

PARLIAMENT OF ZIMBABWE

Tuesday, 23rd June, 2026

The Senate met at Half-past Two o'clock p.m.

PRAYERS

(THE HON. PRESIDENT OF SENATE *in the Chair*)

MOTION

SUSPENSION OF STANDING ORDERS NUMBER 51, 65 (2) AND

67

THE MINISTER OF JUSTICE, LEGAL AND

PARLIAMENTARY AFFAIRS (HON. Z. ZIYAMBI): Thank you, Madam President. I rise that the provisions of Standing Orders Number 51, 65 (2) and 67, regarding the automatic adjournment of the Senate at five minutes to seven o'clock p.m. on sitting days other than a Friday, Private Members' motions taking precedence on Thursdays and that Question Time shall be on Thursdays, respectively, be suspended with effect from today and for the next series of sittings in respect of the business relating to the Constitution of Zimbabwe Amendment (No. 3) Bill. I submit.

Motion put and agreed to.

SECOND READING

CONSTITUTION OF ZIMBABWE AMENDMENT (NO. 3) BILL

[H. B. 1A, 2026]

Second Order read: Constitution of Zimbabwe Amendment (No. 3) Bill [H. B. 1A, 2026].

THE MINISTER OF JUSTICE, LEGAL AND

PARLIAMENTARY AFFAIRS (HON. Z. ZIYAMBI): Madam

President, I rise to present my second reading speech of the

Constitution of Zimbabwe Amendment (No.3) Bill [H. B. 1A, 2026] as it now comes before the Senate in its amended form, having passed through the National Assembly.

Madam President, this is a milestone, and I would ask this Honourable House to feel its weight. The supreme law of the land has been carried this far not by seal and not by haste but by the longest and most open road our constitutional history has ever travelled.

Hon. Senators will recall that the Speaker of the National Assembly gazetted this Bill on 16th February and from that day, a process of public consultation was set in motion, which was by any measure historic. The people of this country were invited into

amending their own Constitution province by province, district by district and they came in numbers. This nation had never before witnessed that on any amendment.

The Clerk of Parliament, reporting on that exercise as it unfolded, spoke of citizens in their hundreds of thousands. The account of it is the work of the Joint Committee whose chairpersons report before this Honourable House, and I will not anticipate a single figure which is his, to present. It is enough for my purpose this afternoon, Madam President, to say that no amendment in the history of our country has been examined by so many of its citizens.

After the written submissions and the oral hearings, after the people had spoken and the Committee had listened, the Bill came before the National Assembly for examination, scrutiny and debate. That debate was the most extensive this country has ever held on any amendment to its Constitution. When it was done, the National Assembly passed the Bill overwhelmingly by a margin far above the two-thirds threshold that the Constitution requires. The Bill that now lies before this Honourable House, is the version refined by that

process and the Hon. Senators will see, as I develop my address, that it is the better for every hour of it.

Madam President, I will, at the conclusion of my speech, place before this Honourable House, an analytical assessment of the debate and the consultation that produced this Bill in the manner I adopted at the close of my reply to the second reading speech in the National Assembly. I respectfully ask the Hon. Senators to keep that in mind as the destination towards which this afternoon's argument travels.

Before I commend a single clause of this Bill to this Honourable House, I want to take a step that I believe will serve the Hon. Senators well. To appreciate a Bill that has come this far, it helps to understand what its critics have said it is doing, which in fact it is not doing. I do this not to widen or entrench any gap, Madam President, but to bridge it by understanding the source and context of the criticism of the Bill because common ground is easiest to find once the contending views are identified and fairly stated.

So, let me set out plainly and without any caricature ten claims that have been made against this Bill both in the National Assembly

and in the wider public sphere and let me answer each charge in summary now, reserving the fullest treatment for later in my address.

It is said first that this Bill earns the President an additional term, a third term or an extension of his tenure. Madam President, it does not. The rule in section 91 (2), that no person may hold the office of President for more than two terms with a full term deemed to be three or more years, stands in the Constitution exactly as the people adopted it and this Bill does not touch it by a single word, Madam President.

It is said again, secondly, that Members of the Senate and of the National Assembly have written themselves a longer stay in office but the term length or duration of Parliament has never been a limit on any MP and lengthening the duration grants no Member a seat he or she must still win from the people at the next election. So, Madam President, again, this is false. No member sitting here has ever attempted to extend a term for themselves.

Again, Madam President, it is said, thirdly, that the Bill robs the people of their right to vote. Not one citizen, loses a ballot. Every adult Zimbabwean will register, will queue and will vote in every ward,

every constituency and every province at every general election exactly as before. Universal adult suffrage remains intact, Madam President.

Fourthly, it is said that the Bill is about leadership or succession. Again, Madam President, it is not. There is no clause in this Bill that concerns the internal affairs of any political party and members who search the text for one will search in vain.

It is said, fifthly, that the Bill abolishes or postpones the nation's elections to some distant and unnamed year. It does not, Madam President. Actually, it says the length of a single national electoral cycle and that cycle runs its course and ends in an election exactly as has been the case before.

Sixthly, it is said that the Bill gathers power and the running of our elections into a single pair of hands of the Executive, in particular, the President. Again, Madam President, it does the opposite. It entrusts the highest office to the people's elected representatives in their Parliament and it places the drawing of boundaries in a dedicated constitutional body built for that single discipline.

Seventhly, it is said that the Bill amends, modifies or repeals Section 328, the entrenched provision that governs how the

Constitution is amended or that it amends the presidential term limit.

Madam President, it does neither and I will show on the face of the text why the charge cannot stand.

Eighthly, it is said that the Bill requires a national referendum and proceeds without one but in fact and at law, Madam President, it requires no referendum. The reason is supported by the Constitution itself; read in the order of its own words laid down in very precise and express ways.

It is said, ninthly, there is no constitutional mischief to remedy, that Parliament's focus and attention should be on implementing the rule of law and what is alleged to be an economic crisis. I will show there is constitutional mischief requiring the urgent attention of Parliament as the framer or the maker of law, not its implementer.

Lastly, it is said, tenthly and most gravely, that the Bill is an act of self-dealing by the President and Parliament, who claimed, have voted themselves a private benefit by extending their terms of office.

Madam President, that charge invents the truth and I will answer it in full because a charge dressed in the language of the Constitution deserves to be undressed by it. Those are the claims against the Bill,

fairly stated. Four of them go to the heart of the Bill and I have given them only summary answers here. Finally, I will return, one by one and answer them beyond reasonable doubt before I resume my seat.

Madam President, no Parliament should amend the supreme law of the land without being faithfully satisfied that there is a real and serious mischief to be cured. A Constitution is amended for one or two honourable reasons. To make room for something new that the future requires, or to correct a settled arrangement whose consequences have proved, unworkable or contrary to the national interest. This Bill belongs to the second kind. It corrects a mischief in an electoral cycle which is not abstract, but is clear and present on the ground. It is the lived experience of this nation across more than three decades and it has two routes that feed one another.

The first route is the way we have elected our President. Hon. Senators will recall their own history. At Independence, the founders of this nation, in Parliament, elected the Head of State. The Head of Government was the leader of the party that commanded the majority in Parliament. The direct national contest for the President arrived later in 1987, in anticipation of a legislative one-party system that never

worked. We adopted, in other words, a method shaped by an expectation that history did not honour and we have lived with the consequences of that method.

The second route is the shortness of the national electoral cycle in which we have elected our President and Parliament. A five-year term is a brief and restless thing for a developing nation, emerging from the throngs of colonialism. It is short enough that the first year is swallowed by transition and too often by the litigation of the contest just concluded.

The final years are swallowed by the next election campaign. The window left for the actual policy work of building and developing the nation is narrow and it narrows further with each electoral cycle, particularly in an environment of toxic politics.

Nor is the electoral cycle a sacred and untouchable number. Hon.

Senators will recall that, under our former Lancaster House

Constitution, the term of office of the President was a longer one. It was six years.

To fuse the election of the President and of Parliament into a single national event, Parliament shortened its own life by two years,

and brought the Presidents to five years to run together with the life of Parliament, a harmonisation, that took effect in the 2008 harmonised election, in the vein hope of containing what was termed *Bhora Musango*. That was done by the ordinary road, without a referendum and without dissent. That five-year cycle, useful as the harmonisation was, has proved too short for the work of building and developing the nation. So, what this Bill proposes is the correction of an over-correction. The power that shortened that electoral cycle then is the power that lengthens it now. These two routes that I have outlined, the divisive method of electing the President and the restless electoral cycle within which we have done that, do not stand apart. They reinforce one another to the detriment of the national interest in general and the development of the country in particular. That is the mischief which Parliament has a constitutional duty to remedy.

I now turn to how this mischief shows itself, the five afflictions. Madam President, the mischief that I have laid bare shows itself through five afflictions that have gripped our public life since the direct contest for the President began in 1990. They are not five separate problems. They are five faces of one structural ailment and each

electoral cycle has deepened them. The first is the perennially disputed Presidential election. Every contest for the highest office this nation has held since the turn of the century in 2000, 2002, 2008, 2013, 2018 and 2023 has been trailed by allegations of political violence, allegations of rigging and of lack of transparency, eroding public trust in the result and the standing of the nation in the eyes of those who would invest in it.

This is not my characterisation alone. It is documented in the election observer reports of the African Union, Southern African Development Community (SADC) and Commonwealth, which have tied these electoral disputes to economic sanctions against our country and to investment flight estimated by some accounts as between \$50 and \$ 70 billion in opportunity lost across those years.

The second is the paralysis of governing that a permanent campaign produces. Our short five year term, traps those in office in a continuous election mode, delaying and derailing the long-term programmes a developing nation depends upon, our national development strategies and our Vision 2030 among them. The Commonwealth and SADC reporting across the years have identified

post-election polarisation as a major break on development, a drag estimated on some analysis at a further USD30-40 billion in foregone productivity.

The third affliction is the corruption that instability breeds. Where political survival is in perpetual question, accountability weakens and the conditions in which graft flourishes are renewed with every electoral cycle. In 2023, Transparency International estimated that corruption costs Zimbabwe between \$1 to \$2 billion in every year that passes and local election monitors have documented the predictability spikes in irregular tenders that accompany every poll.

The fourth, Madam President, is the politicisation of a Public Service that should be neutral, professional and continuous. A service disrupted by the turbulence of perpetual contest cannot serve the citizen who simply needs the State to work. The Election Resource Centre has put the resulting losses in productivity at some USD600 million a year.

The fifth and last is the polarisation of our society, asked again and again to divide itself against itself with the unrest and the immigration that division carries in its wake, a hemorrhage of skill and human capital that the International Organisation for Migration counts

in billions. Five afflictions, not one or two, but five. Inextricably intertwined and well-documented, the cumulative cost to this nation has been estimated conservatively at between USD150 and USD200 billion in lost output, productivity and human capital.

We are neither alone in this affliction nor the first to act against these afflictions linked to the direct election of the President. Across our own continent, nations have lived the same instability of the winner-takes-all presidential contest and are now moving to study their politics by the very route this Bill takes. I will give examples. In September 2025, Guinea lengthened the term of office of its presidency from five years to seven and added an upper Chamber to its Parliament, the very reforms that lie before this honourable House this afternoon. What has afflicted Guinea has afflicted us. What Guinea has done, a growing number of other African states are beginning to do, lengthening the electoral cycle so that governing gives room to work and broadening the foundation on which the highest office rests.

Zimbabwe is not an outlier in this. It is in step with the continent, learning the same lesson from the same hard post-colonial experience. Now, some say that none of these calls for an amendment to the

Constitution at all, that the answer is simply for good people to hold office and simply to observe the rule of law. With respect, Madam President, that is a wish, not an answer. Where the law itself is sound, and only the conduct is wanting, the remedy is to demand better conduct and better law enforcement. Where it is the law that produces mischief, where the very rules by which we elect the highest office generate the instability we deplore, then to ask only for better behaviour is to keep doing the same thing and to hope against experience and rationality for a different result.

A structural ailment is cured by changing the structure that produces it. That is the work of law-making. This Bill is a proper example of that work, and it is the proper work of this Hon. House. There is a related deflation I must meet here because it was pressed with feeling. Some, including Hon. Members of Parliament, have said that the country's real problems are jobs and the price of bread and the state of our hospitals, our roads and our schools, and that this Bill builds none of this. Indeed, Madam President, hardship is real, and it weighs on this government daily. The argument rests on a confusion about what a Constitution is for.

A Constitution is the foundation, not the roof. It comes before jobs, hospitals, schools and roads as the frame within which that work is done, setting how power is acquired, held, how it is limited, and how it passes from one hand to another in peace. To fault the Constitution for not lowering the price of bread is to confound the foundation with the roof. The question recoils upon those who ask it, because the bread they speak of is milled in factories that need a stable and united country to run. It is precisely that stability that this Bill exists to build. This Hon. House makes the law. It is for the Government to implement the law and for the courts to interpret the law. Parliament does not usurp those roles by pretending that a Bill amending the Constitution is a programme of public works. We do our own work, which is to frame the law where there is a lacuna to fill or mischief to cure.

I will now turn to the Bill as it now comes in the amended version. The Bill before this Hon. House is not the Bill that was gazetted in February. It is a Bill that has been refined by the National Assembly. It carries the amended form for that reason. The gazetted Bill set out 22 clauses. The amended version before the Senate now carries 25 clauses. The Bill has grown, and it has grown by listening. It

listened first to the two questions that drew the broadest concern from every corner of the National Assembly, from Members who backed the Bill as readily as those who opposed it. The clause that would have folded away the institution charged with gender oversight was set aside so that the institution remains in place. – [HON. MEMBERS: *Hear, hear.*] - The clause that would have altered the standing of our traditional leaders in political life was likewise set aside, and the present position stands - [HON. MEMBERS: *Hear, hear.*]- These were the most widely contested institutional matters in the whole debate, and the Government, guided by the recommendation of the Joint Committee and the voice of the National Assembly, did not press them. It listened; it listened to the function of the defence forces.

A concern was raised that the founding description of the defence forces appeared to loosen their duty to uphold the Constitution. The amended Bill re-enacts that provision so that the duty to uphold the Constitution stands on the face of the text, expressed in harmony with the rest of the constitutional architecture of the security sector. The concern was met and met in the text itself. The Bill was strengthened, thirdly, by a body of refinement at the Committee Stage, a clearer

ordering of the leadership of our upper course and the procedure for appointing our judges, a measure of representation at local authority level, reserving seats for women and for the youth, and an alignment of the terms of our Chiefs' Council to the new national electoral cycle, so that no part of our electoral calendar is left out of step with the rest. The core of the Bill came through all of this process unchanged. What has been amended was by concession, where the people asked for it, and by tidying where the text required it. That is what consultation is all about.

I will turn to the next issue, the Bill as the cure of the mischief. Having named the mischief, let me show how the Bill cures it, for the cure lies in the core of the Bill, and the core is compact, deliberate and coherent. At its heart, this Bill does two things. The clauses that do them should be read together because they are a single response or a package to a single ailment.

The Bill reforms, first, the manner in which we choose our highest office so that the President is elected by the people through their Parliament, the Chamber, the people themselves elect and to which the President so chosen remains continuously answerable. This

does not remove the people's voice; it carries the voice by a steadier and non-toxic route.

For too long, the direct contest for the President has been framed as a winner-takes-all event in which the victory of one side means the total exclusion of the other. That framing breeds the very toxic division and paralysis we deplore. To draw the choice of President into the people's Parliament is to reward consensus building and the commanding of broad support across national interests. Also, to make the highest office answerable not once in several years, but continuously through the confidence of the people's representatives. This is the settled practice of the best-governed constitutional democracies of our own region and beyond. It is the practice this nation itself followed in the early years of its independence.

Secondly, it reforms the length of the national electoral cycle so that the term of office of the President and the lifespan of Parliament run together for seven years rather than five. This gives the people's Government time to plan, build, develop and to be judged on what it has delivered, rather than the time only to be elected and then immediately to prepare to be re-elected. This is the medicine for the

restlessness that has crowded out the work of governing. This is what lawmaking is. When the structure is the ailment, the cure is a better structure and the core of this Bill is exactly that.

I now come to supporting amendments. Madam President, around that core stands a body of supporting amendments whose purpose is to clean and to tighten the wider machinery of our governance so that our core reforms sit within a coherent national framework rather than against a patchwork. Firstly, these are, one, measures that consolidate the registration of voters where the Civil Registry already lives, while leaving the conduct and supervision of every election and every referendum, as well as the accreditation of election observers within the Zimbabwe Electoral Commission.

Secondly, measures that entrench a dedicated body to draw our electoral and administrative boundaries as a full-time discipline rather than a part-time burden. Thirdly, measures that restructure the leadership of our apex courts and refine the appointment of our judges. Fourthly, measures that align the duration of every elected public office, our chiefs included, to the new national electoral cycle. Fifthly,

measures that tidy up the text on the institutions whose constitutional term have already run their course.

I will speak to each of these in its place when this House examines the Bill clause by clause. For the present, it is enough to say that these are the supporting works that allow the core reforms to stand, alignment, consolidation and tidying in the service of one coherent constitutional framework.

Allow me to turn to the four critical issues. I come now to the four critical issues on which the debate on the Bill has thus far turned. The issues I promised this House at the beginning of my presentation that I would answer beyond reasonable doubt. By the intensity with which they were pressed, the four hardest-argued criticisms of this Bill are the charge of unconstitutional term extension for the President and Members of Parliament. Secondly, the meaning of the non-obstantive phrase under Clause 4 regarding continuation in office of the President and under Clause 9 with respect to the continuation in office of Members of Parliament. Thirdly, the charge of self-dealing by the President and Members of Parliament. Lastly, the demand for a referendum.

I now take each one in that order and I respectfully request the Hon. Senators for their close attention because here the argument requires a little law, though I will keep the law in plain speech as a matter that every Senator and citizen can follow. Firstly, there is the charge of term extension. Everything here turns on a distinction the Constitution itself draws with great care and which the critics have collapsed. It is the distinction between the length of a term and the limit on terms. So, there are two things; the length of a term and the limit of a term. Let me further that distinction first in law and then leave this House with a picture to hold it by.

Our Constitution keeps exactly these two promises in exactly two distinct provisions. One fixes how long a term runs. The other, which is untouched by this Bill, says that no person may hold the office of the President for more than two terms. This Bill lengthens the term of office, namely the electoral cycle. It does not amend the rule that caps or limits every occupant at two terms by a single word; the limit stands. The House should know how to tell a genuine cap from a mere measure of length because the law gives us the test in Section 328 (1) of the Constitution.

A true limit on terms has three marks. It speaks to the personal tenure of an individual, person-specific, not to the electoral cycle of an office that a succession of holders may fill. It states an express cumulative and maximum on how long that person may serve. It also carries the language of a closed door, non-renewal, renewable once only, no more than so many terms. The provision in Section 91(2) that limits the President's tenure to two terms, with a threshold of three or more years deemed a full term, carries every one of these marks. The provisions this Bill amends, which set the length of the electoral cycle for the office of the President and for Parliament, carry none of them. They name no person, they state no maximum tenure and they shut no door. They are measures of the length of time for holding elections to elective public offices of the President, Parliament, local authorities, and the Council of Chiefs.

In addition, they have governed every election this country has held since independence, while never once in all those decades being mistaken for a term limit until this Bill was laid before Parliament. I am aware that our highest court, the Constitutional Court, in the case that critics routinely invoke the Marx Mupungu case listed in passing a set

of term limit provisions by way of illustration in a non-binding part of his judgement. It included Section 95 (2), the term length provision on the duration of the President as an office, a provision that in one form or another has always been in the Constitution since 1980.

This honourable House should weigh what that was. It was an aside, an observation made along the way and not a binding decision of the Constitutional Court. The reasoning of the court, its binding heart, drew the very line I have drawn this afternoon, that a limit is defined by a limit on a person's tenure and that a mere measure of length is not such a limit. Nine of these provisions in that illustrative list bear precisely the three marks of a true term limit. The one that does not is the measure of length and this inclusion in an aside changes nothing because an aside is not the law. The true and only limit on the President as a public officer lives in the two-term rule in Section 95 (2) which this Bill does not touch and the court's own reasoning confirms it.

Madam President, if a single picture will fix all of this in the mind, let me leave the Honourable House with one. Think of the office as a field. Just think of the office as a field held in trust for the nation and think of a single term as one growing season upon that field.

The law fixes how long each season runs. When we lengthen a season from five to seven months, we change how long the crop has to grow in any one season and nothing more. We do not touch the separate and quite different rule that says how many seasons one steward may ever be allocated that field. The length of the season and the number of seasons are two different things written in two different rules. A steward whose season is made longer is not thereby granted an extra season. A steward who departs in the middle of a season hands on to the next only the time that season has left to run, not a fresh one of his own. That is the mark of a season. It belongs to this field and the field belongs to the nation. The limit on the season belongs to the steward and it is a separate command in its own plain words. We have lengthened the season and have not touched the cap on seasons and so the cap stands.

Madam President, I turn to the second critical issue on the non-obstante phrase used in Clauses 4 and 9 regarding the continuation in Office of President and Members of Parliament. The use of the non-obstante phrase in the two clauses has been misread as some constitutional sleight of hand. Hon. Senators will find in Clauses 4 and

9 a phrase that opens with the words, “notwithstanding”. This is the non-obstante phrase. It is in Clauses 4 (b) and 9 (b).

The critics say this phrase overrides the entrenched amendment provision in Section 328, or it amends it or overrides it. In point of fact and at law as interpreted by the Constitutional Court, it does none of these things. The non-obstante phrase in Clauses 4 and 9 of the Bill is a clarifying device and its plain meaning is no more sinister than the words for the avoidance of doubt. It is inserted to make clear on the face of the amendment that the lengthening of the electoral cycles for the Office of the President and Parliament as institutions is not an amendment to a term limit provision and therefore, does not engage the protection that the Constitution reserves for term limits. This device is not a novelty invented for this Bill. It is the very technique that Parliament itself first used five years ago in 2021 when it raised the retirement age of our apex court judges.

Parliament wrote the same clarifying words in Section 186 (4). When that amendment was challenged in courts, our highest court examined those very words and upheld the words after clarifying them. The Constitutional Court held that such a clarifying phrase does not

modify Section 328, does not amend it and does not supersede or override it. It only makes plain that the amendment in question is not an amendment to a term limit provision at all and so, the protection reserved for term limits is simply never engaged.

What was true of the amendment to the retirement age of apex court judges in 2021 is true today of the length of electoral cycles for the Office of the President and Parliament. Therefore, the Bill borrows a settled and approved constitutional template and it does the same modest, honest work and removes doubt. If it does not amend the provision, then the protection in Section 328 (7) that guards that provision against amendment is not in play and no referendum is summoned by it.

Madam President, the third critical issue and the one that the critics press most loudly because it carries a moral charge is the accusation of self-dealing, that the President and Members of Parliament are processing this Bill to secure a benefit for themselves personally. I address it directly because once it is examined against the law, it invents completely. It fails firstly because there is no term limit provision yet to be extended for anyone's personal gain. None

whatsoever. The term limit on the President in Section 91 (2) stands untouched and Members of Parliament are subject to no cap or term limit at all and they never have been. A charge of self-dealing upon a term limit assumes that a term limit is being amended.

For the President, it is not and for Members of Parliament, there is none to amend. The premise of the charge is therefore, absent before the argument begins. It fails secondly because what the Bill does amend belongs not to the office holder but to the institution. The length of an electoral cycle is the property of the office, not of the person who happens to occupy the office. The proof sits in our own constitutional machinery; in a thing every Senator is a witness. When a seat in the National Assembly falls vacant and is filled at a by-election, the Member who wins does not receive a fresh full term of his own. He or she serves only the time the electoral cycle has left to run.

Similarly, when a President resigns, is removed from office or dies, the successor does not start a fresh term of office but serves for the remainder of the term length. When the whole Parliament dissolves, every seat from the President to Members of Parliament and Local Authorities falls vacant together, on one clock, because the terms

belong to the three institutions and not to the incumbents. The benefit, if it may even be called that, is incidental to a measure about the institution; it is not the object of it and it fails, thirdly, for the most important reason of all, which is that the application of this measure to those presently in office, namely the President and Members of Parliament, is not a defect to be excused but the correct and intended operation of law.

There is a settled rule codified in Section 11 of the Interpretation Act by which all our laws are read: that an enactment speaks to all whom it governs, past, present and future alike, unless it says otherwise in plain and express terms. This rule is based on what is called "The Always Speaking Doctrine".

Our highest court applied that very rule when it upheld the raising of the retirement age of apex court judges, holding that the amendment applied to the then sitting judges; and not only to future judges. To single out the present office holders for exclusion from a measure of general application on no principled ground but the accident that they happen to hold office when the amendment takes effect; or to read this measure as "self-dealing" or as applying only to future office holders,

would be to manufacture an absurdity. The law forbids that reading. So, the charge of "self-dealing" asks this Hon. Senate to treat as a private advantage the very feature the law requires, which is the general and equal application of the measure. It is no constitutional objection at all.

We do not stop making the laws of taxation because we ourselves pay tax and a judge does not stop interpreting a law because the law touches him. Indeed, it is in this context that the Constitutional Court decision that raised the retirement age of judges from 70 to 75 years applied to the judges who made it. To govern is to make rules that fall upon the governors as upon the governed. That is not self-dealing. It is the application of the rule of law, without favour.

Madam President, I come to the fourth issue, which I have saved for last because it deserves a complete answer and also because the answer exposes how little the demand has to do with the Constitution itself. It is the demand that this Bill be put to a national referendum; after it is passed by a minimum of two-thirds of the membership of the National Assembly and this Hon. Senate. It must not be and I will explain why not.

A referendum is a matter of law and not of political disposition or appetite. The Constitution reserves the national referendum only for three kinds of amendments, an amendment to Chapter 4, the Declaration of Rights; an amendment to Chapter 16, which governs agricultural land and an amendment to Section 328, the provision that governs the procedure for amending the Constitution. For every other amendment the Constitution prescribes a different but equally demanding road: publication of the Bill in precise terms, a long season of public consultation and the affirmative votes of two-thirds of the membership of each House in Parliament at the final reading. That is the prescribed constitutional design.

So, the question becomes a simple one. Does this Bill amend the Declaration of Rights, does it amend the land chapter, or does it amend the procedure for amending the Constitution? It does not, and the Constitution itself tells us how to check, through Section 328(2), which commands that an amendment must be made in express terms. There is no such thing as an amendment by implication, no such thing as an amendment by atmosphere. It is not a valid constitutional position to argue that the lengthening of the national electoral cycle

somehow has the backdoor effect of engaging Section 328(7) or providing for a parliamentary election of the President somehow indirectly engages Section 67 on political rights. The crystal-clear fact is that no clause of this Bill amends Chapter 4, Chapter 16 or Section 328 and what is not expressly amended cannot be the ground of a referendum the Constitution does not require. In any event, an implied amendment is constitutionally impermissible under Section 328(2) and thus cannot be taken to a referendum.

There is a false rule, that I must name and lay to rest because so much of the demand for a referendum rests upon it. It is the claim that whenever a term limit provision is amended, a referendum must follow. There is no such a provision or rule in our Constitution and I say so plainly to this Hon. Senate. What the Constitution provides is narrower and more precise. In this connection, a referendum enters the picture only and only at the point where, having amended a term limit provision, one then seeks to apply that amendment to a person already in office. That is the only door through which a referendum walks and it has two locks: there must first be an amendment to a genuine term limit provision and there must then be an attempt to apply it to a sitting

public office holder governed by that term limit provision. In this Bill neither lock is even reached, because there is no amendment to any term limit provision at all. The question of applying such an amendment to an incumbent therefore does not arise in the first place. The Constitution has been amended before by the road it prescribes-for example in 2021 when Section 186 was amended to raise the retirement age of apex court judges from 70 to 75 years-without a referendum and without complaint and so it is similarly amended now to demand a referendum which the Constitution does not require, is not constitutional vigilance. It is a request that this Hon. Senate should surrender its constitutional duty which the Constitution places squarely upon it; hence it cannot be accepted.

Madam President, before I conclude, let me place before this Hon. Senate the analytical assessment I promised, for the scale of what has been done deserves to be seen as a whole. I leave the data count of public submissions to the Chairperson of the Joint Committee, whose report is available. My reckoning is of the parliamentary record itself, which is mine to give.

Consider the debate in the National Assembly. Across seven sitting days, a record number of Members rose to engage this Bill on its merits. The figure is worth stating here in full: of the Members of the National Assembly, almost two in three, some sixty-five per cent of them, debated this Bill.

Madam President, set that beside our own recent history. When the first amendment to this Constitution was debated in 2017, less than a score of numbers rose. When the Second was debated, fewer still. The debate of this Bill in the National Assembly drew more contributions than both of the previous cases many times over. By the record of Parliament itself, this is the most debated amendment in the constitutional history of this country. The clear majority of those who debated it were positively disposed towards it. The scrutiny matched the breadth of the debate. This Bill was examined by a record eight Committees of Parliament, three Thematic Committees of this honourable House and five Portfolio Committees of the National Assembly, the most that have ever sat in the joint scrutiny of a single amendment.

Madam President, those who called this consultation then, did not trouble to read who conducted it or how many Committees were involved. The numbers are not an ornament to the argument. They are the argument. The nation was asked in the fullest voice it has ever raised on any Bill, what it wished its Constitution to say and the nation answered resoundingly. The support within the National Assembly resonated with the support beyond it. The Bill that is now before this honourable House is stronger for both.

In conclusion, let me draw the threads together. This Bill cures a real and documented two-pronged mischief, a divisive, polarising and toxic method of choosing our President and a restless national electoral cycle too short for the work of building and developing the nation. The five afflictions that the two-pronged mischief has bred across more than three decades, the Bill cures that mischief at its structural root by drawing the choice of the highest office into the people's Parliament and by lengthening the national electoral cycle so that the work of governing has room to be done. Around that core, the Bill sets a coherent body of supporting reforms, some of which were refined where the people asked.

Regarding the four charges that have been pressed hardest against the Bill, this honourable House now has answers. This Bill grants no term extension for the President or Members of Parliament for it lengthens only the season without touching the limit on seasons. The cap stands exactly as the people wrote it. It is a serving mechanism; the non-obstantive phrases under Clause 4 (b) and 9 (b) override nothing. It only removes doubt by the very technique Parliament used in 2021 and our highest court upheld the same. It is no act of self-dealing for the President and Parliament, for there is no term limit here to extend. What the Bill amends belongs to the institution of the Presidents and Parliament not the incumbents.

The equal application of the continuation in office for the President and Members of Parliament is the rule of law and not a private favour and it requires no referendum for it amends none of the three parts of the Constitution, which are entrenched and protected. For those who the Bill has implied amendments, the law knows no amendment by implication.

Madam President, the people of this country asked for institutions that would let them build and develop the nation and they asked in the

fullest voice this nation has ever raised. The debate has been long; the scrutiny has been real and the Bill before the Senate is better for both. I, therefore, commend the Constitution of Zimbabwe, Amendment (No. 3) Bill [H. B. 1, 2026.] to this Hon. Senate and accordingly move that the Bill be now read a second time. –[HON. MEMBERS: *Hear, hear.*]

–

HON. SEN. MAVENYENGWA:

1.0 INTRODUCTION

The Constitution of Zimbabwe Amendment (No. 3) Bill, 2026 [H.B. 1, 2026] was officially published in the *Government Gazette* on 16th February, 2026. Accordingly, Parliament invited the members of the public to express their views on the proposed Bill in public meetings and through written submissions in accordance with section 328 (4) of the Constitution. The Bill was referred to the Portfolio Committee on Justice, Legal and Parliamentary Affairs. Recognising the Bill's cross-cutting implications for governance, gender equality, human rights, traditional leadership among other issues, Parliament constituted a joint committee in order to ensure a comprehensive review of the Bill. The Joint Committee comprised the Portfolio

Committees on Women Affairs, Community, Small and Medium Enterprises Development; Defence, Home Affairs, Security Services and War Veterans Affairs; Local Government, Public Works and National Housing; and Youth Empowerment, Development and Vocational Training as well as Thematic Committees on Human Rights; Peace and Security and Gender and Development.

In fulfilment of Section 141 of the Constitution of Zimbabwe which mandates Parliament to facilitate public involvement in its legislative processes, the Joint Committee embarked on nationwide public consultations. These consultations were designed to ensure that the legislative process is informed by the lived experiences, aspirations and democratic concerns of the Zimbabwean citizenry.

1.0 OBJECTIVES

The objectives of the analysis of the Bill were:

- a) To assess whether the Bill is in the interest of the public in order to ensure broader consensus.
- b) To check whether the proposed provisions are consistent with other provisions of the Constitution.
- c) To consider the impact of the Bill.

d) To check whether the proposed amendments align with regional and international best practices.

2.0 METHODOLOGY

To ensure a rigorous and inclusive consultative process, the following methodology was employed:

3.1 After the *gazetting* of the Bill, Parliament immediately began receiving written submissions made directly to Parliament and through emails from the public until 18th May, 2026.

3.2 Parliament also deployed eleven teams drawn from the eight Parliamentary Committees to cover each of the administrative districts in all the country's ten provinces. Public hearings were held in the districts from 29 March to 1 April 2026. There was real-time recording of the submissions from participants during the hearings. Physical documents submitted by the public during the public hearings were collected at every venue to accommodate those who did not get an opportunity to speak.

WRITTEN SUBMISSIONS

	Sub-Totals	Number of Submissions in Support of the Bill	Number of Submissions against the Bill

Written Submission to Parliament	470 117	469 040	1077
Written Submissions received During Public Hearings	67 688	67 302	386
Written Submissions via emails	2 232	760	1472
Grand Totals	540 037	537 102	2 935

For a detailed breakdown on attendance and written submissions received during and after public hearings, see Annexure.

3.3 To fulfill the constitutional requirement under Section 157 (4) which provides that *no amendments may be made to the Electoral Law or its subsidiary legislation unless the Zimbabwe Electoral Commission (ZEC) has been consulted and its recommendations duly considered*, the Commission presented its recommendations to the joint Committee on 14 May 2026. During the same meeting, the Zimbabwe Gender Commission and the Council of Chiefs also presented their views on the Bill.

3.4 Thereafter, the Joint Committee conducted five meetings to deliberate on the oral and written submissions before crafting its draft report which was considered and adopted.

3.5 To that end, the Committee expresses its profound gratitude to the people of Zimbabwe who took their time to attend the public hearings held in the administrative districts and present their written submissions on the Bill.

4.0 Committee's findings

4.1. Clause 2: Transferring of voter registration and management of the Voters' Roll from the Zimbabwe Electoral Commission to the Registrar-General

The majority of submissions strongly supported transferring the responsibility for voter registration, as well as compiling and maintaining the Voters' Roll, from ZEC to the Civil Registry Department (Registrar-General). Participants argued that the Registrar-General is uniquely positioned to maintain an accurate, up-to-date Voters' Roll, effectively preventing the prolonged inclusion of deceased or non-existent individuals.

Given that the Registrar-General already serves as the custodian

of vital civil records, including birth and death certificates, as well as national identity data, the public noted that this transition would enhance administrative efficiency, accuracy and centralised accountability. Furthermore, it would eliminate a duplication of roles, minimize data management inconsistencies and ultimately strengthen the integrity and credibility of the Voters' Roll. This approach also aligns with international benchmarks where civil registries routinely manage voter registration data. Ultimately, this reallocation of duties would allow ZEC to concentrate more effectively on its core mandates of voter education and election management.

The minority view opposed transferring the Voters' Roll to the Registrar-General, recalling that management of the roll had previously been stripped from that office due to serious concerns over credibility and manipulation. The minority argued that ZEC is far better suited to manage the roll, raising several key concerns regarding the proposed transfer. It was submitted that as a Government department, the Registrar-General lacks the constitutional safeguards designed to protect institutional independence, expertise and integrity. Shifting this responsibility risks increasing executive

influence and undermining the neutrality of the electoral process. In addition, fragmenting the responsibilities of electoral management compromises accountability which could severely damage both public trust and international credibility. Furthermore, entrusting voter registration to independent commissions aligns with established best practices across other SADC countries. It was submitted that the significant financial investments already made into ZEC's biometric voter registration systems serve as a compelling reason to maintain the current structure rather than introducing an inefficient administrative shift.

During consultations with ZEC, the Committee was informed about the potential occurrence of fragmented roles among institutions. It further underscored the need for clear legislated timelines spelling out when the Voters' Roll will be availed to the electoral body. ZEC had migrated from the ward based to polling station-based voting as well as biometric registration of voters and hoped that these milestones will be maintained if this function is transferred to the Registrar General. In its humble submission, it had recommended that the status quo should be maintained.

4.1.2 Committee's Observations

The Committee noted that leveraging on vital civil records provides a distinct technical advantage in maintaining an accurate Voters' Roll, while simultaneously acknowledging legitimate concerns surrounding the need for institutional independence for the electoral body. Furthermore, the Committee observed the significant investments already made by ZEC, particularly the acquisition of biometric equipment for effective voter registration and also the poll-based voting system which was introduced in 2018.

4.1.2.1 Committee's Recommendation

The Committee recommends the adoption of Clause 2 to decisively address historical challenges where deceased individuals have remained on the Voters' Roll.

[4.2 Clause 3: Changing the election of the President from a direct public vote to election by Parliament.](#)

The majority of submissions strongly favoured the amendment, arguing that the proposed model would foster greater collaboration and mutual confidence between the Executive and the Parliament, ultimately enhancing governance and policy alignment. They

emphasised that electing the President through Parliament would substantially reduce the immense financial costs of organising nationwide presidential elections. Furthermore, they noted that past elections had been marred by political tension, violence and contestation especially in respect of results for Presidential elections, issues that would be mitigated or eliminated by narrowing the electorate to directly elected representatives.

Supporters pointed to successful continental precedents, noting that nations like South Africa and Botswana utilise this system to achieve greater political stability, minimise electoral expenses and robust institutional accountability. Back home, they observed that an identical model was already successfully utilised at the local Government level, where mayors are elected by sitting councillors, proving the system's practicality and familiarity within the country's existing governance structures. Finally, they argued that electing the President through Parliament remains fully consistent with Section 88 (1) of the Constitution which states that "executive authority derives from the people of Zimbabwe and must be exercised in accordance with this Constitution", because citizens would

continue to exercise their democratic will through their elected representatives, reviving a legitimate constitutional practice utilised between 1980 and 1990. Given that Parliament, in terms of section 97 of the Constitution has a role to impeach the President, they indicated that it was consistent for it to elect the President.

Conversely, a minority of submissions opposed the amendment, viewing the shift as a retrogressive step that would dismantle the democratic milestones achieved since independence by undermining the fundamental principle of "one person, one vote." Dissenting voices argued that restricting the presidential vote exclusively to Members of Parliament would effectively circumvent the will of the broader electorate, fundamentally altering the source and character of executive legitimacy. From their perspective, removing the direct vote represents an erosion of democratic participation and a direct infringement on every citizen's constitutional right to free, fair and regular elections with regard to the election of the President.

4.2.1 Committee's Observations

The Committee noted that since Section 97 of the Constitution vests the power to remove the President in Parliament; therefore,

Parliament should ordinarily possess the authority to elect the President. The Committee is convinced that adopting a legislative appointment model would significantly reduce the fiscal burden associated with direct presidential elections. Furthermore, this approach would bolster political stability by minimising contentious electoral disputes which have characterised previous presidential elections while firmly anchoring executive accountability within representative democratic institutions.

4.2.2 Committee's Recommendation

Informed by the observations, the Committee strongly recommends the adoption of Clause 3, thereby mandating Parliament to elect the President.

4.3 Clauses 4, 9 and 10: Extension of the electoral cycle of the President and Members of Parliament from five to seven years and its application to the incumbent.

The majority of public submissions favoured the adoption of longer electoral cycles, primarily because reducing the frequency of elections mitigates both the immense fiscal burden on the state and the disruptive "perpetual campaign mode" that frequently derails

governance and development. The majority argued that extended electoral cycles defuse the political toxicity inherent in election seasons, providing Government with the necessary time horizon to fully implement long term projects while ensuring policy stability and continuity. They noted that developmental activities routinely slow down or halt during election periods as national focus shifts entirely toward political processes. Furthermore, submissions pointed out that extended mandates are not unprecedented globally, citing Egypt's six-year presidential cycle and Azerbaijan's seven-year electoral cycle as successful examples.

Conversely, the minority submissions contended that in a democratic society, leaders must remain directly elected by the populace, arguing that structural constitutional changes of this magnitude should be subjected to a national referendum to guarantee broad public participation and democratic legitimacy. They argued that longer electoral cycles disenfranchise citizens and weaken executive accountability by concentrating power within political elites. Extending the electoral cycle was viewed as diluting the democratic cycles that keep leadership answerable to the public, as in

shorter terms the electorate swiftly remove underperforming public officials. The minority also viewed the proposed amendment as a direct violation of Section 328 (7) of the Constitution, which explicitly prohibits any amendment extending a term of office from benefiting the incumbent holder of that office.

4.3.1 Committee's Observations

The Committee observed that, major developmental projects, particularly those yielding the most profound socioeconomic impacts on the populace, inherently require extended timelines to reach full implementation and completion. Members further noted that global jurisdictions utilising longer electoral mandates consistently exhibit greater political stability and achieve more meaningful, sustained progress in their national development agendas. While the Committee holds the view that a ten-year term would be ideal to maximise these developmental benefits, a balanced compromise is necessary to align with public feedback and institutional realities.

4.3.2 Committee's Recommendation

Consequently, the Committee recommends the adoption of Clauses 4, 9 and 10, thereby extending the electoral cycle for the

President and Parliament to seven years.

4.4 Clause 5: Removal of reference to the “first” Vice-President for consistency.

Public submissions were entirely unanimous in their support of the proposal to eliminate hierarchical distinctions between the Vice Presidents. The public observed that utilising the uniform designation of "Vice President", without hierarchical stratification, promotes a sense of equality within the presidium. This structural alignment is anticipated to foster greater political unity and enhance the principles of collective leadership at the highest level of executive Government.

4.4.1 Committee’s Recommendation

The Committee concurs with submissions and recommends that the clause should be adopted as presented.

4.5 Clause 6: Provision for Vice President to be elected by Parliament in the event of a vacancy, removing automatic succession.

The public submissions were once again unanimous in concluding that the proposed amendment represents a practical, cost-saving measure. Stakeholders emphasised that this mechanism

effectively averts the prohibitive financial expenses associated with staging mid-term presidential elections, while simultaneously safeguarding national stability by immediately closing any governance or succession vacuum that might otherwise arise.

4.5.1 Committee's Recommendation

The Committee concurs with the public's views and recommends that the clause should be adopted as presented.

4.6 Clause 7: Raising the qualifications for appointment as Attorney-General to those required of a Supreme Court Judge.

The Committee received a diverse range of submissions regarding the proposed amendment, with the clear majority expressing strong support for the measure. The majority argued that aligning the qualifications of the Attorney General with those of a Supreme Court judge provides a vital safeguard for the office. They emphasized that such stringent criteria would guarantee that the appointee possesses the highest calibre of legal expertise, professional competence, and personal integrity. Consequently, this elevated standard is expected to significantly improve the quality of legal counsel provided to the Government and substantially strengthen the

state's capacity to handle complex constitutional and legislative affairs.

On the contrary, the minority view raised concerns that the amendment could overly restrict the recruitment process. Dissenting submissions cautioned that establishing such elevated prerequisites would inevitably narrow the pool of eligible candidates, potentially excluding otherwise capable legal professionals from consideration.

6.1 Committee's Recommendation

Having carefully weighed both perspectives, the Committee stands in alignment with the majority submissions. It recognises that the long-term benefits of securing top-tier legal and constitutional stewardship for the nation outweigh the risks of a more restrictive selection pool. Accordingly, the Committee recommends the clause for adoption without amendment.

4.7. Clause 8: Increase in the Membership of Senate from 80 to 90, by including 10 Presidential appointees

The proposed increase in Senate membership garnered a strong majority of support from public submissions. The majority argued that expanding the Chamber would inject vital specialised knowledge and

diverse professional expertise into the legislative process.

Furthermore, the public noted that a larger membership would broaden the pool of qualified individuals available for ministerial appointments. They also view the additional ten members as necessary to bridge political and social divides, by incorporating non-partisan perspectives into governance, the amendment is, therefore, expected to elevate the quality of decision-making and foster greater national cohesion.

In contrast, the minority submissions expressed reservations, cautioning that increasing membership could undermine the Senate's independence and compromise its crucial role in holding the Executive accountable. Dissenting voices warned that the shift might weaken the Chamber's representative character and create a public perception of excessive Executive influence over the legislative branch. Additionally, they argued that the amendment could result in a Senate composition disproportionate to the outcomes of the popular voting process, thereby eroding its democratic legitimacy.

4.7.1 Committee's Recommendation

After thorough consideration of both the public enthusiasm for

enhanced expertise and the expressed concerns regarding institutional balance, the Committee finds that the potential benefits to governance and national unity were compelling. Consequently, the Committee recommends the clause for adoption.

4.8 Clauses 11, 12 and 13: Establishment of the Delimitation Commission, Transfer of Delimitation Functions from ZEC to the New Commission

The majority of submissions strongly favoured the establishment of a separate Delimitation Commission, arguing it would significantly alleviate the heavy workload currently borne by the ZEC. The majority believed that a dedicated entity would foster greater fairness, transparency and accessibility throughout the electoral process. Furthermore, they emphasised that such an institutional split would cultivate technical specialisation in the complex task of drawing constituency boundaries, thereby directly addressing historical shortcomings in ZEC's handling of previous delimitation exercises.

On the other hand, the minority contributions raised concerns regarding institutional independence and public trust. They cautioned that transferring the delimitation mandate away from ZEC might

weaken the primary electoral management body and spark fears of political meddling in electoral affairs. To support their argument, they pointed to regional democratic standards, specifically the SADC Principles and Guidelines Governing Democratic Elections, which strictly emphasise the need to protect electoral management bodies from Executive control.

4.8.1 Committee's Observations

The Committee observes that past delimitation exercises managed by ZEC did encounter notable challenges, which underscores the merit of a specialised body. However, the Committee highlights the absolute necessity for meticulous coordination between ZEC and the newly proposed commission to guarantee a seamless transfer of roles and operational data. Furthermore, in alignment with a direct submission from ZEC itself, the Committee agrees that the new body's title should omit the word "**Electoral**." This linguistic distinction is crucial to clearly separate its specific boundary-drawing mandate from ZEC's broader, overarching electoral responsibilities.

4.8.2 Committee's Recommendation

Having carefully balanced the need for technical specialisation

against the imperative of safeguarding institutional independence, the Committee recommends the adoption of Clauses 11, 12 and 13 to establish a dedicated boundary-drawing authority. To ensure absolute clarity regarding its mandate, the Committee further recommends that this new entity be formally named the **Zimbabwe Delimitation Commission**.

The Joint Committee appreciates the Hon. Minister of Justice, Legal and Parliamentary Affairs' acceptance of the recommendation of the Committee, to change the name of the new Commission from the Zimbabwe Electoral Delimitation Commission to the Delimitation Commission as reflected in the amended Bill, [H. B. 1A 2026].

4.9 Clause 14 (Now Clause 16) – Jurisdiction of the Constitutional Court.

The majority of submissions strongly supported extending the court's jurisdiction beyond strictly political disputes to encompass matters of significant public importance. They argued that this expansion would greatly broaden access to justice and ensure that pressing national issues receive timely, definitive resolutions. Furthermore, stakeholders believed this shift would substantially

enhance the court's vital role as a primary guardian of constitutional rights.

On the contrary, the minority submissions raised concerns that broadening the court's purview would trigger an unmanageable increase in its workload, ultimately leading to case backlogs and judicial delays. Some also expressed concern that this shift might inadvertently de-prioritise specialised knowledge, incentivising the selection of judges with general legal expertise over those with deep specialisations in constitutional law and human rights.

4.9.1 Committee's Observations

The Committee observed that apprehensions regarding a crippling workload, systemic backlogs, and severe delays are unfounded and unsupported by empirical data. While an expanded jurisdiction will undeniably increase the volume of cases brought before the court, the Committee notes that this does not automatically translate into judicial delays. Rather, the restructuring will effectively increase the number of available judicial levels, optimizing the allocation of legal resources and maintaining efficiency.

The Committee observed that there would be problems to do with

the jurisdiction of the Supreme and Constitutional courts which may eventually need to compete in terms of which matters can be finalised by which court. There will also be a problem to do with the hierarchy of the two courts making it difficult to determine which court holds final authority. If the Constitutional and Supreme Court interpret laws differently, lower courts are left confused about which legal precedence binds them.

4.9.2 Committee's Recommendation

The Committee recommends for the adoption of the clause with an amendment to clarify the hierarchy of the two courts.

The Joint Committee also acknowledges the acceptance by the Hon. Minister of Justice, Legal and Parliamentary Affairs of the recommendation to clarify the hierarchy of the two courts as reflected in the amended Bill [H. B. 1A 2026].

4.10 Clause 15 (Now Clause 18): Amendment of Section 180 (Appointment of Judges)

The majority of submissions supported the proposed amendment to vest the appointment of judges in the President, to be exercised in consultation with the Judicial Service Commission (JSC). They

expressed the view that this mechanism would strengthen judicial independence and streamline the selection process by eliminating perceived inefficiencies associated with current procedures.

In contrast, the minority submissions argued that public interviews remain an indispensable safeguard for ensuring transparency, upholding meritocracy and maintaining public confidence in the judiciary. They cautioned that transitioning to a Presidential appointment process would dilute existing constitutional protections designed to insulate the judiciary from excessive Executive influence. By reducing the role of the JSC to a purely advisory capacity, dissenting voices argued that the amendment would weaken institutional checks and balances. Furthermore, they noted that the proposal deviates from established regional approaches in nations such as Botswana, Namibia, Eswatini and South Africa, where the Judicial Service Commission holds decisive authority over High Court appointments.

4.10.1 Committee's Recommendation

The Committee notes the competing viewpoints regarding executive involvement and public transparency in judicial selections,

as well as the regional precedents cited by the public. However, having balanced the objective of administrative efficiency and executive accountability against these concerns, the Committee stands in alignment with the majority view. Accordingly, the Committee recommends the clause for adoption.

4.11. Clause 16 (Now Clause 20): Amendment of Section 212 (Functions of the Defence Forces)

The majority of submissions expressed strong support for the amendment, operating under the view that the proposed changes would effectively limit undue military influence in civilian governance. Those in support of the clause argued that establishing clearer boundaries for the military would safeguard democratic processes and, consequently, prove vital to maintaining long-term national stability.

On the other hand, a minority of submissions raised concerns regarding the broader implications of the change. They cautioned that the amendment could inadvertently and materially weaken the constitutional fidelity obligation of the Defence Forces, potentially diluting the military's foundational commitment to uphold and protect

the supreme law of the land.

4.11.1 Committee's Recommendation

The Committee acknowledges the critical importance of balancing civil-military relations and preserving the constitutional integrity of the armed forces. However, recognising that fortifying democratic governance and securing State stability were paramount public interests, the Committee stands in agreement with the majority. Accordingly, the Committee recommends the clause for adoption.

4.12 Clause 17 (Now 21): Amendment of Section 239 (Functions of the Zimbabwe Electoral Commission)

Members of the public were unanimous in their support for repealing these specific functions from ZEC and reassigning them to the Registrar General. Contributors consistently expressed the view that this institutional realignment would significantly improve administrative efficiency and reduce institutional overload. By divesting ZEC of these secondary duties, the amendment would allow the Commission to focus its resources and attention entirely on its core mandate of conducting and supervising national elections.

During consultations with ZEC, the Committee was informed by

the electoral body that Clause 17 had repealed its function to accredit observers, but the accreditation of observers was not assigned to any other agency or body.

4.12.1 Committee's Observations

The Committee re-emphasised that the successful execution of this structural shift depends on close, continuous and effective collaboration between ZEC and the newly proposed Zimbabwe Delimitation Commission and the Registrar General to ensure a seamless transfer of relevant duties, operational data and responsibilities. Furthermore, the Committee highlights that comprehensive staff training will be absolutely essential to guarantee that personnel were fully equipped to perform effectively in their newly defined roles.

4.12.2 Committee's Recommendation

The Committee recommends the clause for adoption with an amendment for ZEC to retain the function for the accreditation of observers.

The Joint Committee welcomes the amendment by the Hon. Minister of Justice, Legal and Parliamentary Affairs' to retain the

Zimbabwe Electoral Commission's function of accrediting observers of elections and referendums as recommended by the Joint Committee.

4.13 Clauses 18 and 19 (In the original Bill which were deleted in the National Assembly) relating to the repeal of the Zimbabwe Gender Commission and Amendment of Section 243 (Zimbabwe Human Rights Commission)

The Hon. Minister of Justice, Legal and Parliamentary Affairs had repealed the amendment that proposed to abolish the Zimbabwe Gender Commission in line with the recommendation by the Joint Committee.

4.14 Clause 20 (Now Clause 22): Amendment of Section 259 (Appointment of the Prosecutor-General)

The majority of submissions expressed strong support for the proposed amendment to Section 259 regarding the appointment of the Prosecutor-General. Submissions consistently pointed out that the changes would streamline the selection and appointment procedures, thereby significantly enhancing administrative efficiency within the justice system.

4.14.1 Committee's Recommendation

Recognising the clear operational benefits of a more responsive and streamlined appointment framework, the Committee stands in agreement with the consensus of submissions. Accordingly, the Committee recommends Clause 20 for adoption.

4.15 Clause 21 (In the original Bill which was deleted in the National Assembly, relating to the amendment of Section 281 Principles to be observed by Traditional Leaders)

The Joint Committee also appreciates the acceptance by Hon. Minister of Justice, Legal and Parliamentary Affairs of its recommendations not to allow traditional leaders to participate in political activities and the need to align the electoral cycles for the President and Deputy President of the Chief's Council to the Parliamentary electoral cycle as reflected in the amended Bill [H. B. 1A 2026].

4.16 Clause 22 (Now 23): Repeal of Part 6 of Chapter 12 (National Peace and Reconciliation Commission)

The majority of submissions expressed support for the proposed repeal of Part 6 of Chapter 12, operating under the view that the

National Peace and Reconciliation Commission (NPRC) has successfully fulfilled its mandate and outlived its operational purpose. The public argued that because the country currently enjoys widespread peace and stability, the institutional necessity for a dedicated, standalone reconciliation commission has diminished.

A minority of submissions strongly advised against the repeal. They expressed the view that dismantling the constitutional framework that established the NPRC is premature and undesirable. Submissions cautioned that removing the Commission risks undermining ongoing, sensitive community reconciliation processes and could be perceived as a weakening of Zimbabwe's national commitment to transitional justice, institutional accountability and long-term national healing.

4. 16. 1 Committee's Recommendation

The Committee acknowledged the competing views regarding the optimal timeline for transitional justice institutions and notes the concerns raised regarding the continuity of healing processes. However, taking into account the prevailing environment of peace and the majority consensus that the Commission has completed its primary

objectives, the Committee stands in alignment with the supportive submissions. Accordingly, the Committee recommends Clause 22 for adoption. The Committee also noted that this was a procedural matter since the commission had ceased to exist in 2023 when its term ended. The Commission’s timeline was limited to ten years in the current constitution.

5 Conclusion

Generally, the Joint Committee was in support of the Bill and urges the two Houses to consider the proposed recommendations. In its analysis the Joint Committee sought to ensure that there was consistency between the Bill’s provisions and the Constitution as well as aligning with the expectations and aspirations of the people and regional and international best practices.

ANNEXURES

WRITTEN SUBMISSIONS BROUGHT TO PARLIAMENT

TABLE 1

DATE	GRAND TOTAL	YES, WITH REASONS	YES, WITHOUT REASONS	NO, WITH REASONS	NO, WITHOUT REASONS
By 18 May 2026					

Totals	470 117	229 600	238 362	1 887	4
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WRITTEN SUBMISSIONS TO PARLIAMENT BY EMAIL TABLE 2

DATE	Sub-Totals	Number of Submissions in Support of the Bill	Number of Submissions against the Bill
By 18 May 2026			
Totals	2 232	760	1472

TABLE 3: PROVINCIAL ATTENDANCE

Province	Total Attendees	Male	Female	Persons with Disabilities
Harare Metropolitan	11 039	3 209	7 830	765
Mashonaland Central	7 407	3 539	3 868	246
Masvingo	5 847	2 553	3 294	401
Mashonaland West	5 730	2 944	2 786	349
Bulawayo Metropolitan	5 400	2 100	3 300	1
Manicaland	5 358	1984	3374	299
Midlands	4 286	2 223	2 063	171
Mashonaland East	3 558	1 491	2 067	167
Matabeleland North	2 911	1 245	1 666	35
Matabeleland South	2 695	832	1 863	51
Grand Total	54 231	22 120	32 111	2485

PROVINCIAL WRITTEN SUBMISSIONS TABLE 4

Province	Total	Yes, with Reasons	Yes, without Reasons	No with Reasons	No without Reasons
Harare Metropolitan	42 503	41 286	1 076	133	8
Mashonaland Central	2 240	2 218	16	6	0
Masvingo	13 369	13 105	264	0	0
Mashonaland West	1 208	658	550	0	0
Bulawayo Metropolitan	342	287	45	3	7
Manicaland	1837	1717	74	39	7
Midlands	1597	1511	86	0	0
Mashonaland East	2 697	2 482	44	171	0
Matabeleland North	787	780	0	5	2
Matabeleland South	1108	1102	1	5	0
Grand Totals	67 688	65 146	2 156	362	24

**SUMMARY OF WRITTEN SUBMISSIONS
TABLE 5**

	Sub-Totals	Number of Submissions in Support of the Bill	Number of Submissions against the Bill
Written Submission to Parliament	470 117	469 040	1077
Written Submissions received During Public Hearings	67 688	67 302	386
Written Submissions via emails	2 232	760	1472
Grand Totals	540 037	537 102	2 935

HON. SEN. BIMHA: Thank you Madam President for giving me an opportunity to debate on this very important CAB3. Let me mention from the outset that due to colonisation and slavery, Africa has never had a chance to map out its own political governance system. Hence, it relied on borrowed systems without input from the grassroots.

We have been led to believe, erroneously of course, that if you follow the Western type of democracy, you are then going to develop economically. When you look at systems in other spheres, China or Russia, that notion has been proved wrong. You can develop economically as long as you develop your own system of governance.

What is important is to come up with something that suits your own circumstances and is aligned with your level of development.

Hence, I want to applaud the people of Zimbabwe for coming out and charting a system of governance that they believe will answer their own needs at this time of their own development. I therefore fully support the amended, strengthened and refined Bill as espoused earlier by the Minister.

Therefore, I would like to believe that we have come up with a system that is aligned with our needs and that is relevant to our state of development at this point in time. What we then say is that the people have spoken and their needs have been espoused and I would like to thank the people of Zimbabwe for going through this rigorous system of coming up with something that is homegrown and answers our development needs at this point. I thank you for giving me the time.

HON. SEN. NDEBELE: Thank you Mr. President, for affording me this opportunity to contribute to this important debate. I rise in support of several key provisions of the Constitution

Amendment (No. 3) Bill particularly, the proposal to extend electoral terms from five years to seven years at the same time.

Clause 3 of the Bill proposes a parliamentary method for the selection of the President under the supervision of the Zimbabwe Electoral Commission to ensure legality, transparency and constitutional compliance.

I support this proposal because it strengthens constitutional accountability, promotes openness, fairness and proper oversight in the electoral process. There are principles that lie at the heart of every mature democracy rather than weakening democratic governance. This reform presents an evolution of our constitutional framework, offering Zimbabwe an opportunity to demonstrate innovation and leadership within the region and beyond.

As Hon. Sen. Members are aware, our harmonised elections have become increasingly complex and require voters to elect representatives to several offices at the same time. Separating the Presidential elections process and placing it within Parliament should simplify electoral administration, strengthen the role of the House,

reduce opportunities for electoral disputes and lessen the burden of costly legislation that often follows contested Presidential elections.

It could also significantly reduce the financial cost of elections, which remains a considerable burden. I fully support Clauses 4, 9 and 10 of the Bill, which propose replacing the current five-year electoral term with a seven-year term by amending Sections 95, 143 and 158 of the Constitution.

Governments are elected to govern, not to campaign continuously. Under shorter electoral cycles, a significant amount of time and energy is inevitably spent preparing for the next election rather than focusing on the work for which the Government was elected.

A seven-year term will provide the stability, continuity and certainty necessary for effective governance. Frequent elections impose substantial costs on the developing economy, such as ours. In many cases, elections are followed by lengthy legal challenges and political disputes in which resources create uncertainties that can negatively affect economic activity and investor confidence.

Zimbabwe has experienced challenges firsthand. A longer electoral cycle would provide a necessary cooling-off period, allowing political tensions that often arise during elections to subside. It would also create a more stable environment for the implementation and competition of the national development programmes.

Development requires consistency, patience and long-term planning. Several important projects have faced delays and disruptions due to unforeseen events such as the COVID-19 pandemic, cholera outbreaks and the need for extension reconstruction efforts following Cyclone Idai.

These programmes require adequate time and stability to achieve their intended outcomes. With such continuity, it will be difficult to realise the targets set under Vision 2030. The proposed amendment would allow the Government and citizens alike to focus more fully on service delivery, infrastructure development, economic growth and the successful implementation of long-term strategies such as national development strategies. Too often, development projects are interrupted by recurring electoral cycles before they can deliver their full benefits. This amendment is therefore, not merely a

constitutional adjustment. It is an investment in the continuity of national development policy and sustainable progress.

In conclusion, I come from Midlands Province, which is blessed to have the President in its area, Dr. E. D. Mnangagwa, comprising about 28 constituencies, 269 wards, 42 chiefs and 296 village heads. These people support the Bill as I do. Thank you.

^HON. SEN. CHIEF CHITANGA: Thank you Madam President for the opportunity you have given me to add my voice on the Constitutional Amendment (No. 3) Bill (CAB3). We thank the Government for this brilliant initiative. I support this Bill in its entirety. I also support the idea that the term may be increased from five years to seven years for the President, Hon Members of Parliament and councillors. This is a very brilliant idea.

As a Chief and representative of all the people, I support CAB3. I have a question on the provincial chairpersons of the Chiefs' Council and other council members; they are not mentioned in the Bill in terms of their term. My pleasure is that their term may be increased from five years to seven years, like others.

I also support the view that the election of the President may be done at Parliament by Hon. Members of Parliament. I support this Bill in its totality. We support this Bill, all of us as chiefs. Thank you.

HON. SEN. CHIEF CHINYANGA: Thank you Mr. President for affording me this opportunity to add my voice to this important Constitutional Amendment (No. 3) Bill that is the brainchild of the party led by His Excellency, President Dr. E. D. Mnangagwa, Shumba Murambwi's Vision 2030 is unstoppable.

At the outset, let me state clearly that I support the major provisions of this Bill, particularly those aimed at strengthening governance, promoting stability, enhancing accountability and creating the conditions necessary for sustained national development. However, I respectfully oppose Clauses 18 and 19, which seek to abolish the Zimbabwe Gender Commission and transfer its functions to the Zimbabwe Human Rights Commission.

I also rise in strong support of Clauses 4, 9 and 10, which propose extending the term of office of the President, Parliamentarians and councillors from five years to seven years. The fundamental question before us is simple. What best serves the long-

term interests of our nation? Too often, governments around the world spend the first years settling into office and the remaining years preparing for the next election. The result is that politics becomes permanent campaigning, while development becomes secondary.

We must ask ourselves: can transformational development be achieved within short political cycles? Can major infrastructure projects, industrialisation programmes, agricultural reforms, energy investments, and social transformation agendas be fully implemented when political attention is constantly diverted towards electoral contests? The answer is self-evident that development requires time. Development requires continuity and completion of national projects. It allows policies to mature and results to be measured not only by promises made but by outcomes delivered.

Moreover, frequent elections often consume enormous financial resources, generate political tensions, and divide citizens into competing camps. Instead of uniting around a common national vision, societies can become trapped in cycles of perpetual political competition. A longer term reduces electoral fatigue, strengthens

policy consistency, encourages investor confidence, and creates a more stable environment for economic growth and national cohesion.

The true measure of democracy is not how often people vote. It is whether elected leaders can deliver meaningful improvements in the lives of the people. These clauses, therefore, strike a balance between democratic legitimacy and developmental effectiveness.

The Constitution is not merely a legal document. It is a statement of national purpose. It reflects who we are, what we value and what kind of future we seek to build for generations to come. It must therefore evolve where necessary to respond to the changing needs and aspirations of our people. In that regard, I support Clause 3, which establishes a parliamentary method for electing the President.

This provision promotes constitutional accountability by ensuring that the election of the Head of State is conducted through a transparent, structured and legally supervised process. A candidate must obtain a majority of votes, and where no candidate secures an outright majority, a run-off is held. The Zimbabwe Electoral Commission remains responsible for overseeing the process, thereby safeguarding its integrity and legality.

Mr. President, this august House will recall that representative democracy is the foundation upon which modern democratic systems are built. In nations with large populations and complex governance structures, democracy is exercised primarily through elected representatives acting on behalf of the people. Parliament is the embodiment of the sovereign will of the people. This model is not unusual. Many established democracies around the world elect their Presidents through parliamentary processes or electoral colleges.

Indeed, Zimbabwe had a historical experience with this system during the early years of independence. This approach significantly reduces the financial burden associated with repeated nationwide presidential elections. Resources that would otherwise be consumed by expensive electoral processes can instead be redirected towards schools, hospitals, roads, water infrastructure and other critical development priorities.

At a time when citizens demand more service delivery and better living standards, every dollar saved from administrative costs can become a dollar invested in national progress. This clause therefore, promotes efficiency, accountability, constitutionalism, and

responsible stewardship of public resources. While I support this Bill in its entirety, I must respectfully and firmly register my opposition to Clauses 18 and 19. The proposal to abolish the Zimbabwe Gender Commission and transfer its functions to the Zimbabwe Human Rights Commission may appear administrative in nature, but its implications are profound.

Remember, gender equality is not a peripheral issue or a secondary issue but it is a national development issue, a constitutional issue and a human dignity issue. The Zimbabwe Gender Commission was established precisely because gender inequality required dedicated attention, specialised expertise, focused advocacy and continuous engagement with communities at every level of society.

Women and girls continue to face challenges relating to economic empowerment, representation in leadership, access to resources, gender-based violence, harmful cultural practices and unequal opportunities. These challenges require a specialised institution whose sole mandate is to monitor, investigate, educate, advocate and promote gender equality.

The Zimbabwe Human Rights Commission already carries an extensive and broad mandate covering a wide range of human rights concerns; to absorb the functions of the Gender Commission risks diluting focus, stretching institutional capacity and weakening the national drive towards gender parity.

Mr. President, what receives dedicated attention receives progress; what becomes everybody's responsibility often becomes nobody's priority. The existence of a standalone Gender Commission is consistent with the best regional and international practice. Under the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Beijing Declaration and Platform for Action, the Maputo Protocol, and the SADC Protocol on Gender and Development call upon States to establish deliberate mechanisms and institutions to advance gender parity.

As legislators, we carry a responsibility that extends beyond the present moment. We are called upon to build institutions that will endure, to enact laws that will uplift our people, and to leave behind a stronger nation than the one we inherited. It is for these reasons that I

respectfully urge this august House to reject Clauses 18 and 19 and preserve the Zimbabwe Gender Commission. I thank you.

HON. SEN. S. MOYO: Thank you very much Mr. President of Senate Sir, for giving me this opportunity. I stand here to represent the people of Matabeleland South and those in diaspora. I am also representing the churches in Matabeleland South. Hon. Senators, I rise today to oppose the Constitution of Zimbabwe Amendment (No. 3) Bill, 2026. I do so not lightly because this Bill represents one of the most serious threats to our constitutional democracy since the adoption of the 2013 Constitution.

At its core, this Bill is not a collection of neutral reforms. It is a coordinated scheme designed to do four things: Firstly, to consolidate power in the Executive. Secondly, to remove meaningful electoral accountability. Thirdly, to weaken or dismantle independent institutions. Lastly, to bypass the constitutional safeguards that protect the people of Zimbabwe, including the requirement of a referendum. Hon. Senators, this Senate must reject this Bill in its entirety – [HON. SENATORS: *Inaudible interjections.*] -

THE HON. DEPUTY PRESIDENT OF SENATE: Order

Hon. Senators, let the Hon. Senator be heard in silence. We are debating; it is allowed, let him say what he wants to say.

HON. SEN. S. MOYO: Thank you Mr. President for protecting me. You are a good Chair, that is why we elected you. On Foundational Principles, our Constitution is founded on a simple but powerful idea: all authority derived from the people. That principle is not symbolic but it is binding. It is expressed through universal suffrage, regular elections, separation of powers and accountability of those in office. This Bill strikes at each of these principles.

Unconstitutional Process, Mr. President of Senate Sir, before we even consider the substance, the process of amending the Constitution is already fatally flawed. Section 328 of the Constitution sets out strict safeguards for constitutional amendments. These are not optional. They are mandatory, yet those safeguards have been systematically undermined. The Bill does not properly and expressly amend key provisions. Public consultations were inadequate and, in many instances, marred by intimidation and violence. The requirement of a legitimate two-thirds majority has been compromised by a Parliament

that no longer reflects the will of the electorate as expressed in 2023.

Most critically, the Bill seeks to avoid a referendum even where the Constitution clearly requires one. Mr. President, a Constitution cannot be amended through an unconstitutional process.

Extension of terms is a dangerous precedent. Clauses 4, 9 and 10 of the Bill propose to extend the terms of the President, Parliament and all other officials elected during a general election from five years to seven years. What we as the Senate are being asked to do is to extend our own term. Let us be clear, no elected body has the authority to extend its own mandate without returning to the people. If we as Parliament can extend our term once, what will stop us from doing so again and again without ever returning to the people? That cannot and must not be allowed. That is how democracies die, not in a single moment but through incremental extensions of power without accountability.

The people elected us for five years, not seven. We have no mandate to change that. None of us when we campaigned in 2023 told the people that if you vote for us, we will change the Constitution so that we remain in office until 2030. No, it is not like that. We asked

the people for a mandate up until 2028. Some of us were given such a mandate by the people. Mr. President, the attack on Section 328(7), perhaps the most alarming feature of this Bill is the attempt to bypass Section 328(7), the so-called incumbency clause. Section 328(7) of the Constitution exists for one reason, to prevent those in power from changing the rules to benefit themselves, yet this Bill seeks to do exactly that, Notwithstanding Clauses 4 and 9 of the Bill, which seek to sidestep the clear provisions of Section 328(7) of the Constitution to allow ourselves, as incumbents, to benefit when the Constitution says that we cannot. Mr. President, it says, in effect: “Even though the Constitution prohibits us from benefiting from term extensions, we will do so anyway.” That is not constitutional amendment. That is constitutional defiance and it sets a precedent that no constitutional safeguard is safe.

On removal of direct presidential elections, Clause 3 of the Bill also proposes to remove the people’s right to directly elect the President, instead, the President would be chosen by Parliament. This fundamentally undermines democratic participation. It reduces millions of voters to a small group of politicians and in our current

context, it opens the door to elite capture, patronage and even outright corruption.

A President chosen by politicians is not the same as a President chosen by the people. Furthermore, the manner in which Clause 3 proposes that the President will be elected raises serious concerns. Firstly, Clause 3 does not require the President to have been publicly nominated, so any person who is completely unknown to the public could become President. Secondly, Clause 3 does not require that the President should be elected from among the Members of Parliament, so it means that even a person who has been rejected by the people at an election could become the President through unscrupulous means.

Thirdly, Clause 3 does not provide that the election of the President will be by way of secret ballot. This is in stark contrast to, for instance, the election of the President of the Senate and the Speaker of the National Assembly, who must be elected by secret ballot. Why is a secret ballot necessary for those elections but not for the highest office of the land?

Fourthly, Clause 3 does not clarify whether those members of the Senate who are not elected by the people, including the 10

Senators who will be appointed by the President will be involved in the election of the President. If they are not involved in the first election of the President, will they be involved in any election of a new President in the event that the President resigns, dies or is removed from office prior to the next general elections? These are questions that the Bill does not answer and raise grave concerns about the democratic legitimacy of our institutions.

On the structural distortion of the Senate, Mr. President Sir, this Senate itself is directly affected. The Bill proposes to expand the number of unelected Senators appointed by the President by adding an additional 10 unelected Senators. The result is a Senate whose composition can be tilted without majority support from the electorate. A Senate that can be engineered to deliver a majority or a two-thirds majority to the ruling party, even where the people have not given one. This is not reform. It is manipulation of the democratic system. The Bill states that the purpose of this amendment is to bring “broader technical expertise” to the Senate. Mr. President Sir, if the Senate does not have the technical expertise that can easily be rectified without amending the Constitution. Political parties

contesting in elections should simply place qualified persons at the top of the Senate proportional representation lists and qualified persons will be elected to the Senate. Proportional representation lists and qualified persons will be elected to the Senate! The Bill states that another purpose of this amendment is to “enhance parliamentary oversight”. That is disingenuous. Perhaps the Leader of Government Business can enlighten us as to how having persons appointed by the Executive to the Legislature will enhance the Legislature’s oversight role over the Executive. Clearly, it will have the opposite effect

Madam President. The Bill states that another purpose of this amendment is to “expand the pool of potential ministers”. Surely, if that is what is needed, it would be simpler and more democratic to simply amend section 104 (3) of the Constitution to increase the number of non-MP Ministers who can be appointed to Cabinet by the President. That would achieve the same purpose but without diluting the democratic legitimacy of the Senate.

Weakening electoral independence - the Bill further removes key functions from the Zimbabwe Electoral Commission and places them in the hands of bodies controlled by the Executive. Clause 2

moves control of the Voters' Roll to the Registrar General, a member of the Executive and a person directly appointed by the President.

Clause 11 takes delimitation of constituencies away from ZEC and gives it to a new body called the Zimbabwe Delimitation Commission whose members are directly appointed by the President and whose members are not subject to the same requirements of independence as ZEC or any other Chapter 12 Commission. If the Executive controls the process, the credibility of elections is destroyed. While I am not convinced by the need for a separate Delimitation Commission, if government is convinced that it needs a separate Delimitation Commission, why not create it as a Chapter 12 Commission and make it subjected to the same requirements of independence as any other Chapter 12 Commission? I, therefore, Madam President, formally propose that the Zimbabwe Delimitation Commission be created as a Chapter 12 Commission.

Control over the judiciary - Clause 15 of the Bill increases Executive control over judicial appointments. The Bill seeks to remove the public's role in the appointment of judges, including public nominations, public interviews and the involvement of the

Judicial Service Commission in compiling a list for the President to choose from and instead, gives the President unfettered power to appoint whoever he wants as a judge. When one office controls appointments across the system, the risk is obvious: justice becomes vulnerable to political influence. The proposed amendment is a threat to judicial independence and will erode public confidence in the rule of law.

The bigger picture, Madam President, each of these changes is concerning on its own but together they reveal a clear pattern:

- Power is being centralised.
- The people are being excluded.
- Safeguards are being removed.
- Accountability is being weakened.

This is not constitutional reform. It is a fundamental shift away from democracy.

In conclusion, we must ask ourselves a simple question; do we serve the people or do we serve ourselves? The answer must be clear.

This Bill:

- violates the Constitution

- undermines democracy, and
- removes power from the people of Zimbabwe.

For those reasons, I urge this House to reject this Bill in its entirety. If constitutional reform is truly required, let it be done properly in accordance with the Constitution, with full public participation and with the consent of the people through a referendum. To my fellow senators, the Constitution belongs to the people and we are merely its custodians. Let us not betray that trust. I thank you.

***HON. SEN. CHIEF MUTASA:** Thank you Hon. President.

Firstly, I would like to say that where we come from, the people who sent me said, “Chief, go and tell them that we read, talked and understood the Bill and we are supporting it.” This Bill is good in the sense that it does not belong to strangers but it is our own. We are amending it to suit our needs, traditions and values. It is also good because it is not being forced on anyone. If there is anyone in this House who wants a tenure of five years, the Bill does not stop them from going when their tenure expires. There will be a by-election and someone else will come to fill in their place. What I am saying is that

this is our own thing and the people have said it is good and commendable. I thank you.

***HON. SEN. O. HUNGWE:** Thank you Mr. President for affording me this opportunity to add my voice to this Bill, CAB3. Firstly, I would like to thank the Minister of Justice, Legal and Parliamentary Affairs, Hon. Z. Ziyambi for bringing this Bill. I think this was long overdue, as it serves the purpose of solving some issues that we had as Zimbabweans. I want to thank you Hon. Minister. Mr. President, as the Chairperson. I would like to say that this Bill does not benefit the leadership only but it is something that benefits everyone in the country at large.

I am in full support of this Bill because it has extended the tenure from five years to seven years for the President, Members of Parliament and local authorities. In the past, we were spending time without developing the country because we were rushing to assume positions. Mr. President, we would be rushing because there will be people chasing after us from both parties. There will be people competing with us. Even the Chiefs, there would be people competing with them because they also want to assume these positions.

I am saying that this issue of extending the term from five to seven years should not be taken lightly because we now have enough time to ensure our country is making good progress. We have one year in which we will be settling down and during this period, you will not be fully familiar with everything in the office. In the first year, you start to settle in and in the second year, you try to adjust. By the third year, there will be people competing against you and you will also be defending your seat. You might hear that someone has sunk a borehole and they will be campaigning. The President might encourage you to work but there will also be others vying for his position. Therefore, I support the Bill.

I would like to give you an example, Mr. President, of the work which was done in this country by the current Government. I think in the whole of Africa, there is no structure which is like this Parliament. This is one of the many commendable works that were done by the Second Republic. If you look at Robert Mugabe International Airport, you see that it was extended. It is very magnificent. While travelling, I had the opportunity to see airports in other countries and when comparing with our own, you could see that we were lagging behind

but now, we have reached the standards of excellent airports in other countries.

Look at what has been done in the rehabilitation of roads. This rehabilitation programme is working very well together with RRP. Look at Trabablas Interchange, we used to see this when we crossed the borders but now, we have them in this country. This means that if we work hard during these seven years, we are going to do great and mighty things because we will not have time to think that soon there will be elections and someone will be competing with you.

I will leave some things out because I do not want to take much time. The issue at hand is that, as the august House, let us support the Bill. We want to applaud the Minister. Many organisations were pleading with us on the issue of removing the Gender Commission, especially women and children because gender includes everyone, men or women. Minister, you did something good by not removing the Gender Commission because we were not in support of the Gender Commission being removed because there is gender-based violence taking place within communities. So, we saw that this Commission was assisting us a lot about our values.

On the issue of gender, Zimbabwe, is one of the top countries that adhered to the resolutions made at the Beijing Conference in the whole of Africa and this is commendable. As I said, I am not going to take much time. Let me finish by saying the Bill is very good. I am from Harare. You know that everything happens in Harare. Many people come to Harare because it is the capital city. Many people in Harare are realising that this Bill is very good and it stops the issue of electoral violence. Elections cause us to hate each other. We hate each other even if we are in the same party and those people who lose the elections come and do violence in Harare and they disturb our work. As a Harare Senator, I am in full support of the Bill.

I heard the previous speaker say those who are not in support of the Bill, when you have served your 5 years, you can just give up your seat and leave those who want progress to come and live in peace. It is not only Zimbabwe that will have a seven-year term but, there are also other countries, including South Africa.

On the issue of Parliament electing a President, there are Parliaments in other countries that elect a President. If we have the power to impeach him, what then stops us from having the power to

elect him? So, as Harare, I feel that this Bill is very commendable. Maybe this will stop our children from being initiated into violent tendencies and being given drugs by some of these people who lose elections. This Bill will make our country peaceful.

With these few words, I thank you. Harare is in support of the Bill in its entirety. I support even the clause on the chiefs. I support everything.

HON. SEN. MUNEMO: Thank you Mr. President. Mr. President, I rise to add my views on the topical Constitution Amendment (No. 3) Bill.

I rise to support this Bill in totality. It serves community development and uplifts our democracy. Clauses 4, 9 and 10; Mr. President, I support the extension of the election cycle by two years. Zimbabwe has been trapped in a five-year election cycle since 1980. From the moment a government is sworn in, four years become election mode. Campaigns start, development stops and political temperature rises.

Look at our recent past, Mr. President; the 2018 and 2023 elections, both of which were followed by contested results. Street

protests and loss of life, August 1, 2018, post-election violence claimed six lives, which is the cost of perpetual election tension.

Infrastructure delays: Mr. President, the Beitbridge Border Post modernisation, Harare-Masvingo Road rehabilitation and new rural clinics projects were all at a standstill. Investors fear a policy shift after elections. Citizens pay the price with potholes, clinic drug shortages and dry taps.

Adding two years gives the government seven years, that is breathing time, Mr. President. Two extra years mean roads like the Harare-Chirundu Highway can be completed without stopping for campaigns; clinics in Matabeleland South can be stopped and staffed beyond election promises; schools under the BEAM programme can plan long-term instead of year-to-year; and water projects in Bulawayo and airports like Robert Mugabe International can be completed on engineering timelines, not political ones.

Mr. President, the President's open-for-business mantra has helped the country build strong diplomatic relationships with both Eastern and Western countries. This has led to major ongoing oil and gas exploration in Muzarabani by the Australian company, Invictus

Energy. Also, Hwange Power Station's Units 7 and 8 are being expanded by the Chinese firm, Sino-hydro. These are a few examples I can give in this House, but there are many more that would take the whole day to mention, Mr. President. The President's leadership has also seen Zimbabwe recently elected to the United Nations Security Council with overwhelming votes for a two-year period which last happened in 1991 and 1992. This is not about clinging to power. This is about freeing Zimbabwe from election mode. When we have not yet completed development projects and proper reintegration into the global community after a long period of isolation, let us build first, then campaign.

Clause 2, Mr. President, I support the inclusion of the Registrar General's office in the voters' registration. The Registrar General is already the custodian of birth and death as well as national identity cards. Every eligible voter must first be born, registered and issued an identity by that office. Our electoral problems prove why this makes sense, Mr. President.

Duplicate missing voters: In 2013 and 2018, voters turned up to find names missing or aliens on the roll. That happens when voter registration is divorced from birth and death records.

Ghost voters - without linking to death records, the Voters' Roll cannot clean itself. The Registrar General already records when a citizen dies. Use that data. If the office that knows who was born and who dies manages registration, we get a clean, credible Voters' Roll. That leads to fewer disputes, fewer court challenges and more faith in results. Fair elections start with a fair roll.

In conclusion, Mr. President, I support this Bill. Let us choose roads over rallies, clinics over conflicts, water over workouts. Let us build Zimbabwe first, then contest it fairly. I thank you.

***HON. SEN. CHIEF NECHOMBO:** Thank you Hon. Speaker. I rise to emphasise the importance of our traditional values. These values represent the collective agreement of our community at a given time and are witnessed by all, not by any individual alone.

As traditional chiefs, one of our primary responsibilities is to serve as custodians of these values and traditions, reflecting the desires and consensus of our people. Today, I stand before this

esteemed House to assert that our traditions and values are not fixed; they are dynamic and can evolve.

In my area of jurisdiction, Mashonaland East Province, our chiefs have united in the belief that we must uphold the values and traditions that resonate with the people. Therefore, we express our support for CAB3 as representatives of Mashonaland East Province. Thank you.

HON. SEN. FANUEL: Thank you Mr. President, for giving me this opportunity to add my voice to the Constitutional Amendment (No. 3) Bill. Mr. President, I want to thank everybody in this august House, the public at large and the Hon. Senators for accepting this CAB-3. I personally want to acknowledge that if we keep on conducting elections, it derails progress.

We are witnessing progress in this country, and everyone is seeing it. I do not want to add much more. There were no compliments previously, but our President is doing exceptionally well. The years that are being extended, we are in this third year already, but we have not done much in developing the country. As Senators, we are standing for the people. I will not add much more, as I am coming from Binga Matebeleland North.

I was present when the Committee visited Binga for public hearings. The people from Binga North and South participated very well since it was agreed that each province should gather. The people from Binga are supporting CAB3.

I also want to add my voice to the Zimbabwe Gender Commission. We are already happy with the Zimbabwe Gender Commission. We thank the President for the Gender Commission, which does not cater for women only and we also support CAB3. With these few words Mr. President, I am unequivocally supporting CAB3. I peerlessly and exceptionally support CAB3. I thank you.

+HON. SEN. RITTA NDLOVU: Thank you Mr. President. Firstly, I would like to thank the Minister of Justice, Legal and Parliamentary Affairs for bringing this Bill to this august House and also to note that they should take into account the Zimbabwe Gender Commission, which was supposed to be substituted and that the traditional leaders should be elected.

They say there should be a Zimbabwe Gender Commission because there are so many factors that should be taken into account.

Some are being taken into account and others are not, so I thank the Hon. Minister for that.

I also support the view that traditional leaders should not be partisan as they are the custodians of communities.

Mr. President, if you would allow me to add my voice on the clause that the Members of Parliament should elect the President. I fully support this Mr. President. I support what the Minister of Justice, Legal and Parliamentary Affairs said that the Members of Parliament should vote for the President.

Proportional representation is used in other countries; I recommend that the Hon. Minister should not use the first-past-the-post system. We should have proportional representation, because the public should also be part of this august House. In Zimbabwe, there are two parties, the ruling Party and the Opposition. The other parties would not be happy if the Hon. Minister considers proportional representation, we should allow other small parties into the august House, so that there is peace in this august House.

I will conclude by saying that I wholeheartedly support CAB3. With these few words, I support CAB3. The Hon. Minister should appoint the President. I thank you.

***HON. SEN. CHIEF NGEZI:** Thank you Mr. President for affording me this opportunity to air my views on this very important Bill ...

THE HON. DEPUTY PRESIDENT OF SENATE: Order, order! I remind the Hon. Members who have not debated yet that the issue of chiefs, that clause which was meant to allow them to go into politics, has been amended, so there is no need to talk about it anymore. It is gone.

The other issue is about the Gender Commission; it was overwhelming. People wanted the Gender Commission to stay and the Hon. Minister has obliged. So, there is no need to talk about it anymore, it is done. Let us save time and talk about other things and avoid tedious repetition. Hon. Senator Chief Ngezi, sorry for interrupting you.

***HON. SEN. CHIEF NGEZI:** Thank you Mr. President for affording me this opportunity to air my views on this very important Bill. I represent traditional Chiefs from Mashonaland West.

I want to applaud the Hon. Minister, one of our sons from Mashonaland West, for bringing this view of the Bill. As for us, the chiefs, we had already selected Chiefs from the Chiefs' Council to come here and elect the President and the Deputy President. You were lagging; we were way too far ahead of you.

So, I would like to applaud the President. The traditional Chiefs of Mashonaland West support this view. May God Almighty bless our President with more life. I thank you.

***HON. SEN. KADUNGURE:** I would like to thank you, Mr President, for affording me this opportunity. I want to say a few words in support of CAB3. I am both a senator and village head in my constituency. Firstly, I would like to applaud the President for remembering that even women can be village heads; this is how I was appointed.

Secondly, I also want to thank CAB3. You heard that the traditional chiefs and village heads gather their people and tell them

what the chief has said. Sometimes a chief can have 60 traditional village heads and each of them will tell people under their jurisdiction what they discussed with the chief. This Bill is very commendable to us.

Everyone is witnessing this magnificent Parliament. You cannot compare this structure to the old Parliament Building. We support CAB3's extension of the electoral term to seven years. We want our President to complete the projects he started. When making a clay pot, one is supposed to mould it properly so that it is finished. I thank you.

HON. SEN. L. SIBANDA: I would like to thank you for this opportunity to contribute to this important debate. Mr. President, this Bill comes before us at a critical time as we align our Constitution with the realities of implementing Vision 2030 and the National Development Strategy No. 2. I stand here to support several progressive clauses in this Bill, which I believe will strengthen our governance, promote stability and enhance efficiency in the management of our democratic processes. I will also raise concerns on two clauses that I believe require reconsideration by this House.

Firstly, the extension of the presidential term from five to seven years, Mr. President, I support this clause. A seven-year term provides the Executive with adequate time to plan, implement and complete long-term national projects without the disruption of frequent election cycles. Development is not an event but a process. Many transformative programmes under NDS1 and 2 require policy consistency and continuity. Under NDS2, we have prioritised micro-economic stability, infrastructure development, agricultural productivity and food security. These priorities cannot be achieved in stop-start cycles. Extending the term to seven years allows government to see through majority of infrastructure, energy and agricultural projects that are critical to Vision 2030, good governance, security and fiscal prudence under microeconomic stability.

Also, the appointment of an additional ten senators by the President; r. President, the Senate is a House of review, wisdom and representation as set out in Section 120. The appointment of an extra ten senators by the President will enhance the diversity of expertise and experience in this House. It allows for the inclusion of eminent persons, technocrats, traditional leaders and representatives of special

interest groups who may not come through the electoral process but whose contributions are vital for balanced legislation. This strengthens the Senate's capacity to provide sober second thought on national policy and law and supports the NDS2 principle of devolution and decentralisation by ensuring broader representation of national interests.

Mr. President, the transfer of the Voters' Roll to the Registrar General is a pragmatic step that I fully support. The Registrar General already maintains the national civil registrar under the Birth and Death Registration Act and the National Registration Act. It is logical and cost-effective that the Voters' Roll be housed under his office. This will create a seamless interface where citizens turning 18 automatically register to vote, improving inclusivity and advancing Section 67 on political rights. It reduces the burden on ZEC to maintain a separate parallel database. It relieves ZEC of administrative weight and allows the Commission to focus on its core mandate under Section 239 of managing elections ensuring freeness and fairness. This is integration, not duplication. It speaks directly to

NDS2's science, technology and innovation priority by promoting governance and data integration.

On the proposed separate Delimitation Commission, while I support most clauses, I must register my reservation on the creation of a Delimitation Commission separate from ZEC. The Constitution under Section 239 and Section 161 already vests ZEC with the mandate to delimit constituencies. Creating a new body risks fragmenting electoral management, introducing institutional conflict and undermining the independence and capacity we have built in ZEC over the years. Delimitation is a technical and electoral function that should remain with the electoral management body. To ensure coherence, I therefore propose that this clause be reconsidered so that we do not strip ZEC of a function it is constitutionally committed to perform.

In conclusion, Mr. President, Constitution Amendment (No. 3) Bill carries several clauses that will promote stability, save resources and improve administrative efficiency. The seven-year presidential term, election of the President by Parliament, expansion of the Senate and integration of the Voters' Roll with the Registrar General are

reforms that will serve this nation well and align with NDS2.

However, as legislators, we must guard against weakening independent commissions that protect our democracy. I, therefore, support the Bill with amendments to retain the delimitation function under ZEC and maintain the Gender Commission. I so submit and support the Bill.

***HON. SEN. CHIEF MATSIWO:** Mr. President, thank you for affording me this opportunity to air out my views. I am from Mashonaland Central Province. The chiefs, the villagers and our subjects, all those people below us, sent me with a message that they are in full support of CAB3. They support it wholeheartedly, especially on the clause that the President will be elected by parliamentarians. This assists a lot, especially if you look at our country; when we were voting for the Members of Parliament, there was no violence. Violence only erupted during the presidential elections.

As residents of Mashonaland Central, we regard the Minister who brought this Bill as an angel who came to soothe our cries. You realise that now when the elections were held every five years,

elections bring poverty. Elections gobble a lot of money because people will be running around to win and they will be losing a lot of money or resources and there will be no development. So, you realise that if the term is extended from five years to seven years, it will give ample time and opportunity for the Members of Parliament, as well as the councillors, to do their projects and finish or complete them in that term.

On the five-year term, if you look closely, you realise that many projects were not completed because they could not be completed because in the first year, you would be new; you would like to adjust on how it is done on the second and third years. In the fourth year, we are now back in the election mood. We start to fight against each other and you will not be able to complete that project.

I would like to applaud the vision which was brought by our angel who saw that there is no other way we should make poverty disappear or disputes disappear than to do this. These are the words from the people of Mashonaland Central. We are in full support of CAB3 in its entirety. I thank you Mr. President.

HON. SEN. MUNZVERENGWI: I would like to thank you Hon. President for giving me the time to debate on a very important Bill before us today. I had prepared a long document but I will summarise my document. I have realised that some of my contributions have already been mentioned by my colleagues.

Mr. President, the Bill was thoroughly debated and exhausted in the House of Assembly. I want to thank the Minister of Justice for his presentation and also the report by Hon. Senator Mavenyengwa. My major points that I will summarise as follows: Mr. President, I support the term of office of the President to be increased by two years. I also support the election of the President by Parliament without reservations. The President to appoint 10 additional Senators, increasing the Senate to 90 members - I support this without reservations. I also support that the President appoints the Prosecutor General on the advice of the Judicial Service Commission. I also support the establishment of the Delimitation Commission. It will be an independent commission and they will also do the delimitation, including the boundaries.

I also support that the voters' roll be returned to the Registrar General's office. Why? Records of new births and deaths are kept by the Registrar General.

We have seen all the development done in this country since 2017 in terms of infrastructure, food security and the health sector. Allow me to end by saying I am in full support of the Bill. Thank you Mr. President.

HON. SEN. ZVIDZAI: Thank you Mr. President for this opportunity to contribute to this most important debate. Originally, the list had put me on number 18 but all the same, I am prepared to share my ideas around this important Bill.

As I debate, I do not intend to debate President Dr. Emmerson Mnangagwa, who I believe has done much better than his predecessor in terms of delivery of certain components of our services – [HON. SENATORS: *Hear, hear.*] - I do understand that President Mnangagwa has increased the GDP of this economy from a measly 20 or so to 57. That is something that we all should undoubtedly praise, applaud and encourage.

Let me not digress. Let me debate the Bill. I rise at this juncture to do exactly that. I rise from a standpoint, not merely of legal interpretation of the law. I am not a lawyer but I am an engineer. From the standpoint of constitutionalism, democratic legitimacy and sovereignty of the people of our beloved fatherland, at the heart of this debate, Mr. President, lies a simple but very profound question. Who owns the Constitution, that we are being asked today to amend? The answer is not simple. It is not our Constitution as Parliament. It is not the Executive that owns this Constitution. The Constitution Mr. President, belongs to the people of Zimbabwe. Some who do not sit in these lofty offices, who are walking the streets and valleys and mountains of Chikuku, Zaka, Muroyi and such places, but they own this Constitution.

Our Constitution identifies among the founding values and principles the supremacy of the Constitution, democratic governance and sovereignty of the people. All political authority derives from nowhere except the people and the people only. This brings me to the years when ZAPU was formed, when President Robert Mugabe suggested the 'P' in ZAPU to amplify the issue of people. So, political

authority derives from the people and must be exercised in accordance with their will. The proponents of this Bill argue that the Constitution does not expressly require a referendum before extending the tenure of elected officials. I am not walking that route. I do not intend to because that is a low value. Low provides for minimums, good governance goes above the minimums.

The fact that the Constitution may not have provided, which is arguable for a referendum and if you stick to that, you are acting at the lower end of a value system. I would rather act at the higher end of a value system. The proponents rely on the letter of the law. However, constitutions are not interpreted solely by their text. They are interpreted through their values, their purpose and their spirit. I know lawyers who say that it is neither here nor there but legitimacy is derived from issues of values, purpose and the spirit. In doing what it did, what really did the Constitution intend that this nation do? At this juncture, I would like to pause a bit and thank the Minister. The Minister who loudly, continually and repeatedly talked about that him, the Executive and the Bill had ears. Also, that these ears were so big and were prepared to listen and in fact, they did.

This is why it was possible to remove certain issues that people felt needed to be argued against. I hope that today, the same ears that listened may also be able to listen to the Senate. As we do not engage in a monologue of yes, yes, we are not monochromatic. We are so many colours. We are so diverse. We cannot all think the same because if we did, then Zimbabwe would be dead. The spirit of constitutional democracy requires that those who receive power, as we have done from the people, must periodically return to the people to review their mandate.

An election is the moment when citizens evaluate those who govern them and either renew or withdraw their consent to the extent that the tenure of office holders is to postpone that moment of accountability. The issue before us is therefore not simply whether Parliament can amend the Constitution; it can. The issue is whether Parliament should extend a mandate that the people granted for a specific period without first consulting those same people for an affirmative. History teaches us an important lesson. Zimbabwe's constitutional history demonstrates that referendums have been used

whenever fundamental constitutional questions affecting the people have arisen.

I was old enough in 1969 when we had the Peers Commission. Of course, it happened in 1971 or 72 thereabouts. So even colonialists had the decency to go back to the sovereign people to ask them whether they wanted the Constitution changed, *tingadarikwavo namabhunu?* In the year 2000, the Lancaster House Constitution did not require a referendum expressly but governments still sought the direct approval of the people for a new constitutional order. That is an example of going beyond the minimum and climbing the heights to a higher level of a higher value system.

This is what we must invite President E. D. Mnangagwa's Government to do, to ride higher rather than lower. I know he desires to do that, that we ride high. Most importantly, the 2013 Constitution which we are now being asked to amend, was born through one of the most extensive consultative exercises in our national history. I differ a bit with the Minister because in the 2013 Constitution, we had 4 943 meetings throughout the country. Nearly 5 000 compared to 63. More than one million Zimbabweans participated in the consultations. This

time we are told 540 and it is an amazing number. The final draft was subjected to a national referendum and 3.08 million Zimbabweans voted in favour of that Constitution. Therefore, this Constitution was not gifted to the people by politicians; it was authored by the people for themselves. We desire a repeated approach so that we can always proudly say this is our document, done by us for ourselves, not by some elite sitting in an ivory tower. Surely, we need these principles.

The Constitution, as I said, may not expressly compel that we do a referendum but it does not stop us from doing it. It is not unlawful. I hear the Minister saying we do not need to. If we did that, would we have broken the law if we did a referendum? The absence of a legal obligation cannot be converted into the absence of a democratic obligation. From those arguments that I have made, I am inclined to think that we need a referendum. If what we are proposing is beautiful for this nation, let the signature be emboldened by a referendum.

Let us go to the issue of the election of the President by Parliament. Neither here nor there, it can be good, it can be bad and I have got an inclination actually to say this is a positive thing but with

a caveat. What is good for the goose should be good for the gander. If it is good for the President to be elected proportionally, it must be equally good for Members of Parliament to be elected proportionally, then we have got consistency in our Constitution. Without that, it would be very difficult for me to vote for a half-baked cake. The recipe is good but the cooking is poor. Let us have a fully baked cake and enjoy it, *iyi imbodza iyi*, Mr. President.

It creates a democratic distortion. It does and the argument that the presidential elections are the midwives of violence in our electoral systems is sad. It is very sad that we think like that. I participated in an election in the year 2000 and there are bones scattered throughout the country arising from killings where there was no President. Let us not apportion blame to the highest office of the land. It is unfair to say the violence that happened in 2000 was a result of President Mugabe or to say any violence that may happen again in the future is a result of His Excellency, President Emmerson Mnangagwa. No, that is wrong; let us not do that. Let us all agree that we do not want violence in our electoral systems. It is not elections that are violent. It is people that participate in violent elections that are violent.

Let us go to the appointment of additional Senators. Mr. President, this is one thing that I out rightly disagree with. It is extreme Executive overreach into the legislature. The President already exercises extensive powers over the Executive. Giving the President the power to appoint additional legislators further blurs the separation of powers and increases Executive influence over Parliament. It creates a conflict of interest. Appointed Senators may feel indebted and may actually not want to exercise their oversight over the Executive. Parliament's role is to hold the Executive accountable, not to be populated by the Executive.

In fact, it is something that we had, which we have rejected and we are going back again. It is something that we have rejected. Moreover, existing electoral processes can produce skilled Senators. In fact, I would say, in the first-past-the-post election, it is more difficult to get the skills that you want. In the case of Senate proportional MPs, you can actually preload the quality that you want. You can put that in the statutes to say, for you to be a special Senator, you need to have a PhD or you must be a rocket scientist. You can put that in the Constitution...

THE HON. DEPUTY PRESIDENT OF SENATE: Order, you have two minutes left.

HON. SEN. ZVIDZAI: I thank you, Mr. President. So, Zimbabwe requires people with specialised knowledge. Political parties and electoral colleges can nominate such individuals through democratic processes. Appointing or appointment is not the only way of securing expertise.

Let us go to the issue of delimitation. I understand the anger arising from the incompetence of the Zimbabwe Electoral Commission (ZEC) with respect to delimitation in the past election. They did an appalling job, they did an extremely bad job but let us not throw the baby with the bathwater. ZEC should be empowered to do this.

Mr. President, to give the Executive the power to register people, maintain the voters' roll, do delimitation is disastrous. Who does that? Who else does that? Where is this being borrowed from? Independent electoral commissions are the fashion. It is fashionable to let the referee be as independent as possible. I understand my time is

up. I will add detail on a few clauses like Clause 3, Clause 8, Clause 12 and Clause 11 at the Committee Stage. Thank you, Mr. President.

^^HON. CHIEF MASENDU: Thank you, Mr. President. I also want to thank the Minister of Justice, Legal and Parliamentary Affairs. Let me start by saying that this is a remarkable Bill. I am one of the Members of Parliament who had the time to go to Matabeleland South, going through public hearings. We moved around the province of Matabeleland South throughout the seven districts. People came in their numbers and there was an agreement that CAB3 wholeheartedly is quite welcome .

As I stand in this august House, I came here because the people we consulted in Matabeleland South, support the Bill.

I am with the people. The people voted for me. I support the Bill from Clause 1 to Clause 23, I say that I support everything.

THE HON. DEPUTY PRESIDENT OF SENATE: Hon Sen. Maluleke. Before you take the floor, the last time I think it was Chief Chitanga who spoke, I was told, after I lamented the absence of interpretation, I was told that there is no Shangani interpretation today. I am not too sure if it is now available. Just letting you know,

Hon. Sen. Maluleke, that if you do speak in Shangani, your speech will not be captured in Hansard. The floor is yours.

^HON. SEN. MALULEKE: I am requesting to debate tomorrow when the interpretation is available.

THE HON. DEPUTY PRESIDENT OF SENATE: How do you know that there will be interpretation tomorrow? May you debate in Shona.

***HON. SEN. MALULEKE:** Thank you Mr. President for allowing me to add my voice to this debate. Where I come from and the people I represent from Gonarezhou, Masvingo, we are in full support of the Bill. From Clauses 3, 4, 9 and 10, we agree with those clauses to say that the years may be extended from five to seven years. This Bill is for us and the amendments are being done for our own good as the children of Zimbabwe. We are learned people and we have lawyers. I am very happy that we can move from five years to seven years. Our President and our Members of Parliament are doing their jobs. It is better now if we increase by two years and go to seven years. In Gonarezhou, there are people, not elephants. That is why we are here for His Excellency, the President of Zimbabwe. We are

supporting him. There are many people in Gonarezhou and we are at the top in voting for this Bill because we love our country. In

Botswana and South Africa, the Members of Parliament vote for their President and the Senators. These things started with other countries.

Thank you very much.

THE HON. DEPUTY PRESIDENT OF SENATE: Thank you Hon. Senator Maluleke for debating in Shona. The absence of the Shangani interpreter is an administrative issue that has arisen, which has made it very unfortunate for you to debate in your mother language. I am sure Parliament is going to rectify that. Nevertheless, your message has been understood.

***HON. SEN. CHAPFUDZA:** I want to thank you Mr President for affording me this opportunity to give my contribution in line with the Bill. This Bill has 25 clauses and I have realised that most of them have been debated on. I just decided to debate on three clauses only, which are Clauses 4, 9 and 10. These clauses are saying there is toxicity during the conduct of elections, which means that if we are to increase the years from five to seven, it might be helpful. I believe that this view of realising that some mishaps are happening during the

election is good. When we enact laws, we look for good governance. Everything else must be conducted properly, preserving lives.

When preparing for elections, during the election process and after the election process, the Bill is saying that things are not being done properly. I am saying that if it were possible for the Minister, when he came up with this clause, he was supposed to bring some more ideas to the people who studied peace studies. There is what is called negative peace, meaning that we can extend the years to say, may the elections be done after so many years. It might be surprising that after seven years, we start seeing challenges of loss of property, loss of lives, people dying and people having some long-term and short-term consequences.

I am proposing that the election process be evaluated to say that even if we lengthen it to ten years, let it be done in peace. What is important is life. The life that will be lost during the five-year term or the seven-to-ten-year term is all-important. The Minister must look at the election reforms to see that whenever elections are done, they may be done properly, because life is very precious. I am proposing that there be an additional point: if we say we are electing the President

after seven years, let us make sure that people are safe. May the electoral reforms be harmonised. May we have laws that are in line with the election process because in other countries that have been doing it for seven years, they are doing their elections perfectly without any violence.

Other countries that are electing after five years are also doing it very well without violence. Let us say that whenever we choose to vote, we are supposed to vote after seven years, but let us make sure that after seven years, we conduct our elections peacefully. Let us bear in mind to always safeguard the property and lives of our people. That is my contribution which I wanted to make. There are many clauses but let us make sure that we preserve lives because a life that is lost after five or seven years is still important. As we are conducting elections, let us make sure that life is preserved. I thank you.

HON. SEN. CHIEF SIANSALI: Thank you Mr. President, for affording me this opportunity to also add my voice on this Bill under debate. I would like to thank the Hon. Minister of Justice, Legal and Parliamentary Affairs, for bringing this Bill to this House. Mr. President, you will agree with me that most of the issues in the Bill

have been dealt with and as such, I would not want to waste the precious time of this august House to keep repeating what I had prepared because it had been said by most Members.

However, allow me to applaud the Minister since he has proved to be a listening one. Testimony is that I just picked two issues, which were highly debated, in the House and the Minister considered dropping them out. First is the issue relating to the participation of traditional leaders in open politics. I am not attempting to go into the content from your advice, but I am trying to emphasise the good gesture the Minister showed for seeing wisdom in not subjecting the traditional leaders to the dusty playing field, which would have stripped off our dignity and the sacredness this institution is. We are a sacred institution, which is highly spiritual and should not be drawn into a playground that might leave a lot to be desired. Thank you for that, Hon. Minister, for the gesture of dropping that out.

I am scrambling because I had prepared a whole list of issues that had been spoken about and I need to drop some. Compelling the chiefs into getting into the field against their subjects is so belittling. Seeing reason in that and repealing it is the best thing you have done

to this Bill and to the country. Having said this, may I also hasten to say that the above said should not stop the President in his wisdom to appoint any chief in any field where they see capacity to serve and take this country forward. It is only the system that was queried, but the chiefs are available to serve and they are ready with all the capacity required.

The second item is the issue to do with the Gender Commission. I have to say this because I am a gender champion. I was grappling with the previous wording, which was prompting me to bring the Gender Commission to become a department under another house. It was going to kill the achievements that we have achieved as a country. We have done so well as a country because of the Gender Commission's efforts, which were well centred on dealing with gender issues solely and that has made Zimbabwe go a notch above other countries, especially in Africa, on gender issues and gender equality. Thank you once more Hon. Minister, for listening and taking heed of that.

Closely attached to this is the issue that maybe no one could have seen, the issue of chairpersons from the province. Before I say

that, I applaud again the gesture of taking on board the National Council of Chiefs into the national elective cycle together with other offices that are elected in the country. The omission was only on the office of the Chairperson of the Provincial Assembly of Chiefs. The Provincial Assembly of Chiefs is also an elective office, which was nowhere mentioned. I think this is too inconsequential and does not make much of a dent in the already prepared Bill.

Having applauded the Minister, and as we all noted how listening he is, I do not see it becoming so difficult for him to just place a single statement to align the election of the chairperson of the Provincial Assembly of Chiefs to all other elected offices, to enhance corporate governance and uniformity. Lastly, I am in total support of the percentage slot for women and youths in local authorities. This initiative will go a long way in grooming the youth to be good and wise players of affairs that govern them. It will amplify their voice to be heard and taken care of, starting from the lower tier of governance, right up to the national level, as we have youth represented in Parliament.

However, the spirit only fell short of giving an all-encompassing approach on the spirit of leaving no place and no one behind. One would have thought that in the same spirit that this nation found it prudent and reasonable to have these special societal clusters represented, that is the Chiefs, women and youth, but from here in the august House we have got Chiefs, we have got the Women's Quota, and we have got the Youth Quota. The same applied at the Provincial Councils. I did see in the light of the day all those clusters were represented.

Now, the glaring exclusion of Chiefs in the local authorities leaves a lot to be desired. All the way from the national level, that is in Parliament, these social classes have been moving together. Why are they now leaving the other, which is the traditional leaders? Local authorities have got a direct bearing on the lives and operations of Chiefs in their respective areas. As such, we cannot have the discretion of them sitting in the local authorities to be decided by individual councils without a uniform approach. Just like it has been flowing with youth and women.

Currently, in those councils that allow these to attend, where we have traditional leaders attending meetings, they only come as *ex officio*, which is as good as not being there, because they do not even have voting powers. They are not decision-makers. It sounds so dangerous for a whole traditional leader to listen to issues where he cannot make a binding decision.

I therefore highlight this to the House and to the Hon. Minister to see it worthwhile and very compelling to slot a percentage reserved for the chiefs so they can equally participate. From an equal footing, decisions cannot be made for them while they remain as bystanders. We have a running mantra of leaving no one and no place behind. I know that this was not a deliberate move by the proponents of the Bill, but maybe somebody should have reminded them. I know it is difficult for them to take it on board. In general, I support and I stand with the Bill because of the fruits that are ahead for the country. I thank you.

HON. SEN. MBOHWA: I would like to thank you Mr. President for granting me this opportunity to contribute to this important debate on this Bill. Today, we are considering a Bill that is

both historic and consequential. It is a Bill that seeks to strengthen constitutional governance, reinforce our democratic institutions and modernise the way we conduct our democracy. Above all, it reflects a commitment to reform that aligns Zimbabwe with contemporary constitutional practices across Africa that have proven effective, resilient and respected.

Mr. President, I am not debating but before I attend to the substantive clauses of this Bill, allow me in my capacity as Chairperson of the Zimbabwe Women's Parliamentary Caucus, to place on record our sincere appreciation to the Hon. Minister of Justice, Legal, and Parliamentary Affairs for his statesmanship in conceding to delete the proposed amendments that sought to merge the Zimbabwe Gender Commission with the Zimbabwe Human Rights Commission. We are therefore deeply grateful that the Hon. Minister listened to the concerns of this House and all vulnerable groups across Zimbabwe and acted to preserve this important institution. This is a clear demonstration that this Government takes women's voices and we commend it.

Having placed that on record, I rise to support all the clauses of this Bill. Firstly, I support Clause 2 which transfers responsibility for voter registration, the compilation of the Voters' Roll and its maintenance from the Zimbabwe Electoral Commission to the Registrar General. This is a practical and sensible reform. The Office of the Registrar General already serves as the custodian of national records of birth and death. It has the expertise, institutional capacity and the technological system needed to maintain accurate, up-to-date records. In practice, even under the current arrangements, the Zimbabwe Electoral Commission relies heavily on information from the Registrar General's Office.

This amendment, therefore, promotes efficient, accurate and administrative coherence. In the same spirit, I support Clauses 11, 12 and 13, which establish the Zimbabwe Electoral Delimitation Commission. For many years, concerns have been raised about the concentration of responsibilities within the Zimbabwe Electoral Commission. Establishing a dedicated board to delimit electoral boundaries strengthens institutional integrity, improves transparency

and advances the principles of good governance. Strong institutions are built when responsibilities are clear, focused and accountable.

Mr. President, I also fully support Clause 3, which sets out a parliamentary method for electing the President. The reform also elevates Parliament's role as a democratic institution. It brings Zimbabwe closer to practices adopted in several Commonwealth jurisdictions, where legislatures play a central role in selecting national leaders. Importantly, this approach offers a practical solution when a President becomes incapacitated or is unable to complete a term of office. Rather than holding an expensive nationwide election, Parliament would be empowered to elect a President to complete the remainder of the term.

The benefits are clear. It reduces the financial burden associated with the national elections. It allows resources to be redirected towards developmental priorities. It minimises electoral disputes, promotes political stability and improves administrative efficiency. Let us remember this; Members of Parliament are directly elected by the people Mr. President. They carry the mandate of their constituencies and are entrusted with representing the will of the

citizens who send them to this House. This reform recognises that democratic legitimacy.

Furthermore, I support Clause 5, which removes the designation “First” from the Vice President title. Mr. President, words and titles matter. The current designation implies a hierarchy where partnership and collective responsibility should prevail. By removing this distinction, we promote equality, strengthen institutional cohesion and eliminate perceptions of unnecessary ranking within the office of the Vice President.

In addition, I also support Clauses 4, 9 and 10, which extend the electoral cycle from five to seven years. One of the greatest challenges facing main developmental democracies is the recurring cycle of political contestation. Elections are essential to democracy but when they occur too frequently, they can lead to prolonged periods of political tension, uncertainty and economic disruption. A seven-year term provides greater continuity in governance. It gives an administration sufficient time to plan, implement and complete major national programmes and objectives of NDS2. It promotes stability,

encourages investor confidence and creates a more predictable environment for economic growth.

Development requires consistency and progress requires time. These clauses are to recognise that reality. I support Clause 7, which enhances the qualifications required for appointments of Attorney General. The Attorney General holds one of the most important legal offices in the country. The office advises the Executive, oversees the drafting of legislation and represents the State domestically and internationally. Given these significant responsibilities, it is only appropriate that the qualification standards be strengthened. Doing so will enhance professionalism, improve institutional performance and strengthen public confidence in the office.

Finally, I also support Clause 8, which empowers the President to appoint 10 additional Senators, bringing the total number of Senators to 90. The challenges facing modern governments are becoming increasingly complex. Today, Parliament is called to address issues such as climate change, Artificial intelligence, disability inclusion, gender equality, large-scale infrastructure projects, public finance management and emerging economic

challenges. These are highly specialised areas that often require technical expertise. This amendment creates an opportunity to bring distinguished professionals, experts and practitioners into the legislative process. It broadens Parliament's knowledge base, strengthens oversight, expands the pool of potential ministers and enhances public confidence in our institutions. Good governance is strengthened when expertise is brought to the table. For these reasons, Mr. President, I support this Bill and in Midlands, where I come from are in support of this Bill in its entirety and urges this Senate to do the same. I so submit.

HON. SEN. KABONDO: Thank you Mr. President for affording me this golden chance to add my voice in supporting this crucial Constitutional Amendment Bill (No. 3). Golden chance in the sense that it is history in the making. I want to dwell mainly on Clause 2. I rise to support the clause in the Constitutional Amendment Bill (No. 3), which transfers the responsibility of registering voters, compiling the voters' roll and maintaining of voters and registrations to the Registrar General from the Zimbabwe Electoral Commission (ZEC). This reform is grounded in administrative logic and

institutional clarity. The Registrar General is already the legal custodian of foundational civil registration records, such as births, deaths, and national IDs. It is therefore both practical and efficient that the same office be entrusted with the linked responsibility of maintaining the voters' roll, ensuring that the data used for elections is drawn from a single, coherent, continuous, updated national registry.

Mr. President, this consolidation of functions will significantly enhance efficiency, accuracy, and accountability in the electoral process. At present, fragmentation of voter registration responsibilities can lead to duplication, inconsistencies and disputes over data integrity but centralising the voters' roll under the Registrar General, Zimbabwe strengthens the chain of custody over critical electoral information. It reduces administrative bottlenecks and improves real-time updating of voter eligibility. This is not merely a technical adjustment; it is a necessary institutional strengthening that reduces opportunities for error and enhances public confidence in the integrity of the electoral system.

This clause is about safeguarding the credibility of our democracy and promoting free, fair, and undisputed elections. When

citizens trust that the voters' roll is accurate, transparent and professionally maintained, they are more likely to accept electoral outcomes and participate fully in democratic processes. That confidence on its own is a bedrock of political stability, which in turn is essential for sustainable economic development. A credible electoral system attracts investments, strengthens Government, and fosters national unity. For these reasons, I fully support the amendment as a forward-looking reform in the best interest of Zimbabwe's democratic economic future – [HON. SENATORS: *Hear, hear.*] -

On delimitation, I strongly support Clauses 11, 12 and 13 of the Constitutional Amendment (No. 3) Bill, which establishes an Independent Delimitation Commission, thereby transferring the delimitation mandate away from the Zimbabwe Electoral Commission. This reform is merely administrative. It is a foundational step in strengthening the architecture of our democracy. Delimitation by its nature determines the fairness of representation and it is therefore essential that it is handled by a body that is structurally insulated from any perception of electoral interests. The

creation of a dedicated delimitation commission in Zimbabwe brings Zimbabwe in line with international best practices, where boundary delimitation is undertaken by independent, *ad hoc*, and technical specialised bodies.

Across many democratic jurisdictions, separation of electoral administration from boundary drawing has been key in enhancing public trust and minimising disputes. By removing this function from ZEC, we eliminate any perceived conflict of interest and reinforce the neutrality of the process, ensuring that electoral boundaries are drawn solemnly on objective demographic and geographic criteria rather than administrative convenience.

Mr. President, this amendment strengthens democracy by enhancing transparency, fairness and credibility in our electoral system. An independent Delimitation Commission ensures that every vote carries equal weight and that constituencies are drawn without bias or suspicion. In doing so, we are not only safeguarding the integrity of our future elections but also bolstering public confidence in the democratic process itself. This is a progressive reform that affirms our commitment to electoral justice, constitutionalism and the

enduring principle that sovereignty belongs to the people, exercised through free and fair representation. I thank you.

***HON. SEN. CHIEF CHIREYA:** Thank you Mr. President for giving me this opportunity to add my view on this Bill. This idea is not just an idea of the living but also for the ancestral spirits of this country. They are also happy and are grateful for this Bill because the pace of developing this country has been spearheaded by the Second Republic. So, it was a prayer for the living that it remains like this, just like what has happened. So, we want to thank those who have sent us; they are grateful for this Bill and pray that it must continue like that. Gokwe and Midlands are supporting this Bill. Thank you very much.

HON. SEN. MOHADI: Thank you for the opportunity as I rise in support of the Constitutional Amendment (No. 3) Bill 2026, particularly Clauses 3, 4, 9 and 10. I thank the Ministry of Justice, Legal and Parliamentary Affairs for bringing the CAB3 motion to this august House. I come from Matebeleland South, where the people are in support of this Bill

The late African revolutionary leader, Thomas Sankara once said, "We must dare to invent the future." Those words remind us that nations do not achieve greatness by becoming prisoners of the past. They progress when they dare to shape institutions that respond to present realities and future aspirations. The question before this House is therefore, not simply whether we are amending the Constitution. Constitutions across the world evolve with changing circumstances. The real question is whether these proposed amendments strengthen the constitutional architecture of the State and enhance our capacity as a nation to achieve sustainable development, effective governance and public accountability. Constitutional reform should therefore not be viewed through the narrow lens of political competition but through the broader lens of nation-building and constitutional statecraft.

Clause 3 must be understood within the framework of representative democracy and democratic delegation. In every constitutional democracy, citizens delegate authority to elected representatives to make decisions on their behalf. Members of

Parliament are entrusted with making laws, approving national budgets, authorising public expenditure, ratifying international agreements and exercising an oversight role over the Executive. Parliament also possesses the constitutional authority to remove a President from office through impeachment. If Parliament can be entrusted with the responsibility of making laws for millions of Zimbabweans and even removing a sitting President, it cannot logically be argued that Parliament is incapable of electing a President. Such an argument would undermine the very foundation upon which representative democracy rests.

Clause 3 therefore does not diminish democracy. Rather, it elevates Parliament to its rightful constitutional position as the central democratic institution of the Republic. It strengthens the doctrine of responsible governance by creating a closer constitutional relationship between the Executive and Parliament, thereby enhancing accountability, responsiveness and oversight.

Mature democracies are not measured solely by how power is acquired. They are measured by how effectively institutions are

structured to ensure accountability and serve the public interest. This amendment reflects confidence in Parliament as the embodiment of the people's will and as the institution best placed to exercise democratic judgment on behalf of the nation.

One of the greatest challenges confronting many developing nations is the tendency to spend too much time managing politics and too little time implementing development. Nations do not become prosperous merely because they hold elections frequently. They become prosperous because they build strong institutions capable of pursuing long-term national objectives with consistency, discipline and purpose. The history of successful developmental states teaches us that economic transformation requires institutional stability, policy continuity and long-term planning horizons. Infrastructure development, industrialisation, agricultural modernisation, energy security, technological innovation and human capital development cannot be achieved through perpetual electioneering. Development is not an event. It is a process.

Roads, dams, power stations, irrigation schemes, hospitals and industrial parks require years of planning, financing and

implementation before citizens can enjoy their full benefits. The recently completed Trabablas Interchange provides a practical example. Such a transformative infrastructure project could not be conceived, designed, financed and completed overnight. It required strategic planning, sustained implementation and policy consistency over several years. Its successful completion demonstrates that national transformation is achieved when Government is afforded the time and institutional stability necessary to see major projects through from conception to completion.

If you look at the Trabablas Interchange, Beitbridge-Harare-Chirundu Road, Mucheke and Mukuvisi Bridges, they are visible reminders that development requires continuity. A developmental State succeeds when it is able to think beyond the next election and focus on the next generation.

Vision 2030 itself is evidence that national transformation requires a long-term perspective. If we are serious about becoming an Upper-Middle-Income Economy, then our constitutional arrangements must facilitate policy continuity and developmental governance. We

must align our governance architecture with our developmental ambitions.

Modern constitutional scholarship increasingly speaks of developmental constitutionalism. This concept recognises that constitutional arrangements should not only regulate power and protect rights but should also create an enabling framework for economic growth, social justice and national development. In that regard, Clauses 4, 9 and 10 seek to strengthen the State's capacity to deliver on its developmental mandate.

Furthermore, these provisions have the potential to promote national cohesion. Winner-takes-all political contests often deepen divisions and reinforce polarisation. Constitutional arrangements should strengthen the forces that unite Zimbabweans rather than those that divide them. Our constitutional framework should advance that spirit of unity, consensus and collective nation-building.

Allow me to commend the Hon. Minister for listening to the voice of the people, especially women, by not merging the Zimbabwe Gender Commission with the Zimbabwe Human Rights Commission. Zimbabwe Gender Commission performs a specialised constitutional

mandate that extends beyond the general protection of human rights. It monitors gender mainstreaming across government ministries, departments and agencies. It evaluates whether public policies, programmes and budgets adequately address gender disparities. It promotes gender equality and ensures that women and girls remain central to national development efforts.

These functions require a dedicated institution with specialised expertise, institutional independence and a clear constitutional mandate.

Madam President, this debate is about the kind of State we wish to build and the constitutional framework that will carry Zimbabwe into the future. Clause 3 strengthens Parliament and reinforces representative democracy.

Clauses 4, 9 and 10 provide the policy continuity necessary for long-term national transformation, developmental governance and the realisation of Vision 2030. I support the Bill on behalf of the people in Matebeleland South. I so submit.

***HON. SEN. KATUMBA:** Thank you Mr. President, for giving me this opportunity to say a few words on the Bill that we are

debating in this House. There is a speaker who said the issue is with the Constitution; we amend it and if we see the need, we revise it, we amend it until our country is good. I want to talk about Clause 2, which is registration; the registration used to be done by the Registrar General's Office and then it was removed and then shifted to ZEC. It is now being taken back to the Registrar-General's Office. I believe that the reason why we shifted it was rectified and we are no longer going to face the same problems.

Looking at the Registrar's Office, that is where the birth registration is done. Death certificate records are kept there. It has been debated. I also had, in my mind, that if the Registrar is the one who is dealing with or handling these records, I was looking forward to it, that if a person passes on, they must be removed from the voters' roll. If a child reaches the voting age, they must be found in the voters' roll. I am looking at provinces and districts. The Registrar General's Office must be decentralised so that people will not face challenges of walking long distances to verify whether they are registered or not.

I believe that the issue of the voters' roll has been a problem. So it must be rectified. If it can be put on a soft copy so that everyone can access it, those who do not have smartphones- if one sees it, they can share it with those who do not have. We know that the problem has been rectified. Also, looking at the voting for the President in the Parliament, I was wondering if you should have done it maybe in 2008; the Hon. Minister of Justice I think you should have proposed it in 2008. I think we would be celebrating, we would have corrected or built our country. I thank you.

***HON. SEN. CHIEF DANDAWA.** Thank you Mr. President, for giving me this opportunity to air my voice. Firstly, I would like to say I am in full support of CAB3 because of what we saw when we were doing public consultations. The citizens of Zimbabwe gathered and they said in one voice. I would like to thank His Excellency the President, he is good. He is a listening President and he also works for the people; he leads the people well. I have said so because when we were moving around during public consultation, some approached me and said that there are many people here who have to stand behind you, we may have been disturbed but because of how he works,

nothing happened. All the citizens supported CAB3. The way he worked, it made it easier for people when they were moving around during public consultation.

Also, on the issue of Senators, the term for Senators was too short, but I am happy that now there is an extension of seven years. It gives them time to get used to the systems of how the work is done and then in the middle, they will be able to use the system. So by the end of seven years, there will be full. I also support the President's mantra, leaving no one, no place behind; there is Trabablas and the New Parliament Building.

I also asked about the issue with my maize. Officials from GMB said that maize prices are being paid well. So I am so grateful to the President for what he is doing. Even if you look at the independence celebrations in Mashonaland West, we did it in Siakobvu at the peripherals of Mashonaland West Province. This year's national independence was in Maphisa, which means that he listens to what people say. Even if you look at these places where celebrations of Independence were held, they are peripheral to the country, so not

everyone can attend this in the National Sports Stadium. I am grateful to the President that he has people at heart.

I know I will move on to the clause that speaks, about the chiefs. If you look at that, the chiefs have got their own integrity. Even the Bible talks about the chiefs in Romans 13:1, that you say that we cannot come to you, but to give us the King or chiefs whom we can approach, who can hear our grievances. That is when the name of the chiefs came up. The Constitution of Zimbabwe Amendment (No. 3) Bill supported the values of the chiefs. It is a very good Bill that supports the chiefs, where there is a chief, that is where everything is, because it is there in the *Bible*. It is also in our culture, supporting the way our cultural values.

On the issue of extending the term of the President in office to seven years. Even if you look at the elections of the past, there were a lot of things that happened, violence, the issue of money that was overspent because it would take a long time, but if we take this long, things will move on. I also want to thank the President for what has been done because for the term that has been extended, our country will be developed.

Some were talking about the referendum, saying that we have to do a referendum, but Minister Ziyambi, you have answered the questions that all those who are talking about the referendum have no questions because you have clearly explained and I thank you for that. Lastly, I would like to thank the citizens of Zimbabwe. When we were moving around, it seemed as if I am repeating; the people were happy with our President. So I want to thank them. When we were doing these consultations, the citizens spoke in one voice and they all came in numbers. There were a lot of people, which means that Zimbabwe and our citizens listen when they have been invited. We are supporting CAB3. I thank you.

HON. SEN. MUPFUMIRA: Thank you Mr. President, for giving me this opportunity to speak. I rise to support the Constitutional Amendment (No. 3) Bill. Let me begin with a simple truth. A Constitution is the supreme law of the land but it is not a frozen document. It is a living instrument across the world and throughout our own history.

Constitutions are amended so that institutions can keep pace with the realities and aspirations of the people they serve. Zimbabwe

knows this journey very well. The Lancaster House Constitution carried us into independence but it was a transitional settlement. We have refined it many times since, culminating in the Constitution that we adopted by Referendum in 2013. This Bill is not a break from that tradition. It is a continuation of it.

Mr. President, much of the debate outside the House has focused on how we elect a president. Therefore, let me put one myth to rest. Direct election is a fine democratic model but it is not the only one. In South Africa, Parliament elects the President. In India, an electoral college of legislators does so. Germany and Italy follow similar paths.

Even in the UK, the winning party's leader becomes the Prime Minister. These are mature democracies. The lesson is plain. There is no single template for democracy. Each nation chooses what fits its circumstances.

The heart of this matter is not procedure. It is purpose. Vision 2030, the goal of an upper-middle income society did not begin with any one leader or any one party. It runs through a chain of national plans, stretching back more than a decade. From STERP to ZIM ASSET, Transitional Stabilisation Programme, NDS1 and now NDS2.

Five stages, one journey: recovery, then rebuilding, reform, industrialisation and now consolidation.

The question before us is straightforward. Do we protect the momentum of a national project we have spent 15 years building? We do not ask that question in an easy time. COVID-19 stole years of the implementation, delaying projects, disrupting schooling and draining resources into emergency health response. Climate change has stolen more, forcing us to pour investment into irrigation, water security, climate-smart agriculture, simply to stand still.

These are long programmes. They reward consistency and they punish disruption. Consider what is at stake. We have given our young people a youth quota and for the first time, a real seat in this Parliament. That first generation is only now learning to lead.

We have built roads, dams, energy, ICT infrastructure and reformed our schools. Every one of those investments needs steady hands and institutional memory to deliver its full return. Institutions that restart every few years never finish what they begin.

There is also a plain economic case. Elections are essential to democracy but they are not free, requiring registration, administration,

ballots, security and civic education. The honest question is, how do we balance the costs against clinics, classrooms, food security and climate resilience? In addition, beyond costs, stability itself is an asset. Investors and partners commit for the long term only when the future is predictable.

Mr. President, look at those who transformed themselves in a single generation. China, India, Rwanda, Singapore and Botswana differ in every way but each held to a consistent national purpose long enough to see it through; the transformation rewards endurance.

Notwithstanding that, I am a Senator and to the mover of the Bill, the Hon. Minister of Justice, the people of Mashonaland West, who sent me here to represent them, overwhelmingly and peaceably supported the CAB 3 in its entirety.

I humbly ask the Members in this House to judge this Bill not as a slogan but as a question of national strategy. Can continuity help us consolidate the gains we have made, recover the ground we lost to the pandemic, give our young leaders time to grow and carry Vision 2030 across the finish line? I believe it can and on that basis, Mr. President, I commend Constitutional Amendment (No.3) Bill to this House.

HON. SEN. CHAKABUKA: Thank you Mr. President. Firstly, I would like to thank the Minister of Justice, Hon. Ziyambi, for bringing this Bill to this House and I would also like to thank Hon. Sen. Mavenyengwa, the Chairman, who also brought the Bill to this House.

It was well explained by Hon. Ziyambi that we have no questions anymore to ask because all the questions that we wanted to ask or debate have already been debated.

I would also like to thank you for granting me this opportunity to add my voice on this very important debate which is going to change the political landscape in our beloved motherland.

Our Constitution is a sacred document and must be treated as such. A Constitution is a document that we cannot amend when it becomes inconvenient to us all. Having said this, Mr. President, allow me to speak a few issues on this Amendment Bill.

I will not dwell much on the issue of the traditional leaders and the chiefs. That has been said at great length about it but in Shona we say, *dzokororo ine simba*. Allow me to *dzokorora*. – [Laughter.] -

It is my firm belief that it is also the belief of the people from where I come from, that traditional leaders must remain apolitical. It is a receipt for societal instability if we allow the custodians of our culture, a land and unity to be political party activists or political leaders. Traditional leaders must be non-partisan and must not be allowed to further the interests of any political party or cause.

Let us consider the on-the-ground impact in the communities we come from and ask ourselves these critical questions. Will a citizen approach a Chie who accompanied his political opponent to resolve a dispute? Will a Headman who is partisan be trusted to distribute drought relief fairly? I submit that we are not empowering culture by allowing our traditional leaders to be partisan. We are actually destroying our moral fabric of traditional fair practices. This has already been said by others but I thought I would also repeat it.

Mr. President, the Zimbabwe Gender Commission was created to promote gender equality, investigate Gender Based Violence and monitor compliance with gender balance in various sectors of our communities. Removing the Zimbabwe Gender Commission is like

abolishing the fire brigade because there is no water – [HON.

SENATORS: *Hear, hear*] –

It is threatening women's constitutional protection for political convenience. Mr. President, we need an independent body to hold the executive accountable under the SADC Gender Protocol. If the Zimbabwe Gender Commission is abolished, there will be a serious gap in that oversight. If the Zimbabwe Gender Commission is deemed to be weak and ineffective, it has to be capacitated so that it delivers.

The issue of the voters' roll has always been a contested area. It is my submission that the voters' roll and all processes surrounding its creation and management must be under an independent institution. This enhances their independence and creates confidence with the voting public.

Mr. President, if the voters' roll is created and managed by a Government department, there is a serious risk of manipulation because the Government is run by political appointees. There may be a serious temptation to manipulate it to favour the incumbent in any election. That is my thinking, Mr. President.

We should strive to empower and capacitate our independent commissions so that they deliver rather than to take some of their duties and allocate them to Government departments. This comprises neutrality, delivery and accountability, which may be the reasons why the independent commissions were created.

The issue of Senators who are going to be appointed, I am very happy that they are going to be elected and this will also reduce workloads. I am in support that they be elected so that we can work together to produce results.

With these few words and these submissions, I would like to thank you and I support Mr. President.

HON. SEN. MATHUPULA: I advise Hon. Senators not to spend too much time on items that have been discarded by the National Assembly.

+HON. SEN. DR. CHIEF. NGUNGUMBANE: Thank you very much, Mr. President, for this opportunity to say something. The elders say if you hear a drum making too much noise, it is going to break. Other people have spoken. What I can say and add on is that

the traditional chiefs in the Midlands have sent me to say to this august House and the whole nation that they are supporting the Bill.

This is the first message that I want to say. These are not my words, but their words since they have sent me. I will look at Clause 11, Mr. President. The Minister said in Section 59 of the Constitution that there is going to be a Delimitation Commission. Thank you, Minister, for saying that there is going to be a chief who is going to be a member of this commission.

What bothers us, Mr. President, is that this chief should be knowledgeable about delimitation issues. I think this clause needs to be rectified in some way.

I want to support Clause 25 of the Chairperson's, and end with Clause 24. I want to thank the Minister of Justice, Legal and Parliamentary Affairs, for the work that he has done. They were knocking off at around 11 pm and 12 midnight, amending Bills in the National Assembly, on clauses which were talking of the youth and the women.

We wish that our Parliament be an example to the provincial councils and local authorities on how people should lead and the

criteria for selecting people who should get into the provincial councils and the local authorities.

Madam President, I have a request to the Minister and I will say it when we are about to get there. Hon. Chief Siansali has highlighted that there should be chiefs. I want to add on, Madam President, that persons with disabilities must also be members since we have these two in the provincial councils and the provincial authorities – [HON. SENATORS: *Hear, hear.*]-

These people are representing 15% of the population of Zimbabwe. We cannot close an eye on them, not realising it and not respecting it, because they have to say something in all these Houses. Thank you, Madam President, for giving me this opportunity to say a few words.

HON. SEN. C. MUTSVANGWA: Thank you, Madam President. I will try to be short since I am not feeling well, but all the same, I want to start by giving praises to the Minister of Justice, Legal and Parliamentary Affairs and his team. From the beginning, when he presented this Bill before the two Houses of Parliament, he has done a fantastic job and he has carried this Bill through to the

consultative process all over the country. One of the most animated political engagements for the people of Zimbabwe.

I do not think, aside from the elections of 1980, which were a product of our liberation war, there has been such engagement by the Zimbabwe people as we have had over this Bill – [HON.

SENATORS: *Hear, hear.*]-

Equally, the debate in our Lower House showed the enthusiasm of the parliamentarians, the deputies who have been sent by various constituencies to come and represent them at the national level. The debate was, to say the least, scintillating. It showed Zimbabweans at their bestowing the world that they love their democracy, that when it comes to defending the interests of the people of Zimbabwe, the deputies in the Lower House are up to speed. The same spirit is being shown in this House. I can see that people are showing a lot of enthusiasm for the work that is before them in this Bill.

I know that the principles which were put across by the Hon. Minister of Justice, which also included, revisions and removals of certain clauses which would not have found favour with the two Houses, showed that the Minister is attuned to the needs of the

people of Zimbabwe. I will not dwell on those clauses which you already have dispensed with.

On the other clauses, I fully support the Bill but I will single out one which is the elongation of the term of the President. The President whom we have now, even if he is a beneficiary of this Bill, would by any measure deserve to be given a longer period in office to complete the work which he has been doing. In 2017, this country was in a state that nobody wanted to be associated with. When you went to foreign countries, your head was stooped low because everybody was finger-pointing at Zimbabwe as a country that was going to fail as a modern African State.

There was this perception that the hopes of 1980 had been ditched but President Mnangagwa is the comeback child. What he has done in the seven to eight years of his rule is such that the whole world is happy about Zimbabwe once again. When you get to a country like this in the United Nations, in a board which is like this one, of 195 countries and there is a vote on who becomes a member of the Security Council, Zimbabwe falls the highest without even any opposition. It shows that we have come back again as a country where

we can show the world that we are proud of who we are and we are responsible citizens on the global stage. If a man like that is in charge, we say, “If it is not broken, do not fix it”. Let him have more time driving this country to where it should be. He has a vision of 2030, of Zimbabwe being a modern middle-income status country, which is a noble aspiration.

Another two years of him and if he does not offend the Constitution, like what we are doing right now, he does not offend the Constitution, it means we are wise to let a good man be in charge of the driving seat of a country of clever and heroic people. So, that clause is the one that I stand by. I am very happy with it and I am also happy that so far, in this House, there has not been a dissenting voice to that clause. Let it be like that Madam President. This is a good thing and I want to close my debate with those few words. I fully support what the Minister of Justice has done and I hope this House will live up to speed. I thank you.

+HON. SEN. C. NDLOVU: Thank you Madam President for giving me this opportunity. I would also like to thank the Minister of Justice, Legal and Parliamentary Affairs for bringing CAB3 here so

that we can debate it. I would like to thank the Chairperson of the Human Rights Thematic Committee, Hon. Sen. Mavengwa who is also my Chair. I am also a Member of the Human Rights Committee. I have gone around and was assigned to Mashonaland East during consultations. I have seen a lot and I heard a lot of people, reporting what they saw where they went out.

On the Constitutional Amendment (No. 3) Bill, I will touch on two issues only. I will talk firstly about the issue of the Zimbabwe Electoral Commission (ZEC) which has said it should be at least at the back of the queue. Like someone who has been on the opposition, ZEC was not doing well for us and we were always skeptical about ZEC and crying about it. Now that ZEC has been removed...

THE TEMPORARY PRESIDENT OF SENATE (HON. SEN. E. NDLOVU): Order, Hon. Senators, let us give each other time to debate. Go ahead Hon. Sen. Ndlovu.

+HON. SEN. C. NDLOVU: Thank you Madam President. I have seen that it is going to be a problem for us in the future, now that ZEC has been removed because it was not doing well for us in the opposition. I am looking at the extension of the term of the President.

When I was just looking at it at the Beitbridge Border Post, I was there last month; I was lost in which country I was, because it had been a while since I had been to the border. I was looking at the roads in Matabeleland, the Nkayi Road-Victoria Falls Road, the Beitbridge-Bulawayo Road and the Matopo Highway. These roads are being rehabilitated and this shows that there is development.

For many years, these roads were not being looked at. If more years are added, it means these roads might be completed because in Matabeleland, we have never had any developments. With these words, I would like to thank those who brought the Bill to us. I also want to thank Hon. Senators who debated. It shows that it is the elders and not the children.

HON. SEN. D. M. NCUBE: Thank you Madam President. Let me start by commending the Minister of Justice for his focus and clarity of vision. It gives us hope for the future; thank you Hon. Minister. I will touch on four clauses. Let me start by also commending the Constitutional Amendment (No. 3) Bill and it is a defining moment in the history of constitutional democracy in Zimbabwe. It is a powerful statement that changes, invigorates and

renews the aspiration of the people in terms of a new constitutional order. It represents a significant step in the continued evolution of Zimbabwe's constitutional and governance framework.

Let me move to Clause 3, which is one of the most important reforms, in my view, proposed by the Bill, which is the election of the President by Parliament rather than through a direct national vote. This approach is not without precedent as it is successfully employed in several parliamentary democracies around the world as we have heard. By adopting this approach, the amendment promotes consensus-building and encourages cooperation among political actors. It also reduces the tendency towards highly polarised and expensive presidential election campaigns that often divide societies and consume substantial resources.

On the extension of the Presidential and Parliamentary terms from five to seven years, this is another commendable reform which has been ably articulated in this House. The savings which will be realised by extending the election cycle will be directed to needy areas and towards development priorities such as education, health care, water supply, roads and energy infrastructure.

Let me quickly move to the proposed transfer of voter registration and maintenance of the Voters' Roll to the Registrar General, which is another commendable reform. The Registrar General is the principal custodian of the national identity and civic registration records and is therefore well placed to maintain accurate and up-to-date voter information.

The amendment also allows ZEC to focus more effectively on its core mandate, which is supervising and conducting elections. The establishment of a separate Delimitation Commission is a progressive reform that promotes institutional specialisation. An Electoral boundary delimitation is a highly technical exercise involving demographic analysis, cartography, population distribution and administrative consideration. Creating a dedicated commission with expertise in these areas enhances professionalism, objectivity and transparency in the delimitation process. May I bring to the attention of the Hon. Minister some observations which I have made, particularly on the proposed Section 92, which I have spoken to. It states that the Presidential election must take place following the swearing-in of Members and election of Presiding Officers, but does

not specify when this must occur. The word following defines the sequencing of events; it is not a measure of time.

The Bill according to me Madam President, which I am bringing to the attention of the Hon. Minister, should be strengthened by including a clear and mandatory time limit for the election of the President after the Presiding Officers of Parliament are in place. In fact, in my view, a provision along these lines, the election of the President shall take place within seven days following the election of the Speaker of the National Assembly and the President of the Senate.

That way Madam President, we would have put a clear marker in the process, which is very important in my view. In conclusion, Madam President, while constitutional reforms inevitably attract debate, the proposals contained in the Bill provide a coherent framework aimed at enhancing stability, efficiency and institutional effectiveness as well as long-term national progress. I so commend the Bill, Hon. President of Senate.

HON. SEN. MATIBIRI: Madam President, thank you very much. I rise to add my voice to this very important national

conversation occasioned by the Constitutional Amendment (No. 3) Bill. Madam President, I was one of the few Senators from this august Senate to be accorded an opportunity to lead a team that was enlisting the views of the masses of our people in the consultative processes in Mashonaland West.

Indeed, Madam President, of all the meetings that I chaired, Constitutional Amendment (No. 3) Bill received widespread support. Madam President, while this is so, and given the historical importance of this Constitutional Amendment (No. 3) Bill, it is only fair that we as Senators look at the process and the intended outcome critically. We lose nothing by doing so. We will be standing in Fidele with the values of our national liberation.

Madam President, history has warned us against the illusion that a nation's destiny can be resolved entirely through legislative headcounts separate from the lived realities of our people and their daily struggles. Without a shared national governance covenant or a deep-rooted consensus, as I seem to see, we run a profound risk of distancing ourselves from the very people we seek to represent.

Madam President in that spirit, there is nothing wrong. I stand in fidele with the submissions made by Hon. Sen. Zvidzai. There are constitutional clauses that - we have the Hon. Minister and I thank him so much for bringing this Bill to us. In Mashonaland Central, the people overwhelmingly supported the inclusion of traditional chiefs in politics. They also supported that the Gender Commission be conflated with the Human Rights Commission. They supported that but the Lower House, in its wisdom saw it fit to expunge that. So, there is nothing wrong, Madam President, in us adding to spice up this important process.

Where am I going? The history of our nation has been such that we have always stood in fidelity with the people. The war of liberation was fought with the support of the masses of our people. The people were like the water and veterans of the liberation struggle who are listening to me now were like the fish.

There is no way we could have defeated imperialism without the support of the masses of our people. This is why I will reiterate and support Hon. Sen. Zvidzai proposition that let us aim for a higher value. If indeed the people of Mashonaland West, where I chaired,

overwhelmingly supported this, there is no way, Hon. Minister, they can spice up your Bill if you give it to them through a referendum.

There is absolutely nothing. We should not act as if we are afraid of the people. They are listening to us right now. They are seeing us debating this important Bill. I think there is one thing that is occupying them. Why not just bring this Bill to us and we endorse our signature? Yes, I am not a lawyer; it may be correct that these particular issues that we are talking about do not lend themselves to a referendum. We lose nothing in consulting the sovereign because it is in our history, it is in our DNA to do so and it will improve the integrity of this whole process. That would be my view Hon. Madam President, that going forward, we must also think about the framework that we must create.

Let us assume that this Bill passes through. We need to be inclusive in terms of the architecture going forward and we have done this before. We instituted and worked through the Government of National Unity. It is important that Zimbabweans feel they have something out of this particular process. Leaving them behind will eat into the credibility of this process.

Madam President in conclusion, let us keep close to the masses of our people. Let us not act as if we are afraid of them because we will still go back to them one day. We may avoid them now, but one day we will go back to them and they will be waiting for us. Carrying them forward would put an icing on this process. I so submit, Madam President and I thank you.

HON. SEN. R. M. NDLOVU: Thank you Madam President, for affording me this opportunity to also air my views on the CAB3. I want to say from the outset that I want to support or applaud the Minister of Justice, Legal and Parliamentary Affairs for bringing this Bill. Secondly, I would like to applaud, in particular, Members of the Lower House who debated this Bill thoroughly as expected of the House. I must say, Madam President, that from the arguments that were proffered in the Lower House, it is clear that the vast majority of our people long for a day when our politics cease to be toxic and will be about development and prosperity. It is clear, Madam President, that our people want to see a united Zimbabwe. I, therefore, take the stand to support the Constitutional Amendment of (No. 3) Bill.

Madam President, I represent Matabeleland South in this august House. We were in the Committee that visited all seven administrative districts. There was no dissenting voice. There were so many people attending these meetings and they all supported Bill (No.

3). I, therefore, want to commend the people of Matabeleland South and I believe this august House is going to support them as well.

Madam President of the Senate, the Second Republic has something to talk about, something to listen to and there is something to hear about in terms of development. Several people who stood here before me spoke very well about what is happening. His Excellency took the reins in 2017 and what he has done as Head of State and Government is really amazing. I believe if he is given the mandate to take this country for the next seven years, he is going to do wonders. So, I want to urge this House to also support and follow the Lower House debates.

I believe that the next President will be elected by Parliament, which Parliament will be elected by the generality of our people. Therefore, delivering one man one vote is very much in line with

what we want to do. The Constitution of 2013 gave powers to the House to impeach the President or pass a vote of confidence if they felt the President was doing wrong things. However, I believe that our President, in the little time that he has been in office, has tremendously changed the face of Zimbabwe in terms of development. When you go out, as someone said, he was a bit lost when he went to Beitbridge. That is the first border post of its kind in the region of Southern Africa. The roads that are being built are tremendous. So, Cde. Madam President, I wish to urge this House to overwhelmingly support the Bill and the amendments that have been put forward by the Minister of Justice. I wish to thank you very much.

***HON. SEN. MUZODA:** Thank you very much Madam President. I will start by thanking the Minister who has brought us back to this House so that we can debate this issue that was discussed out there. Madam Chair, I am one of the people who went out to Manicaland as a Vice Chairperson. We went there to listen and gather the people's views. To tell the truth, Madam Chair, in all my life, I have never even spoken lies except for here and there as a person of flesh. When we were going around all the places, the Bill was being

welcomed a lot. I do not know if those that were coming and going also welcomed it like that but those who were present fully welcomed the Bill. Madam President of the Senate, ‘you can never take your senior's position’ is a proverb that we use in our Shona language and it talks about the relationship between people and how they respect one another in terms of their ranks. There is a word that is called toxicity in reference to elections, which shows that there is a need for clean-ups when it comes to elections. We refer to it as some dirt that needs house cleaning. This needs to be washed so that Zimbabweans can move in harmony or in unison.

Madam President, as I stand here, I have participated in elections since 1990 but since 2000, our elections have been a sham because of violence, murder, stealing and destroying each other's properties. It is good to say the truth and shame the devil. As the Minister was delivering his speech supporting the Bill, laying the foundation of the Bill for the people who cast their votes in this country, so that voter registration can be sent back to the Registrar-General’s Office, commonly referred to as Mudede, would it not be better if ZEC then does voter registration? You give it more power,

capacitate it and give it more funding to be able to discharge its duty as an independent institution. My view is that ZEC must be given the mandate to run elections. To avoid election result disputes, all this should remain in the hands of ZEC so that political players are satisfied.

Thank you, Madam President, for the short time that you have granted me to debate this Bill. This august House is equally important or equally the same as the constituencies where we come from. We get people with divergent views in terms of this Bill. So, like what others are saying, would it not be good for this matter to be referred back to the people? There is nothing wrong with Parliament debating the issue and giving its views. The truth, Madam President, is that the time we spend trying to find one another so that we can come to an agreement, we should listen to what the minority said and move in accordance with that view and go back to the majority – [HON.

MEMBERS: *Inaudible interjections.*] –

THE TEMPORARY PRESIDENT OF SENATE (HON. A.

DUBE): Order, please!

HON. SEN. NYATHI: Thank you, Madam President. I rise to support the Constitutional Amendment (No. 3) Bill of 2026, on behalf of the people of Matabeleland South Province. I am doing so guided by simple principles. Constitutions must not only protect democracy but must also create conditions for effective governance, national stability and sustainable development.

Today, I wish to focus on two key provisions of this Bill, the extension of the Presidential term and Parliament from five years to seven years and the election of the President by Parliament. These proposals are intended to strengthen constitutional governance, promote stability and ensure that national development programmes are implemented within a practical governance framework.

Clause 4, 9 and 10, the seven-year term - Madam President, development is not an event; it is a process. A hospital is not built in a session, a major dam is not completed in a session, a road network and an irrigation scheme or an industrialisation programme cannot be conceived, funded, implemented and fully evaluated within a short political cycle. The Bill correctly recognises that national

development programmes benefit from stability, continuity and a predictable governance environment.

In Matabeleland South, our people continue to demand improved water, infrastructure, climate-resilient programmes, better roads, irrigation, development and expanded economic opportunities. These are long-term undertakings that require consistency in the policy direction and sufficient time for implementation. The proposed seven-year term seeks to provide that continuity. The memorandum to the Bill expressly states that the amendment is intended to allow sufficient time for project implementation while promoting stability.

Madam President, there is an African proverb which says, ‘the one who plants a tree may never sit in its shade’. The lesson is simple: meaningful development requires us to think beyond the immediate political cycle and to create conditions that allow programmes to mature and bear fruit. Importantly, the amendment does not abolish elections. It does not remove term limits. It simply provides a longer period within which a government can implement its mandate before returning to account to the people.

Clause 3, election of the President by Parliament; Madam President, I support the proposal that the President be elected by Members of Parliament sitting jointly as the Senate and National Assembly. Some may ask whether this remains democratic. My answer is yes. Every Member of Parliament in this House and in the National Assembly delivers his or her mandate directly from the people of Zimbabwe. Therefore, when Parliament elects a President, it does so as the collective representative of the people.

The Bill establishes clear safeguards. A candidate must secure more than half of the valid votes cast. If no candidate obtains a majority, a runoff is conducted between the leading candidates. The process is overseen by the Zimbabwe Electoral Commission or a designated judge and conducted according to the Standing Orders of Parliament. These provisions are designed to ensure fairness, transparency and accountability. Indeed, the memorandum states that the proposed system promotes openness, judicial oversight and constitutional accountability.

Provinces such as Matabeleland South, the proposal also ensures that provincial voices remain central in the selection of the national

leadership. Every Senator and every Member of Parliament becomes part of the process, reflecting the diversity and unity of our Republic.

In conclusion, Madam President, the responsibility of leadership is not merely to govern today but to prepare for tomorrow. The amendments before us seek to provide stability, continuity and effective governance. They seek to create a constitutional framework that supports long-term development while maintaining democratic accountability. As representatives of the people, we must ask ourselves a simple question. Do we want a system that allows national programmes sufficient time to succeed and institutions sufficient stability to perform effectively? I believe this Bill provides that opportunity. Nations are not built by what they promise during campaigns. They are built by what they deliver over time.

For this reason, Madam President, I rise in support of the Constitution of Zimbabwe Amendment (No. 3) Bill of 2026 and urge this House to support it. I thank you.

HON. SEN. CHIEF MATHUPHULA: Thank you very much President of the Senate for the opportunity to speak to the Bill which is before us. I thank the Hon. Minister of Justice for bringing this Bill

to the House and my Chairman in the Human Rights Committee for reading the final report of the consultations which took place on the ground.

Madam President, I was one of those who were fortunate enough to be in the front seat when we were going to hear the views of the people. I was the Deputy Chairperson of Team J, which was going around Matabeleland North. At least I got to hear the views of the people firsthand about this contentious Bill, CAB3. Of all the people that we spoke to, the overwhelming majority supported the Bill in its entirety. So, taking from that, Hon. President, I, representing the people of the traditional leadership from Matabeleland North, wish to support this Bill in its entirety, There are clauses talking about the extension of the term of His Excellency the President. As Matabeleland North, we would wish to see that extension because there are many projects we wish to see reaching their completion. The Gwayi-Shangani Dam is one of the big projects taking place in Matabeleland North and we are waiting to see it reach completion. Just next to my area, near Siphepha Railway Station, there is a big pump station pumping water from the Gwayi-Shangani

Dam to Bulawayo. We are also beneficiaries of that pumped water.

We are waiting and we are also seeing a lot of progress being made. I think it is 80% now and we know that by 2030, the project will be 100% complete.

Units 7 and 8 at Hwange Power Station are also providing quite a large portion of the electricity Zimbabwe is getting right now. In 2030, that will be at 100% completion. The roadworks are being done on Victoria Falls Road, Nkayi Road and many other roadworks. We know that by 2030, those will be completed. There are many other projects and we need to give the person in charge of these projects enough time for him to see them completed.

I will not waste time on many other things to be said, save to say that let the Bill sail in its entirety. I did not see the Hon. Minister here but there is an issue which was raised; I think two or three people talked about it, where we have our rural district councils giving the youth a substantial quota and our women a substantial quota. I truly and fully support that in its entirety. If you look at the country we sit in right now, youth have been allowed to speak to their issues, women have been given the same opportunities and the disabled have also

been given their opportunity, which is very good. If that is copied to the provincial and district levels, we will be very happy.

We have observed that traditional leaders are being excluded at the district level, which raises our concerns. If our youth can vote at rural districts, why should chiefs not also have the right to vote? If I can participate in national elections to address issues of national significance, it stands to reason that I should also be able to vote in my local area. This seems to be an oversight that can easily be addressed by those reviewing the Bill. As others have mentioned, traditional chiefs should be included in the amendment to ensure they have the right to vote. Madam President, thank you for this opportunity. I urge Members' support for the Bill and advocate for its passage. Thank you.

HON. SEN. MLILO: Thank you Madam President, for giving me this opportunity. My party has already stated that we support the spirit and intent of the Constitutional Amendment (No. 3) Bill. I rise to restate that position in the clearest and most unyielding of terms. –
[HON. SENATORS: *Hear, hear.*] -

Madam President, the Minister of Justice, Legal and Parliamentary Affairs, Hon. Ziyambi, has amended the original Bill and incorporated the requested amendments. We commend him for his leadership throughout this important process. – [HON.

SENATORS: *Hear, hear.*] -

Madam President, I want to address myself specifically to Clause 16 of the Bill. This clause seeks to amend Section 212 of the Constitution. I agree that this amendment is intended to structurally reinforce the provisions of Sections 213 and 214 of our Supreme Law.

Let me be clear, Madam President. We take immense pride in our Zimbabwe Defence Forces. They are our national pride. They stand as our absolute line of defence against external adversaries, the ultimate shield of our Pan-African democratic State and our sacred national sovereignty. It is rather strange, if not intellectually bizarre, to hear some of our colleagues argue that we should, as a matter of constitutional dictate, actively thrust our military into the arena of politics. Such an argument is self-evidently anti-democratic. What they are basically asserting is that they have no faith in our own capacity to win democratic elections. Instead, they desire that the

subjective whims of the most coercive arms of the State should grant them State power.

In terms of planning, Madam President, they want coups. They are coup-mongers. The military is an instrument of State power, structured to safeguard the collective will of our people, not to act as autonomous political arbiters. By advocating for the military to be active political arbiters, our colleagues are inadvertently admitting the poverty of their democratic politics.

What seems clear Madam President, is that these colleagues do not have a grounded understanding of the historic role of the military in a country like ours, which won its independence through the barrel of the gun in the revolutionary war of national liberation. They expose their lack of understanding of our history of national liberation. They are desperate to drag our military into politics to achieve what they cannot achieve at the ballot box. They must be stopped and they will be stopped by this amendment.

I am entirely confident that our military does not want to be involved in partisan politics. Our defence forces are a disciplined, ideological, mature and highly professionalised force. They will

dutifully salute and serve any democratically elected Commander-in-Chief, as they are sworn to do. They will continue to operate strictly as an instrument of the sovereign State, never as factional political players.

Let us give those who oppose this clause some history lessons and educate our colleagues on the nature of this country's liberation struggle. I will escape here. The warning means an absolute truth, even today. More so in our country, our soldiers must remain politically grounded to serve the masses and their democratically elected Commander-in-Chief.

In conclusion Madam President, let me take this opportunity to sincerely and most seriously request that we improve the conditions of service for our military personnel. Our soldiers should be appropriately compensated for the immense risk they take to keep our nation safe. Our military must be continuously modernised. This requires the Minister of Finance, Economic Development and Investment Promotion to substantially increase the budget allocation to the Minister of Defence in upcoming fiscal cycles. We will debate the technicalities of this at a more opportune time. I support this Bill

wholeheartedly for a seven-year term, Madam President. – [HON. SENATORS: *Hear, hear.*] – I thank you.

HON. SEN. SHIRI: Thank you Madam President, for affording me this opportunity to debate this crucial amendment Bill. Allow me Madam President, to thank my Human Rights Chairperson and also our Hon. Minister Ziyambi for bringing this crucial Bill.

Madam President, I am in total support of this Constitutional Amendment (No. 3) Bill. – [HON. SENATORS: *Hear, hear.*] - as a Senator representing persons with disabilities. Madam President, our President is a blessing to persons with disabilities. Persons with disabilities are farmers, lawyers, economists and community leaders. They also possess expertise.

Madam President, I am also excited to address the revised clause that provides for the President to appoint 10 Senators based on professional skills and competence, but only after consultation with Parliament. I propose to the Hon. Minister that we be clear that at least two persons with disabilities be included in the proposed 10% quota for local authorities and that a 10% youth quota be implemented within our local authorities across Zimbabwe.

Again, Madam President, as I said, the President's mantra of leaving no one and no place behind; I also support this Bill and respectfully urge the Hon. Minister to ensure that disability inclusion is expressly reflected in its provisions. Again, persons with disabilities possess the expertise across every area of national life. So again, I respectfully submit that the selection of these 10 Senators must reflect the full diversity of Zimbabwe's society, including persons with disabilities.

I therefore support CAB3 and stand with the voices of persons with disabilities in Zimbabwe. I so submit Madam President. – [HON. SENATORS: *Hear, hear.*] -

HON. SEN. NGWENA: Thank you very much Madam President for allowing me to add a few words on this important Bill, CAB3. I rise to contribute to the debate on the proposed constitutional reforms currently before the nation. I do so with a deep appreciation that constitutions are not ordinary laws. They are social constructs between citizens and the State, and any amendment thereto must be approached with both courage and caution. Our duty as legislators is not to worship the Constitution as an unchangeable document but we

must ensure that it continues to serve the needs of the nation, needs which are perpetually changing.

I just need to talk about the equal status of the Vice Presidents. Madam President, I support the proposal to give equal constitutional status to the two Vice Presidents. The distinction between the first Vice President and the second Vice President arose from the specific historical context following the 1987 Unity Accord between ZANU PF and ZAPU. That arrangement served an important purpose in consolidating peace and national reconciliation after a painful chapter in our history.

However, nearly four decades later, Zimbabwe is involved. The nation now seeks a governance structure that promotes equality among constitutional office holders. Equal status may strengthen collective leadership and reduce unnecessary perceptions of hierarchy within the Executive. At the same time, we must acknowledge the symbolic importance of the Unity Accord. Any amendment should thereafter preserve the spirit of national unity and inclusion, which I believe is in the living spirit of the historical Unity Accord of 1987.

On the transfer of voters' registration and Voters' Roll management Madam President, I support the transfer of voters' registration and management of the Voters' Roll to the Registrar General, provided adequate safeguards are established. There is merit in placing technical civil registration functions under a permanent administrative institution that maintains birth, death and national registration records. Such integration can improve efficiency, reduce duplication of functions and potentially enhance the accuracy of the Voters' Roll.

On the establishment of Delimitation Commission Madam President, I welcome the proposal to establish a dedicated Delimitation Commission. Boundary delimitation is a highly technical exercise requiring specialised expertise in demography, geography, statistics and electoral administration. A dedicated commission may allow this important function to receive focused attention and professional management. Such a board could also contribute to better constituency boundary reviews.

Madam President, on the reform of the electoral cycle and elections of the President, I strongly support the extension of the

Presidential term to seven years and the election of the President by Parliament – [HON. SENATORS: *Hear, hear.*] - rather than through direct popular vote. I support this proposal because it presents certain potential advantages for governance and national development.

Firstly, a longer electoral cycle can provide greater policy stability. Government may have sufficient time to implement long-term development programmes without being perpetually drawn into election preparations.

Secondly, indirect election by Parliament is not unknown in democratic systems. Various countries elect Presidents through legislatures or electoral colleges. Such a system can encourage consensus building and reduce financial costs associated with nationwide presidential campaigns.

Thirdly, reducing the frequency and intensity of national electoral contests may lead to political polarisation and allow greater focus on governance and economic development.

My conclusion Madam President, the proposal before us presents both opportunities and challenges. They seek to improve governance structures, enhance administrative efficiency and create

institutional clarity. These are legitimate objectives, yet constitutional reform must always be guided by three principles; that is national unity, democratic legitimacy and public confidence. While the amendment strengthens institutions, improves governments and promotes stability while preserving democratic accountability, they deserve our support. Where concerns arise, we must address them openly and honestly.

I, therefore, support the general direction of these proposals while urging the Parliament to proceed with openness, tolerance and a listening ear so that the Constitution remains an instrument that serves both present and future generations of Zimbabwe. So, I support CAB3. I thank you.

HON. SEN TONGOGARA: Thank you Madam President for granting me this opportunity as I rise to contribute to this important debate on the Constitution of Zimbabwe Amendment (No. 3) Bill of 2026. Let me begin by pointing out that constitutions are living instruments. They are not documents cast in stone but frameworks that must continue to respond to the aspirations, challenges and developmental realities of a nation. A constitution must preserve

democratic values while at the same time creating institutions capable of delivering stability, prosperity and sustainable development for the present and future generations.

I wish to acknowledge the extensive consultative process that accompanied this Bill. Parliament, in fulfilling its constitutional obligation to facilitate public participation, conducted nationwide consultations and received submissions from citizens across the country. The Joint Committee report indicates that the process was intended to ensure that the proposed amendments were informed by lived experiences, aspirations and democratic concerns of Zimbabweans.

As Zimbabweans, we must always remember that we have the sovereign right to determine our own destiny and design governance systems that speak to our own unique circumstances. Constitutional democracy involves copying models from elsewhere and learning from global experiences while creating solutions that are appropriate for our own national context.

I will dwell much on Clause 3 because a lot has been said about it but I just want to say the question before us is how to create

governance systems that strengthen accountability, protect stability and redress unnecessary political conflict. The presidential context has sometimes generated political tensions, prolonged disputes and uncertainty after elections. This has consequences beyond politics. It affects investor confidence, slows economic activity and it diverts national attention away from development.

Section 97 of the Constitution gives Parliament the power to remove the President through impeachment proceedings. If Parliament has the constitutional responsibility to hold the President accountable, there is an argument that Parliament should also have a role in selecting the President. We must also appreciate that this model is not foreign to Africa. We also have it here because at our local Government – [HON. MEMBERS: *Inaudible interjections.*] –

THE TEMPORARY PRESIDENT OF SENATE (HON. DUBE): Hon. Senators, let us do the business of the House please. Let us respect each other when debating. Continue Hon. Sen. Tongogara.

HON. SEN. TSHABANGU: On a point of privilege – [HON. MEMBERS: *Inaudible interjections.*] – Point of privilege. Point of

privilege Madam President. We really plead with you Madam President. This is an Upper House, which comprises traditional chiefs, men and women - most of them Senators who are at their last peak, 60 to 65. Some of us are on medication and we request that we adjourn so that we come back tomorrow and finish – [HON.

MEMBERS: *Hear, hear.*] – This is a chamber of elders with wisdom.

THE TEMPORARY PRESIDENT OF SENATE: Point taken.

Hon. Sen. Tongogara, may you continue with your debate?

HON. SEN. TONGOGARA: Thank you Madam President. I just wanted to say that we already have this in our local authorities in Zimbabwe, where we already have experienced mayors being elected by councillors. I think it is just a continuation of what we are already doing.

One of the highest challenges facing developing countries is the difficulty of implementing long-term national development plans within short political cycles. It is imperative to take cognisance....

HON. SEN. PHULU: On a point of privilege, I propose that Hon. Senator Tongogara be given another chance to start afresh tomorrow morning – [HON. MEMBERS: *Hear, hear.*] –

THE TEMPORARY PRESIDENT OF SENATE: Why Honourable – [HON. MEMBERS: *Inaudible interjections.*] – This is the Upper House. Please let us respect each other. Let us allow Hon. Senator Tongogara to finish her debate – [HON. MEMBERS: *We are hungry. Silambile.*] – [HON. TSHABANGU: *She is tired Madam President*] –

HON. SEN. MLOTSHWA: Madam President, point of privilege. When the House of Assembly was debating, they were provided with supper. I think it goes without saying that we must also be provided with supper or we dismiss and come back tomorrow morning – [HON. MEMBERS: *Inaudible interjections.*] – [HON. TSHABANGU: *We cannot hear anything*] –

THE TEMPORARY PRESIDENT OF SENATE: We will leave when she finishes debating – [HON. MEMBERS: *Inaudible interjections.*] – Order Hon. Senators. I said order! Let us let her finish. – [HON. SEN. PHULU: *There is no television, it is gone.*] – I am the Chair. If anyone wants to be Chair, they can come here. Let

her finish her debate, then we adjourn. Hon. Senator Tongogara, may you continue debating.

HON. SEN. TONGOGARA: Thank you for protecting me Madam President. I was saying that one of the greatest challenges facing developing nations is the difficulty of implementing long-term national development plans within short political cycles. It is imperative to take cognisance that development does not happen overnight.

I am therefore in full support of the Committee report which highlighted the major developmental projects that require an extended timeline to reach full implementation and that longer electoral mandates can provide greater political stability and continuity for national development programs – [HON. MEMBERS: *Inaudible interjections.*] –

THE TEMPORARY PRESIDENT OF SENATE: No, no, what you are doing is very bad. Let her finish, you were debating freely here – [HON. MEMBERS: *Inaudible interjections.*] – No. Do not undermine her. Let her finish. If you want to be the Chair, can you come to this seat rather than what you are doing as adults – [HON.

MEMBERS: *Inaudible interjections.*] – Do not say aah Hon. Senator Chitsamba. I am the Chair. If you want to be Chair, come here then I go down. Hon. Sen. Tongogara, may you please continue.

HON. SEN. TONGOGARA: As I conclude, the Constitution must save the aspirations of the Zimbabwean people. Our constitutional journey must continue to be guided by our national interests, our development priorities and our desire to build a stable, prosperous and inclusive Zimbabwe. The amendments before us present an opportunity to strengthen our governance architecture, reduce unnecessary political disruptions and create an environment where national development programmes can be completed. As Zimbabweans, we must have the right to determine our own path. We must have confidence in our ability to design institutions that respond to our circumstances while learning from successful experiences elsewhere.

Madam President, stability, continuity and development must remain at the core of our constitutional evolution. I, therefore, support the principles behind Clauses 3, 4, 9 and 10 of the Constitution Amendment (No. 3) Bill. Thank you.

**THE MINISTER OF JUSTICE, LEGAL AND
PARLIAMENTARY AFFAIRS (HON. Z. ZIYAMBI):** I move that
the debate do now adjourn.

Motion put and agreed to.

Debate to resume: Wednesday, 24th June, 2026.

On the motion of **THE MINISTER OF JUSTICE, LEGAL
AND PARLIAMENTARY AFFAIRS, (HON. Z. ZIYAMBI),** *the
House adjourned at Eighteen Minutes to Nine o'clock p. m.*