had to do with Goromonzi South Constituency.

### **3.4.2 Semi-structured Interviews**

Semi-structured interviews were administered to key informants to enable the researcher to get the information relevant to the study from the male people of the constituency as well as Key Informants. Key Informants included the two males that is, one village heads from the constituency and one councillor for the wards, representatives of the women NGOs that took part in the process, the former Minister of Constitutional and Parliamentary Affairs as well as the former COPAC Coordinator.

### **3.4.3 Questionnaires**

The researcher distributed questionnaires to members of the public in the wards in Goromonzi South Constituency and these were distributed randomly from the sample size. The people of Goromonzi South Constituency have information on how the participation levels were during the constitution making process. This enabled the researcher to get information from the women who took part and also those who did not thereby highlighting their perception about the process as well as the general extend of women participation in the process.

#### **3.4.4 Focus Group Discussions**

The researcher held Focus Group Discussions (FGDs) with women in the selected wards in groups of 8 per discussion. The probing focused on the discussants' experiences as well as commonly held views perceptions and assessments of the constitution making process with a particular emphasis on extent of their participation. This answered the research question on how democratic the process was looking at women participation in the process as a measure for democracy.

#### **3.5 Data Analysis Procedure**

Data analysis is the process of systematically applying statistical and or logical techniques to describe and illustrate, condense, recap and evaluate data. Various analytic procedures provide ways of drawing inductive inferences from data and distinguishing the signal that is the phenomenon of interest for the noise that is the statistical fluctuations present in the data (Shamoo and Resnik, 2003). Since this research was a case study, data analysis under case study generally involves an interactive, spiraling or general to more specific observations (Silverman, 2010).

Usually the form of the analysis is determined by the specific qualitative or quantitative approach taken as well as the form of the data. This research being a combination of qualitative and quantitative methods therefore a combination of both data analysis methods were employed to bring order to the collected information. The researcher used context analysis about Goromonzi South Constituency looking at the social information, background and history pertaining to the population. This provided sufficient information about the case study area. This means that, there was

thick description of the entity being evaluated, circumstances under which it is used and the nature of the community in which it was located as well as the characteristics of the people involved in it . Qualitative data was analyzed through Thematic Content Analysis approach whereby data is recorded, coded and grouped according to the main idea/theme emerging from the data. Thick description also known as in-depth description is about interpreting the meaning of demographic and descriptive data such as cultural norms, community values and motives.

Main themes were identified from the contents of the data and the researcher carefully went through the descriptive responses given by the respondents to each question in order to understand the meaning of their responses. The meaning and language used was mainly in vernacular and English languages which languages the researcher can fluently speak and understand. The researcher then segmented the data into relevant meaning units that is themes, patterns and concepts and coded them in ways that make sense to the researcher.

Quantitative data was presented and analyzed using tables and graphs, pie-charts and other descriptive data was be extracted. Microsoft Excel program was also utilized where applicable to analyze quantitative data.

### **3.6 Summary**

This chapter on methodology gives an explanation of how the study was carried out, how research questions link with the data collection tools to be employed, the procedures for analyzing the data. The chapter also explains how the empirical data was linked up with the study's initial research questions as well as the conclusion.



The researcher employed both purposive and random sampling using interviews, document analysis, focus group discussions and questionnaires as primary sources of data.

## **CHAPTER 4**

### **DATA PRESENTATION, ANALYSIS AND INTERPRETATION**

#### **4.1 Introduction**

This chapter focuses on data presentation and analysis. This is based on the data collected through interviews and questionnaires during fieldwork and document analyses from different organisations on the subject of women participation in the constitution making process.

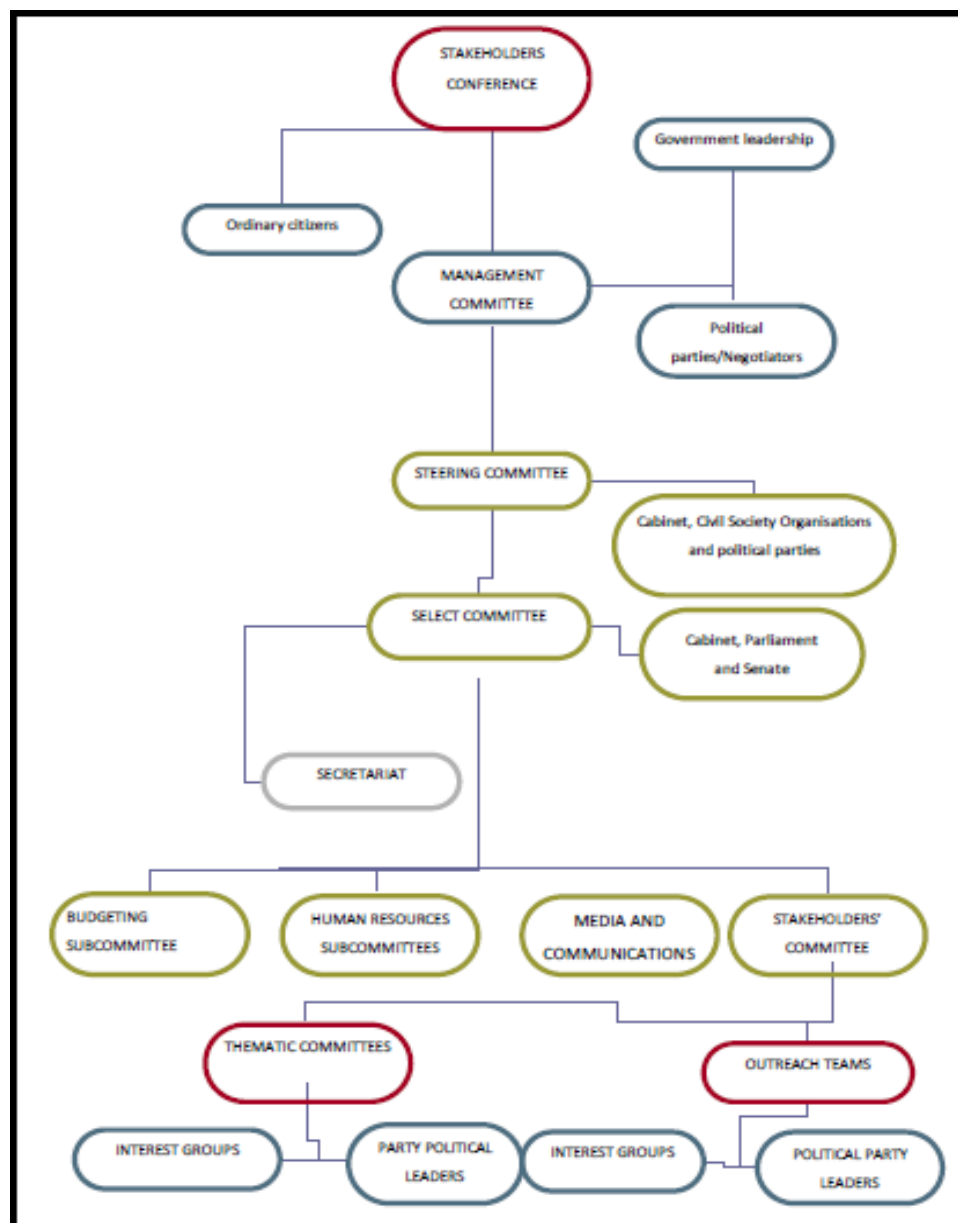
#### **4.2 Findings, themes and concepts**

Women participation in the constitutional making process will be incomplete without a digressed assessment of the management of the entire process from the managerial perspective. As such some findings infused herein depict the proportion of women participation even at the managerial centres. The ultimate goal seemed to be a fulfilment of the view by Kariuki (2010) that there never will be complete equality until women themselves help to make law and elect law makers.

##### **4.2.1 Institutional framework of the constitution making process**

COPAC was given the mandate of spearheading the making of the constitution. COPAC was made up of representatives from the three political parties, that is; ZANU PF, MDC-T and MDC-M. COPAC was a result of the GPA which was signed by the parties in September 2008 and placed political parties at the helm of leading the process. The inclusion of women would therefore come in after the party

would have decided which candidate to forward to the various committees to represent it. This was supported by views expressed by both key informants from ZWLA and WoCOZ, two of the women's organisations which participated in the process. These key informants lamented the involvement of political parties as one major factor that hindered women's voices from being heard because women as representatives of political parties would push their party agenda/viewpoint and thus they were not there as women representing other women.



### **Figure 1: COPAC Organisational Structure**

As shown in the figure above, COPAC had a management committee which served as the main decision maker of the committee. It is important to note that this committee consisted of ten people of which among the ten there was only one woman. This means that women representation was only 10% of the total number of representatives with 90% being men. However, one key informant, the former Minister of Constitutional and Parliamentary Affairs, differed with what the two key informants from women organizations highlighted above. He said that women could not participate in COPAC because they were not available in the three political parties to be able to represent their parties hence this scenario where men got the bigger chunk of influential positions. This is so given the fact that, of the total composition of COPAC, women were only 8 out of 25, a mere 32%. This shows that women were under-represented.

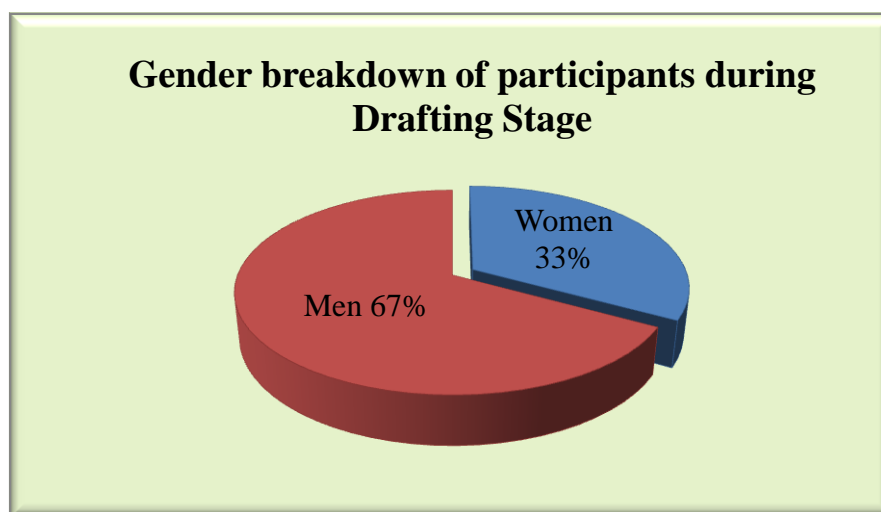
#### **4.2.2 Sitting of the thematic committees**

This process entailed the participation of all stakeholders from different dimensions. Hart (2003) highlighted that women can participate in constitution making through direct participation or through representation. At this stage women were represented by women groups such as WoCOZ and ZWLA. An interviewee highlighted that COPAC made sure that women got 30% representation in all stages to ensure their participation in the process.

### 4.2.3 Drafting

Female representation during the draft stage was a third of the total drafters since there were three drafters, Mr Brian Crozier, Justice Moses Chinhengo and Mrs Priscilla Madzanga. Some would argue that this was a fair representation considering the number of drafters. However one interviewee argues that there could have been more drafters because in the initial plan there were supposed to be six (6) drafters, three (3) men and three (3) women but since the process was more political the co-chairs, the management committee then settled for three (3), two (2) men and one (1) woman.

Fig 2 shows representation and participation of women during this stage.



**Figure 2: Gender Breakdown of Participants at Drafting Stage**

However it is important to note that this team of drafters was assisted by a drafting committee which comprised of 5 nominees from the political parties represented in Parliament and two others from the Chief's council (COPAC Final Report, 2013). This shows that at this stage, there was minimal female participation.

#### **4.2.4 The Second All Stake Holders Conference**

According to COPAC Final Report, the Select Committee convened at the second All Stakeholders Conference from 21 to 23 October 2012 which was held at the Harare International Conference Centre and was attended by 1400 delegates. The aim of this conference was to:

- a) Receive the report on the constitution making process up to the time of the conference
  - b) Receive the draft constitution from the select committee
  - c) Receive comments and recommendations on the Draft Constitution from the Stakeholders
  - d) Report to the select committee's attention comments and recommendations for noting
  - e) Have the select committee compile a report for its own use.
- (COPAC Final Report, 2013)

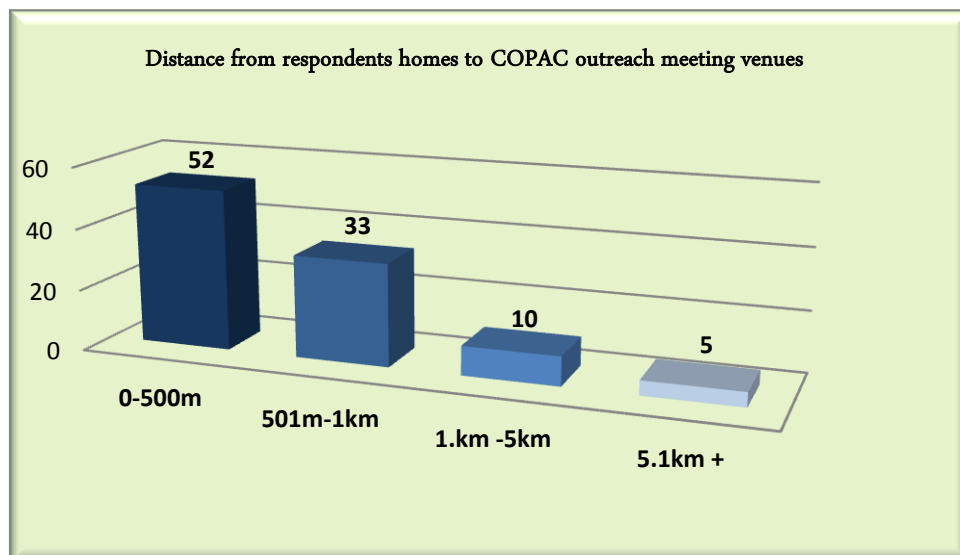
Of the delegates who attended the Second All Stakeholders Conference, only a third were women. However, at this stage it may not be significant to establish the direct participation of women since it was a process whereby a few people were required and interest groups were invited to represent their constituencies. Women were thus represented by the women's organisations which attended the conference with the aim of representing women's views. ZWLA and WoCOZ participated in the process and also gave their comments and recommendations on the draft constitution on behalf of the women (COPAC Final Draft, 2013).

#### **4.2.5 Evaluating women's participation as a democracy measure**

Women's participation in the constitution making process should be viewed under two important objectives namely attendance and contributing. Of the two, women

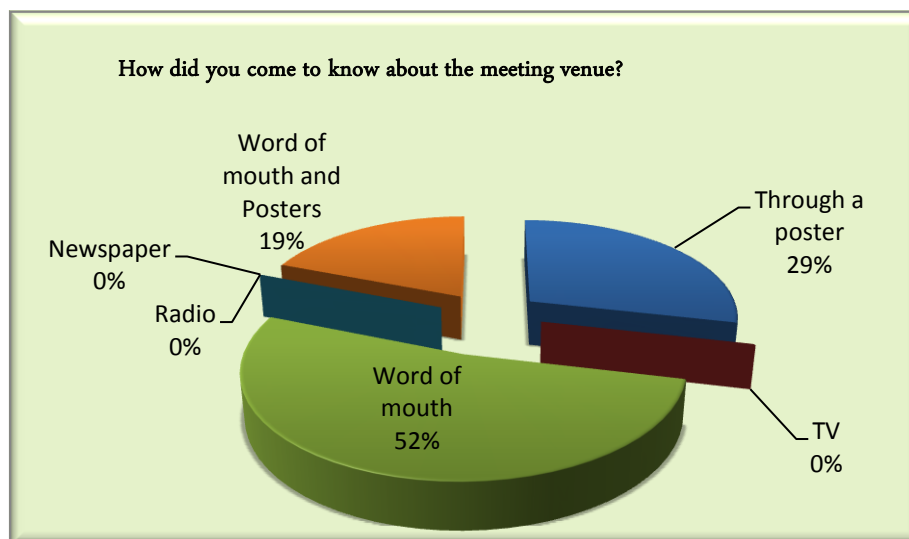
attendance in the process was quite satisfactory in the Goromonzi South Constituency. This is supported by questionnaire responses to the question where respondents were asked whether or not they attended any COPAC outreach meeting. To this, 70% of the respondents attended at least one while only 30% did not attend any.

Many respondents indicated that women were really eager to participate in the process and attended the meetings in large numbers. Some reasons given for the high attendance included the culture of attending public meetings in the wards, a strong willingness to attend these meetings, a genuine understanding of the relevance of the process and women wanting to get their views heard and considered. Supporters of political parties were instructed to attend or face unspecified consequences and some indicated that they were threatened by their political parties if they did not attend. The women's desire to attend was ably assisted by the effectiveness of the publicity campaigns conducted by different organisations to raise awareness of the outreach meetings. It was also easier for the women to attend these meetings because they were mostly held at shopping centres in the residential areas. The table below shows approximate distances to the meeting venues, as given by questionnaire respondents.



**Figure 3: Distance from Respondents' Homes to COPAC Outreach Meeting Venues**

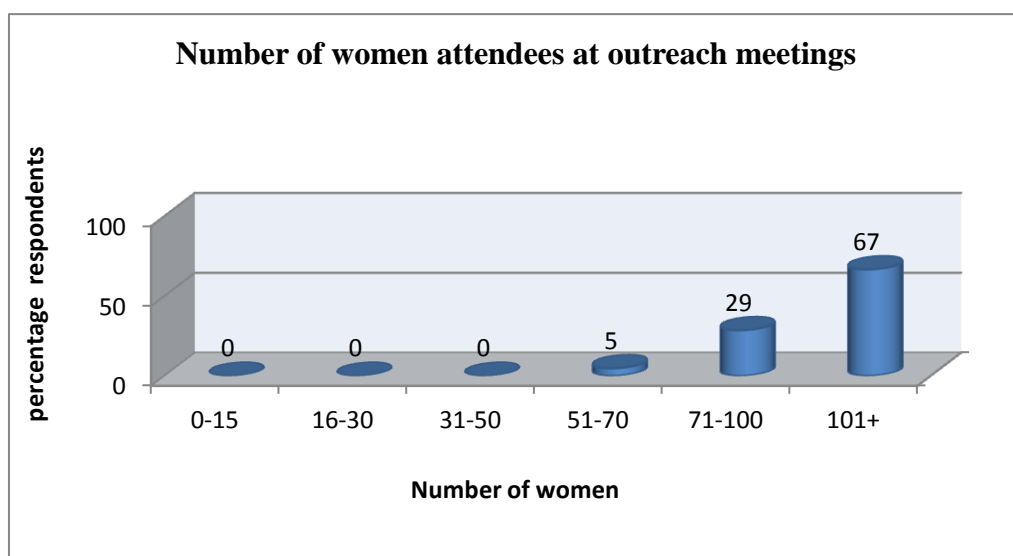
Furthermore, as indicated below, most women got to know about the meetings through “word of mouth” (52%), “through a poster” (29%) and through both “word of mouth and posters” (19%). None indicated that they heard about the meetings through radio, newspapers or television.



**Figure 4: The Difference Mediums used to Disseminate Information about the Meeting**



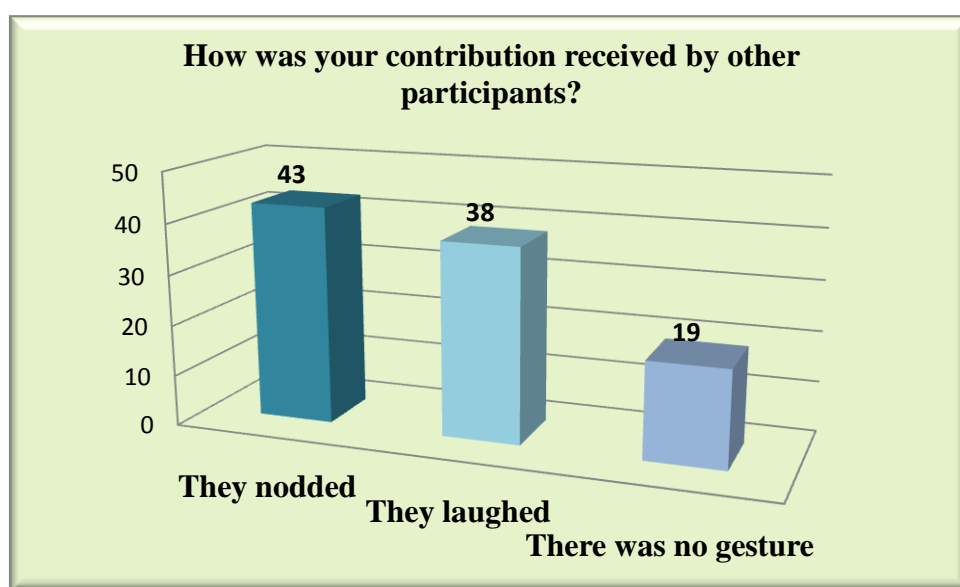
The overall numbers of women at the meetings were satisfactory as evidenced by most questionnaire and FGD responses. The main reasons given by those who failed to attend the outreach meetings was that they did not know about the meeting or they were not informed about the meeting time and venue while a few mentioned that despite being aware of the meetings, they could not attend because they were busy attending to their fields and doing household chores.



**Figure 5: Number of Women Attendees at COPAC Outreach Meetings**

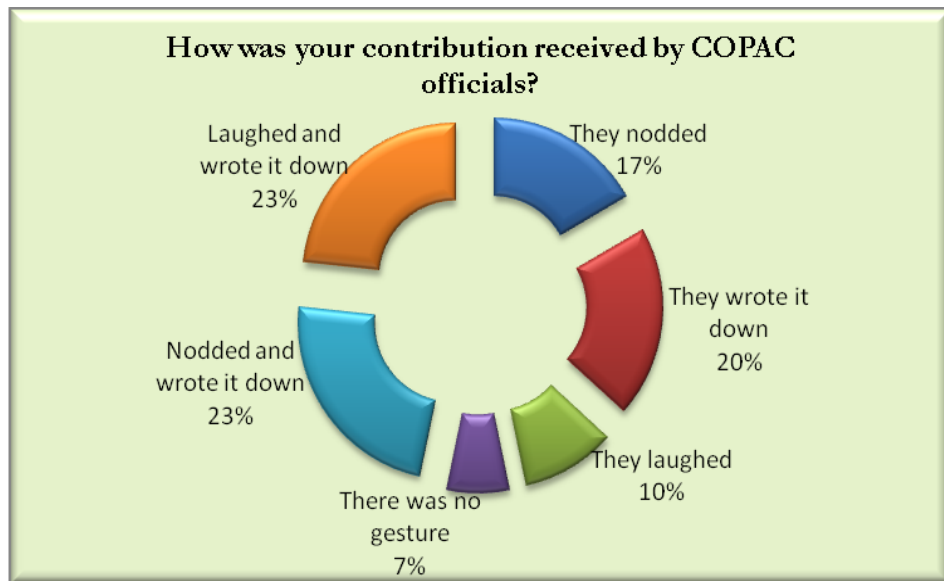
Despite the pictorial impression of many women attending the outreach meetings, the majority of questionnaire respondents concurred that these numbers did not represent women in Goromonzi. 86% of questionnaire respondents reported that the number women attending outreach meetings did not reflect women population in Goromonzi constituency while only 14% said suggested this was a true population.

Nonetheless, the attendance might be seen as a huge success but when asked what “contribution” meant to them, women were unanimous. It meant that they are empowered to participate in the constitution-making process, being updated as far as current issues are concerned, being allowed to speak out against bad rules and improper aspects of the constitution, expressing their rights as equal human beings and citizens like their male counterparts and adding value to families, homes and the society as a whole. Upon deeper scrutiny, one can note that these issues were not achieved. When one looks at objective number two, on women contributing during the meetings, one can begin to see some problematic issues which prevented women’s points of view from being heard.



**Figure 6: Reception of Contribution by other Participants**

Those who contributed also indicated that when they were airing their views, men in the audience ridiculed them which made them feel very uncomfortable and very inferior.



**Figure 7: Reception of Contributions by COPAC Officials**

The cumulative effect of people (fellow attendees) and COPAC officials laughing at women's contributions, political parties telling participants what to say or not to say and the overarching tense atmosphere was that women could not participate freely. Therefore, democracy being as broad as it is, in this scenario it is narrowed down to women participation as a measure of democracy. Women participation is also viewed in two categories as highlighted above, that is attendance and contributing. When one looks at the contribution of women during the process, it is apparent that women participation was far from being meaningful since they did not represent themselves giving their views. This is supported by an interviewee who highlighted that there was too much political influence in the process.

Different interviewees bemoaned the influence of political parties in the process. They accused them of influencing their supporters to attend the meetings and give

contributions that are in line with their political parties' ideologies. When one looks at it from this perspective then the process is seen to fall short of democratic tenets because women did come out in their numbers but could not freely say what they aspired to see in the new constitution due to the influence of political parties. In some extreme cases, women were actually driven to the meetings and were threatened with unspecified action if they did not attend.

When asked whether or not they received any capacity building or awareness on the importance of their participation, an overwhelming 93% of respondents responded positively while 7% responded negatively. Furthermore, when asked "Did you receive any capacity building or awareness on what to say/ what not to say during Outreach meetings?" 87% responded positively while 13% gave negative responses. According to several respondents people were instructed by political parties to promote the party's point of view on specific issues in the constitution. According to ZWLA, before the commencement of the outreach consultations, communities were coached on what to say at the outreach meetings. However, when the COPAC co-chairs were asked about this they professed ignorance over the problem of the coaching of party supporters. ZWLA argues that coaching/instruction of participants on what to say or not to say was accompanied by threats, intimidation and harassment. According to questionnaire and FGD respondents individuals who were nominated to participate during these meetings were identified and were equipped with scripts that they had to memorise in preparation for the outreach meetings.

According to most respondents only those individuals selected were allowed to give their contributions during the process.

When asked whether or not women participated effectively in the process, 13% of the respondents responded positively while 87% disapproved. A reason for the positive response could have been that women were giving their views as they did not want men to dominate.

Reasons for the negative response varied but largely converged on the issues that many women did not say anything in the meetings, were afraid to say anything, relative to the number of men giving their views, few women managed to say out their views, there was a tense atmosphere at the meetings since people had been given answers or told what to say beforehand, most women were ignorant of their role, it appeared they had a feeling that they needed to participate but felt the male views would override their views hence they withdrew and were only present ritualistically. When they spoke they only expressed themselves to the extent that they thought politically acceptable, the women who were vocal were the ones selected by their parties and they were instructed on what to say by their parties as evidenced by the tailor-made answers given to COPAC teams and that women spent the entire meetings “*vachingoridza mhururu nekuuchira*” clapping and ululating instead of saying out their views.

The alleged meddling by political parties violated women's democratic right to participate and contribute on their own. It actually gave a wrong assumption that women had no capacity to think on their own and put across what they wanted to see in the constitution with regard to issues that affected them. This negated women's views because it left out any other important issues that the political parties did not want to be included in the discussions. The process was marred with violence and intimidation. To support this, COPAC had this to say about Mashonaland East province where Goromonzi South Constituency falls under,

There were allegations however that some people were being intimidated on their way to meetings and this resulted in fewer people making contributions at some of the meetings (COPAC Final Report, 2013; 40).

This supports the notion that the constitution outreach program in the Constituency was far away from being democratic. This was because when people were intimidated and harassed they were never free to talk hence the exhibition of the undemocratic nature of the process.

However, when asked whether or not they were satisfied with women participation in Zimbabwe generally on national decision making processes, respondents gave an unequivocal and negative response. In explaining that position, the respondents said when they are not clapping and ululating at men's submissions, women do not say anything meaningful to change their circumstances, they are not given meaningful leadership positions where they can effectively change things for the better, they were used by political parties to support the political parties' views not the women's

views, they are under-represented at national and local level decision-making boards of the country and they act as back-benchers allowing men to dominate important meetings.

Considering the debates and evidence from the findings as highlighted above, women's participation in the process was, and cannot be said to have been effective because it was a political parties' affair as political parties influenced the participation of women by giving them what to say during the consultation meetings. There was no freedom for women to influence the process on their own and to their advantage but rather it was a process which was driven by the political parties' desires and aspirations rather than women being allowed to speak out their own feelings and wishes and issues that affect them.

#### **4.2.6 Civil Society and State's role in empowering women**

According to ZWLA Constitutional Engagement 2009-2010, ZWLA engaged strategic stakeholders and other women to ensure women participation with knowledge on the constitutional issues and the incorporation of women's demands in the draft constitution. Since the first All Stakeholders Conference was characterized by political hiccups over control of the process, the timeframe for consultation was delayed by 11 months when it was scheduled to have started within the first four months after the First All Stakeholders Conference. This gave them the opportunity to organize and mobilize women to participate in the process.

ZWLA further highlights that the process had started without much preparation so no civic education had been carried out hence this delay gave the organization the opportunity to carry out their awareness campaigns to women. ZWLA started by training constitutional campaigners from around the country who would in turn mobilize and train women in their respective communities on the constitution making process. These women were those with a certain level of education such as teachers, village health workers and agriculture extension workers partnering with the Ministry of Women Affairs and Women Coalition of Zimbabwe (WoCOZ). ZWLA managed to mobilize 260 women and trained them on the GPA and the constitution making process. These women constitutional campaigners were equipped with information and material such as fliers and brochures whose language and message was simplified enough for the ordinary women in the communities to understand. ZWLA engaged churches in Goromonzi South Constituency and trained their members with the hope that these women would later on cascade the information to their counterparts who were not reached by the ZWLA-churches training program. However this was not enough considering that they only managed to conduct the campaign strongly in Harare and Mashonaland West Provinces where they trained women from 21 out of 29 wards of Harare and Kadoma respectively.

To alleviate this problem, the key informant highlighted that their organization ZWLA went through Short Wave Radio Africa (SWR) to broadcast programs on radio encouraging women to participate in the process. Those who could not access the SW Radio Africa Channel could still access the program on the Zimbabwe



Broadcasting Corporation's Mai Chisamba show where the same program was broadcast in vernacular languages to involve all the women. The organization also used its website in order to get to those women whom they could not reach through the radio and TV channels. Besides reaching the women in Goromonzi South Constituency through various workshops organized by constitution campaigners and through churches, they also used the above mentioned mediums to reach out to women.

COPAC on the other hand also carried out its own awareness campaigns in preparation for the outreach program. According to the COPAC Final Report (2013), members of the select committee went out in the different constituencies around the country informing the nation about the process. Different meetings and workshops were held with different stakeholders in order to publicize this important event. Newspapers were also engaged for the same purpose. Press conferences were held as well as meetings with the civil society where they would be updated on the process. COPAC carried out campaigns using the electronic media such as radio and television where jingles were played urging people to participate. It is important however to note that this was campaign targeting every member of the public and not women specifically. This therefore may not have been enough to satisfy women in Goromonzi South constituency as others highlighted during FGD that they only saw COPAC officials at the actual meeting but never got an awareness campaign from them before the actual outreach meetings. However according to one interviewee, COPAC awareness program was not meant for a selected group of people but the

whole spectrum of the people hence women participation in the process was never taken as a priority regardless of the fact that women constitute the majority of the population in Zimbabwe. The interviewee supported what came out from the FDGs that COPAC never targeted women as important stakeholders in this process.

The Ministry of Constitutional and Parliamentary Affairs also held awareness programmes on behalf of the government. However during interviews, it was highlighted that the Ministry could not carry out the awareness campaigns in Goromonzi South as they held provincial meetings only. This therefore meant that the residents of Goromonzi were supposed to attend the awareness meeting in Marondera which was the venue for the meeting since it is the provincial town for Mashonaland East where Goromonzi South Constituency falls under, a scenario some interviewees lamented lack of funds as the hindrance in the Ministry being able to carry out awareness campaigns and also highlighted that even if funds were to be availed, they were not able to have meetings for a particular category of people like women only since their meetings were inclusive of everyone. This is another indication that the state never really put in women participation at heart especially looking at the fact that a Ministry such as this which was set for the purpose of facilitating the constitution making process had no plans in place to reach out to women. In the forgone analysis it is apparent that women never enjoyed the theoretical equality bestowed on them in policy circles and governance processes like the constitution making in Zimbabwe.

There is a balance between democratic participation in the constitution making process and gender mainstreaming. Gender mainstreaming ensures that both men and women benefit equally from policies and it mean the integration of both men and women's experiences and knowledge in order to add more weight on the process. Therefore in relation to democratic constitution making, while there is need for a deliberate inclusion of women in the constitution making process, it has to take into cognisance the interests of both men and women. It must not just be about adding the women's voices to the process but should bring in the participation of both men and women in order to make the process all inclusive thereby democratic. However in this constitution making gender mainstreaming was left to management issues as a motivation and inspiration to population as there was the inclusion of the gender thematic committee which was headed by a woman and came up with many recommendations on women's rights that were included in the new constitution. There was therefore a balance between democratic constitution making and gender mainstreaming if one look s at it from this perspective

#### **4.2.7 Summary**

The analysis was based on data that was elicited through semi-structured interviews, document analysis and questionnaires. Document analysis was carried out on COPAC Reports and ZWLA report. This analysis is the one used for drawing conclusions and recommendation for the next chapter.

## **CHAPTER 5**

### **SUMMARY, CONCLUSIONS AND RECOMMENDATIONS**

#### **5.0 Introduction**

This study was prompted by the desire to explore the participation of women in the constitution making process under the GNU. This is so considering that this was an event of its own kind the country having had other constitutional reform processes before. Having realised that the past experience had no room for women Participation there was a keen interest in actually assessing how democratic this process was taking women participation as a measure for democracy in the process. This is in regard to the fact that democracy is broad in practice but for this purpose there was need to gauge it in relation to the effectiveness of women's participation in the constitution making process and whether it could be said to be democratic or not. There is a trait of evidence that within the borders of Zimbabwe the issue of women participation in the constitution making process has had little academic attention yet there is need to look at global trends in as far as the subject is concerned.

#### **5.1 Summary**

This study brings to light the participation of women in the constitution making process in Goromonzi South Constituency. What has been noticed is that women could have participated more effectively in the constitution making process and the process could have been more democratic than it was. Based on the semi structured interviews the research was aiming at answering the research question , 'to what extent did the constitution making process follow the democratic tenets of women

inclusion” this was aided by content analysis from the data gathered from as well as through different documents from the key organisations which were analysed and hence brought the presented findings.

### **5.3 Conclusions**

This section points out the general positions that came out from the research questions and subsequent findings of the study. This study points out to the exclusion of women during the constitution making process. This is in regard to different stages of the process where women were under represented right from the establishment of COPAC up to the end of the process. Main highlights being shown during the constitution consultations where women in Goromonzi South took Part and their participation was now assessed in regard to the expected standards which will be given under recommendations. This shows lack of planning on the part of the government of national unity which had party interests at heart rather than the interest of all stakeholders women included.

The study shows that it was not a democratic constitution making process as findings highlight that women were coached on what to say by their political parties. This rendered women in Goromonzi South Constituency turning a blind eye to the issues that affect them as women because the issue of coaching was graced by all political parties in the GNU. Women’s issues were therefore left aside since there was need to strengthen political party ideologies. It was some form of political combat between political parties. There were threats of intimidation if women did not attend coaching meetings and there were women who were chosen to speak on behalf

of others. This left out those women who were capable of raising issues that affect women since one could only speak if they were nominated by the party.

The constitution making process was therefore not democratic in substance because of political party interference. Women did not effectively participate since they were coached and those who attended the meetings in their large numbers were just there to ululate and clap hands for the chosen spokespersons. Women's participation as a measure for democracy in this process failed. In terms of representation at the national level, women were underrepresented in COPAC. The vast majority of those who did manage to be appointed to some positions in COPAC were given inferior positions and they could not stand for women's concerns.

The time for the meetings were not favourable for some women and they ended up boycotting the meetings as they would be made to wait for long hours before the COPAC officials showed up for meetings. This is so because women as mothers and housekeepers could not wait too long before going back to their children and homes. The failure of COPAC to put up a timetable catering for women's busy schedules further indicates how lightly esteemed women's concerns were by COPAC in this process.

## **5.4 Recommendations**

Judging from the findings, the study concludes by proffering various ways that could enhance women's effective participation in the constitution making process in the future.

### **Stakeholder consultation**

There is need for the government to have done substantial preparatory work before constituting the institution responsible for spearheading the constitution making process. There was need to consult all concerned stakeholders such as women organizations. These consultations must be done informally and should include other stakeholders not political parties in order to avoid domination of the constitution making body or institution by political parties. If COPAC had been constituted by other representatives from civil society it could have done much better than being constituted of political parties only which resulted in it having 8 women only out of 25 members. This shows that political parties dominated as COPAC was only made up of political parties which had an influence on almost every step during the process.

### **Separate politics from constitution making**

The government must institute measures to block political interference in women's participation and it must take a firm commitment to prevent politicization of the public's involvement in constitution-making. The political climate must be made free of political party meddling, hidden threats and veiled manipulation of women by powerful sectors of society. The political environment needs to be made conducive

so that it does not scare away women from participating in public consultations or aspiring for political office.

### **Capacity building**

There is need to capacity build women through awareness raising about the importance of their participation in the process in order to reduce women apathy. Had the state and civil society done enough to encourage women to participate, they could have done much better than being driven by political parties to advance the agendas of political parties instead of advancing issues that affect them as women

### **Quota system**

There is need for the government and political parties to ensure the continuation of the quota system whereby women have their seats reserved in Parliament. This will enable more women to get into positions of leadership which will influence other women from the grass roots to participate in issues of national importance such as the constitution making process.

### **Women empowerment**

Women need social and economic empowerment so that they are capable of standing up for their views in public meetings without fear of men or cultural systems that look down on women therefore, the government should economically empower women so that they will be able to participate in these meetings without fear of political retribution. The government must create a conducive environment that allows Non-Governmental Organizations and other non-state based organizations to freely carry out women capacity building and women empowerment exercises to



enable them to be able to stand on their own and participate in issues of national importance.

### **Advertising of the campaigns**

The government should ensure that women are made aware of important events and meetings. Flyers should be distributed early and in the high density residential areas so that women are aware of these programs

## References

- Allen, M. and Thomson, B. (2005) . *Constitutional and Administrative Law* (Case and Materials) 8<sup>th</sup> Ed. Oxford.OUP.
- Belz, H. .(1998). *A living constitution or fundamental law-American Constitutionalism in Historical Perspective*, Latham, Maryland: Rowman and Littlefield.
- Benomar,J (2003). *Constitution-Making and Peace Building: Lessons Learned From the Constitution-Making Processes of Post-Conflict Countries*: United Nations Development Programme.
- Brandt, M., Cottrell, J., Ghai, Y., and Regan, A. (2011). *Handbook on Constitution-making and Reform: Options for the Process*: Interpeace, New York.
- Burgess, G, Heidi and Malek (2012), “*Public Participation” Beyond intractability*. Eds Burgess and Heidi, Burgers Conflict Information Consortium, University of Colorado, Boulder. 2005.
- Barber, B. R. (1984).*Strong democracy: Participatory politics for a new age*.
- Campbell, D.F. J. (2008). *The Basic Concept for the Democracy Ranking of the Quality of Democracy*. Vienna: Democracy Ranking.
- Civil Society Monitoring Mechanism, CISOMM, Periodic Report Number 7, January-March 2012.
- Cusack, T.R. (2003).*A national challenge at the local level: Citizens, Elites and Institutions in reunified Germany*.
- Creswell, J. W. (2008) *Educational Research: Planning, conducting, and evaluating quantitative and qualitative research (3rd ed.)* Upper Saddle River: Pearson
- COPAC Final Report, 2013
- Dann,P., Riegner,M., Vogel,J., and Wortman,M. (2011).*Lessons learned from Constitution making: Processes with broad based public participation*: Democracy Reporting International, Briefing Paper No.20.
- De Beauvoir, S.(1972) .*The Second Sex*: New York ,Penguin Publishers
- Devra, M . (2006).’’*Public participation and Support for the Constitution of Uganda*, ’’:Journal of Modern African Studies 44/2.
- Dubois, S and Carol, E,ed (1992). *The Elizabeth Cady Stanton and Susan B Anthony Reader*:Bostorn North Eastern University Press

- Dzinesa, G.(2012). *Zimbabwe's torturous road to a new constitution and elections: Situation Report*: Institute for Security Studies.
- Gathii, J.T. (2008). *Popular Authorship and Constitution Making: Comparing and Contrasting the DRC and Kenya*: 49, William and Mary Law Review.
- Ginsburg,T., Blount ,J., and Elkins,Z. (2008).*The citizens as founder: Public participation in Constitutional approval*: Temple Law Review, Volume 81
- Greene, J.C. (2007). *Mixed methods in Social Inquiry*, New York: Wiley
- Hart, V. (2003). *Democratic Constitution Making*. Special Report: United States Institute of Peace.
- Henkin, L. (2000). *Elements of Constitutionalism*, Unpublished Manuscript.
- IPU .(1999). *Participation of women in Political life* .Reports and Documents No 35 – Inter Parliamentary Union – Geneva 1999
- Instructional Assessment Resources. Glossary. Accessed 20 February 2014
- Johnson, B and Turner, L.A. (2003). *Data Collection Strategies in Mixed Methods Research*
- Kariuki,C.G. (2010). *Women Participation in the Kenyan Society* : The African Executive, issue 296.
- Lipset, S. M. (1969). *Some social requisites of Democracy: Economic Development and Political Legitimacy*, Political Science Review Vol 53
- Magaisa, A. (2011). *'Constitutionality versus Constitutionalism: Lessons for Zimbabwe's Constitutional Reform Process'* : Open Society Initiative for Southern Africa.
- Merriam, S. (1998).*Qualitative Research and Case Study Applications in Education*, San Francisco: Jossey-Bass Publications
- Mills, S (1998). *Post Colonial Feminist theory*, Jackson, S and Jones, J, eds, *Contemporary Feminist theories*: Edinburgh University Press
- Robinson, M . (2010). *Securing women's Rights through the Constitution* .Presentation at the Zimbabwe High level Dialogue on Women's Empowerment in the Political and Economic Arena. Harare, April 26.
- Samarasinghe, S.W.R.A. (1994). *Data for Decision Making Project Department of Population and International Health* ,Harvard School of Public Health Boston, Massachusetts
- Samuels, K. (2006). *Post Conflict Peace-building and Constitution making*: 6,Chicago Journal of International Law.

Shamoo, A.E., and Resnik, B.R. (2003). *Responsible Conduct of Research*. Oxford University Press

Shonhe, T. (2011) *.Public Participation in the Constitution making process In Zimbabwe 2009-2010: University of Witwatersrand School of Public and Development Management.*

Silverman, D. (2010). *Doing Qualitative Research: A practical Handbook-London: Sage Publications*

Sodaro, M.J. (2004). *Comparative Politics. A Global Introduction*. New York: Mc Graw Hill.

Stake, R. E. (1995). *The Art of Case Study Research*. Sage Publications

Shuttleworth, Martin (2008): <http://www.experiment-resources.com/definition-of-research.html>) accessed 20 January 2014

Teddlie and Tashakkori, A. (2009). *Foundations of mixed methods research: Integrating Quantitative and Qualitative Approaches in the social and behavioral sciences*. Thousand Oaks, CA: Sage Publications

Tong, R. (1989). *Feminist Thought: A comprehensive Introduction*. Oxon, United Kingdom: Unwin Human Ltd .Chapter 1

Tripp, AM. (2001). ‘The New Political Activism in Africa’’, *Journal of Democracy* 12 (3):141 -55.

Tsanga, A.S. (2010). *Towards a Democratic and Inclusive constitution for Zimbabwe. The scope for addressing gender equality* .Fredrich Ebert Stiftung , Parliamentary Briefing paper July.

United Nations Human Rights Commission, General Comment No.25: *The Right to Participate in Public Affairs, Voting rights and the Right of Equal Access to Public Service* Article 25.UN 2005

United Nations Economic and Social Council.(2007) *Participatory Dialogue: Towards a Stable, Safe and Just Society for all*.

United Nations, (2007). Equal participation of women and men in decision making processes, with particular emphasis on political participation and leadership.

Voigt, S .(2004). *The consequences of popular participation in Constitutional Choice: Towards a comparative Analysis in deliberation and decision: Economics, Constitutional theory and Deliberative Democracy*

Ward, C., Geoffrey, C and Burns R. (1999). *Not for Ourselves alone: The story of Elizabeth Cady Standon and Susan B Anthony: an illustrated History*: New York, Kuopf

Zembe,W and Sanjeevaiah ,J (2013).*Developing a Democratic Constitutional Framework through a People-Driven Constitution Making Process for Zimbabwe*: International Journal of Science and Research (IJSR), India Online.

#### **Internet Sources**

<http://infor@copac.org.zw> : COPAC Organisational Structure. Accessed 13/2/2014.

<http://www.undp.zw/media-center/news/22> : *Women inclusion in decision making process*. accessed 12/02/2014

<http://www.mocpa.org.zw>: *Ministerial Advocacy Meetings on the Constitution*. Accessed 13/02/2014

## **Appendices**

### **Appendix A- Semi Structured Interviews for Former COPAC National Coordinator**

1. What role did you play as national coordinator of COPAC?
2. What major steps were taken to ensure women's participation?
3. Can you walk me through one/two of the main approaches/methods [in 2 above]?
4. What were the main constraints to women's participation [e.g. funding, knowledge, attitudes, information dissemination etc]?
5. How did you negotiate your way round these challenges
6. How was the constitution outreach program to you?
7. What can you say about the participation of women in the whole process?
8. How many women were members of COPAC?
9. Were women adequately represented in the process? [establishment of COPAC, thematic committees/1<sup>st</sup> All Stakeholders Conference, Outreach, data uploading, drafting, 2<sup>nd</sup> All Stakeholders Conference stages].
10. How was women participation generally?
11. How many women participated in the outreach program around the country?
12. Did you monitor the numbers of women participating in the process [do you have figures for Goromonzi]?
  - i. If yes, how did you go about doing this?
13. How can this process be improved in future?
14. What do you suggest as lasting solutions that can be made use of in future to ensure effective women participation?

## **Appendix B-Interview Guide Women's Organisations**

1. Was your organization involved in the constitution making process?
2. What role did your organization play at each of the following stages of the process?
  - i. Establishment of COPAC
  - ii. Thematic Committees/2<sup>nd</sup> All Stakeholders Conference
  - iii. Outreach Consultations
  - iv. Data uploading and collating
  - v. Drafting of the constitution
  - vi. 2<sup>nd</sup> All Stakeholders Conference
3. In your view, what specific constraints acted against women's participation? [e.g. in the overall design of the outreach, in women airing out their views on the constitution, those views being heard and taken on board etc]
4. Generally what is your assessment of the whole process and what aspects do you think could have been done better?
5. Was the process democratic? why do you say so?
6. What can you say about women participation in Zimbabwe generally in decision making process?

## **Appendix C-Semi -Structured Interview Guide: Village Head/Councillors in Goromonzi South**

1. Did you participate in the constitution making outreach program?
2. How far was the meeting place from where you live?
3. Did you contribute to the discussions led by COPAC?
4. Did more women participate than men or vice versa?
5. What is your opinion about women participation in the process?
  - i. Establishment of COPAC
  - ii. Thematic Committees/2<sup>nd</sup> All Stakeholders Conference
  - iii. Outreach Consultations
  - iv. Data uploading and collating
  - v. Drafting of the constitution
  - vi. 2<sup>nd</sup> All Stakeholders Conference
6. How was the atmosphere/mood during the outreach meetings?
7. In your view, what specific constraints acted for or against women's participation? [e.g. in the overall design of the outreach, in women airing out their views on the constitution, those views being heard and taken on board etc]
8. How many women participated in the outreach meetings [i.e. aired their views]
9. Which women were left out of the process?
10. Generally what is your assessment of the whole process and what aspects do you think could have been done better?
11. Was the process democratic? Why do you say so?



## **Appendix D-Semi-Structured Interview Guide: Focus Group Discussion for Women**

1. Did all of you participate in the constitution making outreach program?
2. How far was the meeting place from where you live?
3. Did you contribute to the discussions led by COPAC?
4. Did more women participate than men or vice versa?
5. How were your views received by the COPAC officials and by other attendees?
6. How was the atmosphere/mood during the outreach meetings?
7. What is your opinion about women participation in the process? From the establishment of COPAC up to the drafting stage and the 2<sup>nd</sup> All Stakeholders Conference?
8. Were women adequately represented?
9. In your view, what specific constraints acted for or against women's participation? [e.g. in the overall design of the outreach, in women airing out their views on the constitution, those views being heard and taken on board etc]
10. How many women participated in the outreach meetings [i.e. aired their views]
11. Which women were left out of the process?
12. Generally what is your assessment of the whole process and what aspects do you think could have been done better?
13. Can you say it was democratic or not and why do you say so?

## **Appendix E-Interview Questions for the Former Minister of Constitutional and Parliamentary Affairs**

1. As the former Minister of Constitutional and Parliamentary Affairs Ministry, how do you see women participation in the constitution making process?
2. In your view, how successful was the constitution-making process?
3. Overall, can you say the process was inclusive to women?
4. Looking back at the process now what factors/processes hindered women's participation
  - i. Establishment of COPAC
  - ii. Thematic Committees/2<sup>nd</sup> All Stakeholders Conference
  - iii. Outreach Consultations
  - iv. Data uploading and collating
  - v. Drafting of the constitution
  - vi. 2<sup>nd</sup> All Stakeholders Conference
5. Again across these same stages [above], what specifically enabled women participation?
6. What can be done in the future to increase women's effective participation in constitution-making process?
7. As a seasoned Constitutional Lawyer yourself how democratic was the process in your own view, taking women participation as a measure of democracy?
8. Generally how do you view women participation in decision making processes in Zimbabwe?

## Appendix F-Questionnaire : Women in Goromonzi South Constituency

**Name of respondent**

.....

**Ward**

.....

**Age**

.....

**Date**

.....

1. Did you attend any outreach consultative meeting led by COPAC? Yes ☐

No ☐

1. If not why?

.....  
.....  
.....  
.....  
.....

2. If yes how did you come to know about the place and venue of the meeting?

Through a poster ☐ TV ☐ Word of mouth

☐

Radio ☐ News paper ☐ Other.....specify

3. Did you contribute during the meeting? Yes ☐

No ☐

4. Explain what “contribution” at these meetings means to you?

.....  
.....  
.....

5. How were your contributions received

i. By other attendees

They nodded ☐ They laughed ☐ There was no  
gesture ☐

ii. By the COPAC officials

They nodded ☐      Wrote it down ☐      They laughed ☐      There was no  
gesture ☐

6. How many women attended the meeting(s) that you attended?

0-15 ☐      16-30 ☐      31-50 ☐      50-70 ☐      70 -100 ☐      100-  
above ☐

Why that figure?

.....  
.....  
.....

7. Do you think that number reflects/represents the numbers of women in  
Goromonzi ?

Yes ☐      No ☐

8. Did you receive any capacity building or awareness on

a) The importance of your participation?      Yes ☐      No

☐

b) What to say and what not to say during Outreach meetings      Yes ☐      No

☐

9. What does it mean for you as a woman to participate in the process?

.....  
.....  
.....

10. Which organizations conducted these outreach/awareness campaigns in your  
ward?

.....  
.....  
.....

11. Did women effectively participate in the process?      Yes ☐      No

☐

14. Why do you say so?

.....

.....  
.....  
15. How far was the meeting place from where you live?

0-500m ☐                      501m-1km ☐                      1km-5km ☐                      5km

+ ☐

16. Was the meeting place conducive for women?                      Yes ☐    No

☐

17. Why?

.....  
.....

.....  
18. Are you satisfied with women participation in Zimbabwe generally on national decision making process?

.....  
.....  
.....

19. What improvements can you suggest for future purposes to ensure effective women participation?

.....  
.....  
.....

## SHONA VERSION

**Zita** .....

**Ward** .....

**Makore** .....

**Zuva** .....

1. Makamboenda pamusangano weCOPAC here paipiwa pfungwa maererano nebumbiro remutemo idzva?

a. hongu ☐ kwete ☐

2. Makaziva sei nezvemusangano uyu, kunyanya nguva nenzvimbo yawaitirwa?  
Nepepa rechiziviso Chivhitivhiti Shoko revanhu  
Radio Pepanhau Dzimwewo nzira

3. Makapawo pfungwa dzenyu here pamusangano uyu?

a. hongu ☐ kwete ☐

4. Mungatsanangura here kuti kupa pfungwa dzenyu pamusangano wakafanana neuyu zvinorevei kwamuri?

.....  
.....  
.....

5. Pfungwa dzenyu dzakagashirwa sei  
i. Nevamwe veruzhinji vaive pamusangano uyu?

Vakagutsurira musoro ☐

Vakaseka ☐

Hapana zvavakaita ☐

- ii. Ko neveCOPAC vaitora pfungwa maererano nebumbiro idzva renyika?

Vakagutsurira musoro ☐

Vakatanga kunyora pasi ☐

Vakaseka ☐

Hapana zvavakaita

6. Vanhukadzi vangani vaive pamusangano uyu?

0-15

16-30

31-50

50-70

70 -100

100-above

7. Sei nhamba yamareva iyo pamusoro?

.....

.....

.....

8. Semaonero enyu nhamba iyoyo inoratidza here huwandu kana hushoma  
hwevanhukadzi vanowanikwa muGoromonzi South ?

Hongu

Kwete

9. Panewo here kurudziro nedzidziso yamakawana semadzimai kuti

a) mupewo pfungwa dzenyu munhaurwa dzezvebumbiro remutemo

Hongu

Kwete

b) Zvekutaura nezvekusataura pamusangano wenhaurwa idzi?

Hongu

Kwete

10. Zvinorevei kwamuri semunhukadzi kupawo pfungwa dzenyu pamusangano  
wakadai?

.....

.....

.....

.....

11. Ndevapi vakauya mudunhu menyu kuzokudzidzisai nezvekukosha kwekupa pfungwa dzenyu pamisangano iyi?

.....

.....

.....

12. Vanhukadzi vakanyatsopa pfungwa dzavozvine mutsindo here munhaurwa idzi?

Hongu

Kwete

13. Sei muchidaro?

.....

.....

.....

.....

14. Nzvimbo yakaitirwa musangano uyu yaive kure zvakadii

nekwamunogara/kwamaigara?	Mamita 0-500m	501m-
kusvika 1kiromita	1kiromita-5kiromita	5kiromita
kuenda mberi		

15. Nzvimbo yakaitirwa musangano uyu yainyatsoita here kumadzimai?

Hongu

Kwete

16. Sei madaro?

.....

.....

.....

17. Munogutsikana here nekumiramira kunoita madzimai vachipa pfungwa dzavo munyaya dzine chekuita nekuvaka nyika?



.....  
.....  
.....  
.....

18.Ndezvipi zvamunofunga kuti zvingada kugadziriswa kana kuwedzerwa  
maererano nokuti madzimai vape pfungwa dzavo zvine mutsindo munyaya  
dzokuvaka nyika yeZimbabwe?

.....  
.....  
.....

## **Appendix G-Clearance Letter**