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**Parliamentary Committees and Good Governance  
in Africa: A Comparative Study of Kenya and  
Zimbabwe**

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**Thesis submitted for the degree of PhD**

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## **Abstract**

Parliamentary reforms gradually happening since the last decade in former British colonies or Commonwealth countries following or adapting the Westminster governance model have led to the establishment of Parliamentary Committees (PCs). Little known about PCs is what they are, what they do, what they have achieved and whether they add any value to Parliaments' traditional scrutiny, oversight and legislative roles. In Africa, PCs arise amidst some political rings dominated by strong ruling parties practicing rigid politics also known as "Big Men", "Neo-patrimonial" or "Clientelism" because of their skills to evade and undermine democratic institutions, including Parliaments. The following research question arises: What is the efficacy of PCs in countries ruled by strong political parties? The paper uses two approaches to respond to this question. First, and through extensive document review, it studies PCs' behaviours from earlier Westminster democracies of the United Kingdom, Australia and Canada and PCs from emerging Westminster democracies of India, Bangladesh and Singapore to discover PCs' fundamentals, empirical variations and utility to hinge on the thesis. PCs from Kenya are picked to represent Africa because Kenya has adequate, comparable historical similarities and intriguing governance differences with Zimbabwe, the main case study. Secondly, using a focus group discussion, elite interviews, participatory observations and document review, an in depth discussion of PCs from Zimbabwe is brought in for broadening of empirical comparisons and generation of evidence based thesis on efficacy. To present and sustain the originality of empirical evidence, the document is not necessarily and strictly aligned to some form of theoretical or analytical frameworks though allusions to good governance tenets are not uncommon.

The paper shows that as small groups of Parliamentarians composed of Members from all political parties in Parliament according to their representation ratios, PCs provide rigorous scrutiny and oversight of specific government departments or Ministries Parliament cannot do with the same thoroughness. In this regard, strong ruling parties no longer have complete

freedom to make and implement legislative and policy decisions without difficult questions from respective PCs. Although PCs cannot force ruling parties to take up their suggestions, their recommendations formulated from a hybrid of different civil, expert, professional and political ideas add value to governance processes. They carry a lot of weight accrued from and legitimised by powers to call for documents, summon witnesses, solicit expert advice and consult the public. As a result, the paper argues, PCs humble the powers of the ruling parties without entirely throwing them out of control or pushing them to total submission. Ruling parties retain the final decision making through the use of Parliamentary majority or Executive powers to reject PCs' inputs they don't like, especially those challenging their hold on to power. PCs inefficacy, the paper further argues, is not only limited by bureaucratic arrogance, poor parliamentary resourcing and financing or lack of requisite legislative, scrutiny and oversight skills among Members. Safeguarded individual political party positions sustained by political party institutions called the whipping system and the obscure separation of powers where Executive Members double as Legislative Members leave PCs with little power and influence to successfully oversight, scrutinise and legislate. The document concludes even though PCs are not equally efficient, governments, even strong ruling parties, do not completely ignore their questions, suggestions or recommendations. Some, converging with government policies, are immediately implemented. Others, requiring time for alignment to national policies, take months or years. But most will eventually be implemented – and reasons are always provided for those completely rejected.

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# Chapter 1:

## Introduction

### 1.1. Background and Context

A parliamentary democracy is a system of government where citizens elect representatives to the legislative parliament - or Legislature.<sup>1</sup> The power of the legislature comes from the voters. Legislatures are institutions where societies realize constant representative governance and integration of their voices in policy and decision making processes.<sup>2</sup> They mirror a range of citizens' preferences as expressed in elections in four ways. First, the Legislature represents by articulating and advancing the interests of the societies that voted them to power.

Second, the Legislature makes laws and policies governing the country informed by the voters, state and non-state institutions.<sup>3</sup> Third, the Legislature exercise scrutiny and oversight to ensure policies and laws formulated are faithfully implemented by the Executive and auxiliary institutions. Fourth, legislators, as individual Members of Parliament (MPs), provide constituency service.<sup>4</sup> This involves interacting with constituents to provide feedback and harvest their needs for possibilities of articulating in the legislature to inform policy. Constituency service also includes MPs' support of small scale, common good community development projects including development of roads, schools and water supply systems.<sup>5</sup> It is in this regard that Parliaments have been seen as the principals and custodians of good governance.

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<sup>1</sup> See Salih (2005).

<sup>2</sup> See Matiangi (2006).

<sup>3</sup> See Fish (2006; 2009).

<sup>4</sup> See Halligan *et al.* (2007).

<sup>5</sup> See Barkan (2008; 2009).

Governance and constitutional reforms that began in the 1990s after decades of authoritarianism in former British colonies or Commonwealth countries in and outside Africa also included parliamentary refinements and decentralization. Critical parliamentary reforms to assist in promoting good governance have been, in the last decade, the development of the parliamentary committee system.<sup>6</sup> In addition to “Housekeeping” or “Committees on Standing Orders” established primarily to facilitate the work of Parliament, Parliamentary Committees (PCs) devoted to enhance oversight, legislative and representative role of the Parliament have been established.<sup>7</sup>

## **1.2. Research Question and Objectives**

In the perspective of the above context, the following research question is posed: What is the efficacy of parliamentary committees from African countries with dominant presidents and political parties? The case of Zimbabwe and Kenya

To address the question, the study has the following objectives:

- i. To understand and examine the development of parliamentary committees and their functions;
- ii. To analyse contextual, structural and institutional systems under which parliamentary committees operate;
- iii. To analyse strategies used by parliamentary committees in executing their key functions and the difference they make to politics;
- iv. To assess the impact of parliamentary committees from two states with strong executive systems and
- v. To harness and consolidate key learning and best parliamentary practices to inform further debates on governance and parliamentary committees.

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<sup>6</sup> Pelizzo, (2007).

<sup>7</sup> Aldons, (2001).

### **1.3. The Problem**

Little is known about PCs as “oversight committees” and how they have performed in ensuring responsive government behaviour and redressing imbalances between the legislature and arms of the state.<sup>8</sup> There are also problems related to national, regional and international relations - with political, social and economic consequences – caused by inadequate understanding and appreciation of the role of and opportunities presented by PCs in challenging state practices, policies and laws undermining good governance. These are presented below in turn.

#### ***1.3.1. Trust deficit in African Parliaments – legitimacy and functioning of democratic institutions at risk***

Trust in African Parliaments, especially in countries with dominant presidents and political parties,<sup>9</sup> is on the decline. They have been accused of rubber-stamping Executive decisions and performing “constitutional coups” to increase the power of the presidents or their terms of office.<sup>10</sup> Senegal, Burundi, Congo, Burkina Faso, Uganda, Rwanda, Cameroon, Tunisia and Zimbabwe are examples.<sup>11</sup> African Parliaments have also been criticized for failing to take decisive actions in their oversight responsibilities. They are seen as having done little in tackling corruption, demanding transparency, accountability and responsiveness.<sup>12</sup>

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<sup>8</sup> Ahmed (2001:22).

<sup>9</sup> These are ruling bureaucrats that come to power through recognized elections - though some of them would be controversial - but also have direct or indirect control of and therefore support from consequential state institutions such as the judiciary, the police and the army that reinforce their hold on power and the decisions they make even if they are unpopular with the citizens. Whilst this may not be universal, the Presidents are powerful because their influence cuts across almost all important governing state institutions. They are part of the Legislature and can unilaterally make laws; they make key judicial appointments (for example Chief Justice) and Chairpersons of important independent Constitutional Commissions; they appoint Ministers and Deputy Ministers; they Chair the Executive and the Cabinet...

<sup>10</sup> Fombad and Nwauche (2012).

<sup>11</sup> Fombad and Nwauche (2012).

<sup>12</sup> UNECA (2017).

Similarly, citizens increasingly feel Parliaments are not adequately consulting them in major policy and decision making processes despite voting them. Some voters are therefore withdrawing from electoral processes.<sup>13</sup> Average voter turnout from Southern Africa has been decreasing in the last four elections up to 2020. In Kenya, it decreased by 10%; Malawi 20%; Zambia, 14%; Mozambique 17% and South Africa 25%.<sup>14</sup> Without greater improvement in parliamentary efficiency and effectiveness, African countries risk a trust deficit damaging the legitimacy and functioning of democratic institutions.

### ***1.3.2. Exclusion of poor governance performers***

International relations, especially Africa's Official Development Aid and critical financial support from the IMF, WB and others, is largely conditioned partly on the existence of effective oversight, legislative and representing institutions.<sup>15</sup> The WB has a Governance Global Practice initiative to help its client countries build "capable, efficient, open, inclusive, and accountable institutions."<sup>16</sup> The UN has established specific institutions or departments supporting and implementing good governance on the continent. These include the UNDP, the UN Democracy Fund, the Department of Peacekeeping Operations, the Department of Political Affairs and the Office of the High Commissioner for Refugees.<sup>17</sup> Calls for good governance are not only eminent at the international level.

The African Union, a continental body of fifty five countries making up the African continent, has also articulated some good governance ambitions. The *Africa We Want Agenda 2063* document, as number three of the 'Seven Aspirations', envisions "Africa of good governance, democracy, and respect for human rights, justice and the rule of law".<sup>18</sup> The expected Africa Agenda 2063

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<sup>13</sup> UNECA (2017).

<sup>14</sup> <https://www.idea.int/data-tools/country-view/312/40> [Accessed on 28 January, 2020].

<sup>15</sup> See Koehler (2015); Fine (2006).

<sup>16</sup> See *The World Bank* "Governance" at <https://www.worldbank.org/en/topic/governance/overview> [Accessed on 16 January, 2020].

<sup>17</sup> UN "Good Governance" at <https://www.un.org/ruleoflaw/thematic-areas/governance/good-governance/> [Accessed on 16 December, 2020].

<sup>18</sup> AUC (2015: 11).

results include capable institutions, efficient Parliaments and transformed leadership capable of promoting and facilitating good governance and democratic values and practices.<sup>19</sup>

These desires are reverberated in *Ubuntu*<sup>20</sup>, an African philosophy of civic virtue expecting individuals to promote the welfare of collective society. Ubuntu leadership, echoes good governance principles that value justice and equality, care for society and ultimate responsibility to the people and public interests.<sup>21</sup> It is from these bases this research intends to examine the efficacy of oversight PCs from countries with dominant presidents and political parties with particular focus on Kenya and Zimbabwe.

#### **1.4. Why Zimbabwe and Kenya? Adequate similarities and intriguing differences**

Zimbabwe and Kenya have been selected as two case studies for comparative purposes in the Commonwealth context because they have adequate historical and institutional similarities but intriguing differences in governance performance as shown below.

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<sup>19</sup> AUC (2015).

<sup>20</sup> The philosophy of Ubuntu derives from a Nguni word, ubuntu meaning “the quality of being human.” Ubuntu manifests itself through various human acts, clearly visible in social, political, and economic situations, as well as among family. It is embodied in the oft-repeated: “Ubuntu nguntu ngabanye abantu” (“A person is a person through other people”). This African proverb reveals a world view that Africans owe their selfhood to others, that they are first and foremost social beings, that no man/woman is an island, or as the African would have it, “One finger cannot pick up a grain.” Ubuntu is, at the same time, a deeply personal philosophy that calls on everyone to mirror their humanity for each other. To the observer, ubuntu can be seen and felt in the spirit of willing participation, responsiveness to the other, unquestioning cooperation, warmth, openness, and personal dignity demonstrated by the indigenous African population. For more on Ubuntu and good governance, see Nzimakwe (2014); McDonald (2010); Battle (2009).

<sup>21</sup> Asamoah and Yeboah-Asiamah (2019).

#### **1.4.1. *Contrasting governance performances though with significant historical commonalities***

According to 2018 Ibrahim Index of African Governance (IIAG)<sup>22</sup>, a tool that measures countries good governance performances in four categories namely safety and rule of law; participation and human rights; sustainable economic opportunity and human development, Zimbabwe is ranked 39<sup>th</sup> out of 54 African countries in overall governance of these categories - and has been slowing improvement in the last decade.<sup>23</sup> Other poor governance performers below Zimbabwe in the 2018 IIAG are Gabon (41<sup>st</sup>); Congo (43<sup>rd</sup>); Democratic Republic of Congo (47<sup>th</sup>); South Sudan (53<sup>rd</sup>) and Somalia (54<sup>th</sup>).<sup>24</sup> These rankings are not very surprising because the countries have been or are unstable partly due to protracted violent conflicts or extreme natural disasters or wars compromising their overall governance performances.<sup>25</sup>

Zimbabwe's performance is therefore intriguing as it was not or recently at war or in extreme conflict. Good African performers in the 2018 IIAG such as Mauritania (1<sup>st</sup>), Botswana (5<sup>th</sup>); Ghana (6<sup>th</sup>); South Africa (7<sup>th</sup>); Tunisia (9<sup>th</sup>) and Senegal (10<sup>th</sup>) have been maintaining their performances though improvements momentum have been slowing down.<sup>26</sup> An interesting performer is Kenya on the 11<sup>th</sup> in 2018 IIAG rankings because it is the only country that has displayed the most outstanding progression in overall governance in the last five years from 25<sup>th</sup> and 19<sup>th</sup> to 22<sup>nd</sup>, 15<sup>th</sup> and 11<sup>th</sup> in 2018.<sup>27</sup>

The contrasting governance performances of Kenya and Zimbabwe sharing similar history are fascinating. The two countries are former British colonies. They obtained their independence from the British government in 1963 and

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<sup>22</sup> See also <https://mo.ibrahim.foundation/news/2018/building-2018-ibrahim-index-african-governance-methodology-explained> [Accessed 29 October, 2020].

<sup>23</sup> IIAG (2018).

<sup>24</sup> *Ibid.*

<sup>25</sup> Calliers (2018).

<sup>26</sup> IIAG (2018).

<sup>27</sup> IIAG (2018)



1980 respectively after difficult wars of liberation. The wars were ended by Lancaster House constitutional settlements with a Westminster Parliamentary model exploited and tweaked by some of the post colonial revolutionary governments and their Executives to consolidate power.<sup>28</sup> The inherent legacy of colonial rule and anti-colonial struggles in both countries created post colonial states with a militant apparatus of violence to directly or indirectly suppress democracy and dissent to retain power.<sup>29</sup>

#### ***1.4.2. Experiences of similar conflicts related to democracy and governance processes attracting international attention and mediation***

In 2007, more than 1000 people from Kenya died in a civil war on contested presidential election results. In 2008, more than 100 people from Zimbabwe died and 200 disappeared ahead of June 2008 presidential election re-run.<sup>30</sup> In both cases, the strong ruling parties and their incumbent presidents, who had lost majority in Parliament, used violence to hang to government after recognizing signs to lose elections. The volatile political context of the two countries in 2007 and 2008 elections attracted international attention and mediation.

#### ***1.4.3. Similar post election conflict resolutions***

Post election conflicts in both Kenya and Zimbabwe led to the formation of compromise Government(s) of National Unity (GNU) in 2008 and 2009 in Kenya and Zimbabwe respectively. Kenya and Zimbabwe amended their constitutions after GNU to create the post of Prime Ministers from the opposition and mixed cabinet. It was largely the political context in which the 2007 and 2008 elections were held in Kenya and Zimbabwe respectively, and the ensuing election contestations and violence, that led to louder voices for new constitutions in both countries.<sup>31</sup> The two countries had previously tried to replace their Lancaster House constitutions – Zimbabwe in 2000 and

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<sup>28</sup> Gordon (1981).

<sup>29</sup> Raftopoulos *et al.* (2013).

<sup>30</sup> See Sachikonye (2009); McGreal (2008).

<sup>31</sup> See Cliffe (2011).

Kenya in 2005. Both lost in referendums partly due to excessive powers the draft constitutions gave to the Executive.<sup>32</sup>

One of the mandates of the GNU in Kenya and Zimbabwe was therefore to put in place institutional mechanisms to facilitate drafting of people oriented constitutions, including reforms of all state institutions to compel accountability, responsiveness and transparency.<sup>33</sup> Kenya passed its draft constitution in 2010 through a constitutional referendum whilst Zimbabwe's draft constitution passed a similar referendum in 2013.

While both countries still have strong dominating presidents and political parties, it is puzzling that Kenya has been showing improvement in overall governance performances in the last decade whilst Zimbabwe has been slowing down.<sup>34</sup> How has this happened and what accounts for the different performances? A comparative study focusing on PCs' behaviours in good governance would illuminate political dynamics, subtle features, differences or unexplained similarities with some additional values to the scholarship of politics and international studies as discussed below.

### **1.5. Research significance**

Whilst the research would be carried out in Zimbabwe and Kenya – and also in some selected former British colonies outside Africa - it is also intended to contribute to scarce PCs' literature and broader debates in African politics and international relations in relation to:

#### ***1.5.1. African Democracy***

There is an ongoing attempt by several authors<sup>35</sup> to monitor and evaluate the progress and utility of African democracy. The current debates revolve around electoral processes where political leaders are elected to represent popular interests. Questions have been raised on the fairness of elections or lack called

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<sup>32</sup> See SAIIA (2010).

<sup>33</sup> See Cliffe (2011).

<sup>34</sup> IIAG (2018).

<sup>35</sup> For example see Cheeseman and Klaas (2018); Okech-Owit and Kibwana (1994).

rigging. Concerns have also been raised on citizens' free and independent participation.<sup>36</sup> Governments, civil society organisations, local and international community have made a lot of investments in electoral processes though there are questions around the significance of election monitoring and or observation in broadening democracy.<sup>37</sup>

Cheeseman and Klaas (2018) argue that despite the extent to which democratic processes such as elections are observed by local and international observers, there have not been any significant changes in the way elections are manipulated. For them, it does not matter whether the substance of elections is democratic, so long as it can be made to look democratic to the outside world.<sup>38</sup> Thus the ballot has also been useful in propelling collapsing authoritarian regimes by bolstering legitimacy through well calculated, election manipulation formulae. In such "counterfeit democracies" ruling authoritarian leaders win the vast majority of the elections they contest.<sup>39</sup> This means only a small proportion of elections deliver political and institutional changes.

Yet elections, as the only universally acceptable way of changing governments, have generated excitement amongst African voters who form long voting queues on the Election Day. By looking beyond the Election Day and "manipulation" of elections by strong ruling parties, this study provides insights on outcomes of democratic processes and their significance to the maiden voters. To what extent have elected officials fulfilled their political campaign promises of good governance following elections? This research would be significant in adding a voice to the consequences of democratic processes.

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<sup>36</sup> Cheeseman and Klaas (2018).

<sup>37</sup> Chan (2019).

<sup>38</sup> Cheeseman and Klaas (2018).

<sup>39</sup> Cheeseman and Klaas (2018:11).

### **1.5.2. *African Institutions***

The document would add value to the understanding of political behaviour from interplay of formal political institutions (like the separation of powers between the Legislature and the Executive) and informal political institutions (like the whipping system).<sup>40</sup> This would be assisted by borrowing the critical question raised by Weaver and Rockman (2010) and apply it to Africa: “Do [African political] Institutions Matter?” Perhaps they do. Perhaps they do not. But what differences do institutions like PCs make to the way politics is done? Or what difference does the way politics is done make to the dynamics of institutions? By attempting to respond to these and other related questions, this project would deepen comprehension and appreciation of how institutions work in African contexts. It would reveal the nature and diversity of African institutions and why strong ruling parties choose to follow some and ignore others.

### **1.5.3. *African Governance***

For Africa, good governance has been seen as a journey. Names have been given to describe the way governance has been done in Africa: the “Big Men” politics; “neo-patrimonial” politics; “patron-client” or clientelism politics.<sup>41</sup> The strong ruling African governments have often been portrayed, without differentiation, as entirely good governance hangman. The rise of PCs does not only present an opportunity to illuminate obstacles encountered by African political entities in demanding good governance, but also their significance even in the face of strong ruling parties. By recognizing politics as heart of governance, especially role of political parties, voters, political markets and non state actors or civil society organizations, this project models how good governance could be successfully or unsuccessfully negotiated in Africa.<sup>42</sup> Further, the project would provide more understanding on Africa’s [good] governance transition or evolution in the context of ongoing democratic processes and emerging oversight, scrutiny and legislative tools such as PCs.

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<sup>40</sup> Hodgson, (2006)

<sup>41</sup> Salih (2018); Cheeseman (2015); Chan, (2003)

<sup>42</sup> Lateef (2016).

## **1.6. Theoretical and Analytical Framework**

This discussion will borrow from some of the good governance thoughts which will be combined, in the analysis, with some formal or informal political institutions as discussed below.

### ***1.6.1. The development of good governance thought***

It is not the intention of this document to discuss the concept of good governance in detail. But it is important to solicit guidance from some of the good governance tenets emphasised in the last two decades - and to show their development in detail to reveal significant thoughts that would inform this discussion.

The good governance narrative, a brainchild of the World Bank (WB)<sup>43</sup>, has evolved over years. Preliminary good governance characters were civil service reforms, legal reforms, accountability for public funds and budget discipline mentioned in the WB's General Counsel Legal Memorandum presented to its Board of Directors in December 1990.<sup>44</sup> Summers, as the newly appointed WB chief economist, added the principles of democracy – free and fair elections, freedom, transparency, participation, accountability and the rule of law - in April 1991 during a keynote address to the Annual Bank Conference on Development Economics (ABCD).<sup>45</sup> This was building from WB's 1989 report entitled *From Crisis to Sustainable Growth* which announced that “underlying the litany of Africa's development problems is a crisis of governance”<sup>46</sup>. The report advised going beyond earlier identified issues of

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<sup>43</sup> Created in 1944, the World Bank is a conglomerate of five institutions namely International Bank for Reconstruction and Development, International Development Association, International Finance Cooperation, Multilateral Investment Guarantee Agency and International Centre for Settlement of Investment Disputes. Initially created to provide funding for post World War II reparations, the WB has diversified its role to provide financial sources and technical assistance to developing countries across the world. Also see <https://www.worldbank.org/en/about> ; <https://reliefweb.int/organization/world-bank> [Accessed on 23 May, 2022].

<sup>44</sup> World Bank (1990).

<sup>45</sup> Stein (2009).

<sup>46</sup> World Bank (1989:60).

public finance, monetary policy, prices and markets to address questions of human capacities, institutions, governance, the environment and population growth and technology.<sup>47</sup> The theme of good governance dominated more than half a dozen WB reports that followed emphasizing on specific tenets seen relevant for a particular period.

The 1982 WB report entitled *Governance and Development* mentions four areas of good governance namely public sector management, accountability, the legal framework for development, and information and transparency.<sup>48</sup> In 1997, *The State in a Changing World* report recognized restructuring of public institutions and adherence to efficient rules and increased citizen voice and participation as critical ingredients of good governance.<sup>49</sup> Influenced by Douglas North's work on the role of institutions in economic history, the 2002 WB report on *Building Institutions for Markets* adopted an institutional economics approach. It emphasizes utility of political institutions and independent judiciary in supporting market activities and development.<sup>50</sup>

North (1990a) defines institutions as “the rules of the game in a society”, or, more formally, “the humanly devised constraints that shape human interaction”<sup>51</sup>. Institutions were expected to be alert to citizenry voices, environmental and social concerns after which they could evaluate diverse interests and implement rational decisions.<sup>52</sup> In 2004, the WB focused on good governance principles of service delivery and accountability. The 2004 WB report suggests improved framework for citizens to demand service delivery from their elected leaders who would in turn assert their influence to the service providers.<sup>53</sup> The WB report for 2006 drew from historical evidence that institutions sensitive to property rights, investment promotion

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<sup>47</sup> World Bank (1989:1).

<sup>48</sup> World Bank (1992).

<sup>49</sup> World Bank (1997).

<sup>50</sup> World Bank (2002).

<sup>51</sup> North (1990a: 3).

<sup>52</sup> World Bank (2003).

<sup>53</sup> World Bank (2004).

and political equality were equally important for development.<sup>54</sup> The importance of institutions is re-emphasized in 2011 WB report which largely focuses on conflict and security in fragile states. It argues that citizen security, justice and jobs could be made possible by good institutions.<sup>55</sup>

In view of the development of good governance and its numerous ideologies, questions arise on the best placed association or individual to ensure ruling governments commit and implement them to reduce poverty. Levy (1997) notes that although regular free and fair elections do not assure that politicians will focus on general interests or the common good, “political leaders are the prime drivers [of good governance], setting the objectives for the rest of the governance system”<sup>56</sup>. Parliamentary Committees (PCs) are recent governance associations seen with potential to persuade ruling parties to exercise good governance in governing nations. PCs’ efficacy will therefore be analyzed in the context of some of these good governance fundamentals.

### ***1.6.2. Analytical Framework***

This discussion will not analyse good governance and its relevance to the African context. Good governance in Africa - as both theory and practice - is already given. It is no longer relevant to debate whether it is appropriate. As shall be seen, the Constitutions of the countries under study commit to the principles of good governance as national values, objectives or aims. Whilst appreciating the good governance basics discussed above. PCs’ behaviours discussed herein will not always be strictly structured against or aligned to any specific good governance principle.

The thesis will show - even outside the breath of good governance - how the PC phenomenon has changed the way Parliaments perform their mandates. This approach is important in sustaining the empirical originality of data by letting it speak on realistic practices than unnecessarily forcing and shaping it to fit into some theoretical (good governance) frameworks.

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<sup>54</sup> World Bank (2006).

<sup>55</sup> World Bank (2011).

<sup>56</sup> Levy (1997:39).

But whenever possible, the analysis would be advised by common good governance principles such as participation (men and women having a voice directly or indirectly in decision making), consensus orientation (where different interests are mediated to reach consensus), responsiveness (service delivery) and accountability (responsibility over decisions or actions)<sup>57</sup> which are core determinants of PCs' effectiveness.

Similarly, allusions will be made, directly or indirectly, to formal institutions of state governance such as separation of powers. The concept of separation of powers "suggests that the principle institutions of the state – Executive, Legislature and Judiciary – should be divided in person and function in order to safeguard liberties and guard against tyranny"<sup>58</sup>. Montesquieu (1748) provides the earliest statements on separation of powers by stating that "When the legislative and executive powers are united in the same person... there is no liberty" because "...there would be an end to everything, if the same man or the same body...were to exercise those three powers"<sup>59</sup>. The strict sense of the interpretation of the separation of powers for good governance purposes is that none of the three branches or any Member of the three branches should exercise the power of the other.

Finally, the analytical framework to determine PCs' effectiveness would also lean on the informal institutions of political power such as the parliamentary whipping system. After an election, each political party in Parliament with a certain minimum number of MPs appoints a Chief whip. Their role is not only to communicate information about parliamentary procedures and programs.<sup>60</sup> They also ensure their MPs vote in parliament – and they vote for the position of their political party, even if awful. Governance patterns and decisions – and

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<sup>57</sup> Also see Institute of Governance (2003).

<sup>58</sup> See Benwell and Gay "The Separation of Powers – House of Commons Library" at <https://researchbriefings.files.parliament.uk/documents/SNo6053/SNo6053.pdf> [Accessed on May 17, 2022].

<sup>59</sup> See Montesquieu (1748).

<sup>60</sup> See The Parliamentary Review (2018).



behaviours of PCs' are also determined and shaped by such informal institutions.

### **1.7. Limitations**

The research methodologies were not applied consistently across the case studies because of travelling challenges caused by Covid 19<sup>61</sup> restrictions. For example, the researcher was not able to conduct in person elite interviews and observations in Kenya<sup>62</sup> and other Commonwealth countries. They were shut from foreigners to limit the spread of Covid 19. However, the researcher obtained useful information that significantly compare and contrast the examined countries' PCs' experiences not only from reviewing documents, but also from observing and analysing online videos of Parliaments and PCs in action. "Grey" materials – newspapers and magazines – found online were also very helpful. But the information obtained was only used to substantiate arguments when two or more of the "grey" sources corroborated.

The case of Zimbabwe where information was obtained using all the planned research methods – document review, participant observation, focus group discussion and elite interviewing - is presented as major case study. The challenge is PCs behaviours, observations and conclusions made in this document may not be easy to generalize to Africa or the rest of Commonwealth countries. But in general, the document provokes fundamental questions on evolution of good governance in emerging democracies as mediated by two of the three arms of the state - the Executive and Legislature.

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<sup>61</sup> A highly infectious disease first discovered in China in 2019 caused by a type of virus called corona virus. It causes fever, tiredness, coughing and changes to the senses of smell and taste. It leads to breathing problems, severe illness and even death in some people. Also see "Covid - 19" at <https://dictionary.cambridge.org/dictionary/english/covid-19> [Accessed on May 18, 2022].

<sup>62</sup> For example following the establishment of Kenya's Emergency Response Committee through Executive Order No. 2 of 2020 on February 28, 2020, "all travellers coming into the country was restricted to Kenyan and foreigners with valid residence permits..." See also Aluga (2020).

## **1.8. Outline**

This document is comprised of ten Chapters. The first Chapter introduces the dissertation. It illustrates the background and context, the research problem and the question. It shows the research significance and the dissertation outline. Chapter 2 reviews the relevant literature. It illustrates how the literature on PCs and their relationship to the Executive is scant for African and abundant for Western Parliaments. This is especially true for the experiences and behaviours of PCs from the United Kingdom (UK). The Chapter shows the importance of UK's PC experiences in the discussion as the case studies are former British colonies or Commonwealth countries that originated their Parliaments from the British's Westminster governance model. The British Parliament's experience is used in detail - together with scant materials from the African context - to reveal discussion spaces and gaps for this dissertation.

Chapter 3 is entitled "Methodological Pluralism and Reflexibility". The Chapter provides an analysis on connectedness and complementarities of elite interviewing, focus group discussion and participant observations - the three methods used to generate primary data for this thesis. The Chapter argues that the use of the three methods allowed for factual cross checking and triangulation subjecting the whole field research to some significant standards of rigour and reliability. Chapter 3 divides the interviewed elites into two categories - Ultra elites and Elites. Ultra-elites are high ranking bureaucrats interviewed comprising Clerk of Parliament, PC Chairpersons, serving or retired at the time of research, and Members of Parliament from different PCs. Elites are lower ranked, but powerful men and women working in or with PCs. These include interviewed Parliamentary Committee Clerks, leaders or representatives of state and non state entities including civil society and faith based organisations working with PCs in particular and Parliament in general.

Chapter 4 - "Single Template, Assorted Practices: Parliamentary Committees from Former British Colonies Outside Africa" - is an analysis of the behaviours of PCs from former British colonies outside Africa. The Chapter question is: "Why, how and with what variations and successes have former British

colonies outside Africa adopted and adapted the Westminster governance model?” Chapter 4 shows that several Commonwealth countries have voluntarily taken up the PC system to deal, in greater depth, with sophisticated oversight and legislative matters on behalf of the main Parliament also known as the House or Plenary. By discussing PCs from earlier democracies like the UK, Australia Canada and Australia and those from emerging democracies like India, Bangladesh and Singapore, the Chapter does not only discover their empirical variations and utility, but also extract some common and uncommon PCs fundamentals and behaviours to hinge the thesis. The mixed selection of the case studies where mature Parliaments from the United Kingdom (UK), Australia and Canada and relatively novice Parliaments from Bangladesh, India and Singapore help to establish a pattern of PCs’ behaviours including factors determining their efficacy. The Chapter starts by delineating the definitions followed by evaluations of PC composition, chairing, public involvement and effectiveness. It concludes although there are operational differences in PCs’ efficacy across the former British colonies, their mandates, characteristics, tools and strategies are analogous.

Chapter 5 looks at how PCs have evolved in the former British colonies from Africa. It narrows down to the specific case of Kenya as one African representative of former British colonies with a Westminster influenced Parliamentary model. Entitled “Scrutiny and Investigation Laboratories: Existence and Use of Laws in Kenya’s Parliamentary Committees” the Chapter attempts to respond to the following question: “How and with what success and efficiency has Kenya customized its PC system?” It argues PCs from Kenya have been relatively successful because they are highly motivated by favourable institutional frameworks which give them real, self administered power to demand good governance from the strong ruling party.

Reflections on empirical research findings from Zimbabwe - the main case study - begin in Chapter 6. Building from the general form, nature and characteristics of PCs largely identified in Chapter 4 - and partly in Chapter 5 - Chapter 6 takes a closer reflection on what it entitles “Tutorials in Parliament:

Nature, Structure and Power of Zimbabwe's Parliamentary Portfolio Committees (PPCs)". Guided by the Chapter question "Do existing institutional framework for Zimbabwe's PCs enable them to be effective", the Chapter traces the origin, growth and efficacy of PPCs from Zimbabwe and allusion to PCs from other former British colonies. Chapter 6 underlines that despite adapting important characteristics from other countries, the performances of PCs from Zimbabwe are highly constrained by poor budgetary support, dogmatic political party systems, government's hierarchical protocols and complex institutions making them hesitant and timid to fully accomplish. The Chapter concludes PCs are important multi-party governance organs that increase Parliament's oversight, legislative and scrutiny roles through rigorous monitoring and questioning of Executive decisions and actions. But success depends on the assertiveness of PPC Chairpersons and their ability to interpret, use and exercise their powers. Chapter 6 concludes by identifying citizens and non state actors or civil society organisations (CSOs) as critical stakeholders with a significant and outstanding stake in making PCs from Zimbabwe more effective. These are discussed in separate Chapters.

Chapter 7 takes the main case study further by delineating citizens' role in making PCs effective. Entitled "The Enquiry Power: Parliamentary Portfolio Committees with People", the Chapter tries to respond to the question "How significant are citizens' voices in PPCs work?" The Chapter discusses PPCs engagements with the citizenry and influence on their efficiency. It argues although PPCs have managed to gather citizens' views, opinions and evidence on critical, arising governance themes and effectively used them to back their recommendations and proposals to the House or Executive. There have been some technical and methodological challenges associated with initiating, organizing and facilitating public consultations making it difficult to determine whether what PPCs gather are independent public views or narratives of guided or created public opinions. By using two cases of public participation as analytical frameworks, Chapter 7 shows how public interest issues emerge, how communities are mobilised to engage with them and the processes employed to harvest their ideas. It ends by illustrating the extent to

which some of the citizens' views have influenced legislative and oversight process noting the underlying significance of Parliament as the final authority regardless of public views eminence or magnitude. The Chapter concludes views generated from the public give PPCs more legitimacy and bargaining power to advocate and negotiate for good governance though the successes differ from one issue to the other depending on the interest of the ruling party and its Parliamentary majority.

A similar question is raised in Chapter 8 regarding the participation of non state actors in good governance processes facilitated by PPCs: "How have experts enabled PPCs to be more effective?" With the name "Funders and Experts in Politics: The eminence of others in PPCs", Chapter 8 discusses how Civil Society Organisations (CSOs), which it calls experts, have managed to determine the agenda, especially for PPCs, resonating with their thematic areas. By illustrating various ways experts have made the work of PPCs different, the Chapter argues Parliament in general, and PPCs in particular, accomplish when they are provided with adequate resources and requisite technical knowledge and skills. It shows non state actors in the form of CSOs or development funding organisations called donors or funders have dominated not only in providing expertise in different ways including financial resources, knowledge, skills or advice. They have only propelled only a few PPCs' resonating with their thematic areas, leaving behind others not favoured resulting to efficacy imbalance.

Chapter 8 also shows the relationship between experts and PPCs has been mutual. Experts have made PPCs repositories of some of their outputs such as primary data generated in communities whilst PPCs have used the same for evidence based legislative and oversight persuasions. The Chapter begins with a statement on the definition of CSOs followed by illustrations of different PPC-expert relationships and their justification. Several examples of the expertise provided and their implications on PPCs are given. It concludes the work of Parliament in general and PPCs in particular is not only technical, but is also very expensive. Circumstances of poorly financed and technically shy Parliaments approached by external resource institutions for support have

not only made it relatively easier and possible for PPCs to be consequential, but has also shaped the way they operate and the issues they prioritise for Executive engagements.

But how has the strong ruling party from Zimbabwe responded to the good governance demands submitted by PPCs? Do strong ruling parties really care? To what extent is the Executive compliant or responsive to PPCs recommendations? At what level could PPCs' efficacy be recognised? These are the questions Chapter 9, as it closes the debate, tries to address. Chapter 9 argues the Executive uptake or rejection of PPCs recommendations, which is difficult to trace due to inadequate or unavailability of tools for policy implementation tracking, has not been systematic and uniform. By taking a case by case scenario, the Chapter provides a discussion on oversight followed by analysis of rationalities surrounding Executive responsiveness and assessment of circumstances of PPCs inefficacy. It shows Executive responsiveness is influenced by several factors such as the connection of the questions or recommendations to Constitutional values, political capital, economic development and availability of resources and convergences to the policies of the ruling party. Chapter 9 closes by suggesting a tool on how PPCs' efficacy could be measured, raising difficulties on what should be regarded as the highest or lowest level of their achievement. It concludes PPCs have made successes in redefining policy directions and holding the strong ruling party to account though the latter has been choosy and selective in their responsiveness and implementation.

Due to performance differences, Chapter 9 further concludes, PPCs from Zimbabwe do not fit in one efficacy category. They are a mix of low, middle and high level performers. The Chapter shows that governments, even strong ruling parties, do not completely ignore essential PPCs' recommendations. Some are immediately implemented. Others take months or years. But they will eventually be implemented. With operational rules and targets, it is impossible for a PPC, regardless of its capacity, to spend an entire Parliamentary Session of five years without some engagement with the Executive. There are high probabilities for each PPC to push government to

implement one or two innocent, non-power threatening policy recommendations or suggestions.

Chapter 10 concludes the dissertation by noting the relevance of PCs in good governance and the levels at which their efficacy could be measured in the context of obscure good governance principles such as separation of powers. It notes although some strong ruling parties could still be arrogant and dismissive, the emergence of PCs has toned them down as they also benefit from their advice, especially on implementation of populist and vote pulling policies. Important questions are raised on different subjects raised in the thesis including whether the concept of separation of powers is realistic. Part of the challenges limiting PCs efficacy in countries dominated by strong ruling parties like Zimbabwe, Chapter 10 concludes, are powers of the Executive and Legislature not separate enough. Some MPs and the President, for example, double as legislatures and Members of the Executive creating some accountability conflicts.

## **Chapter 2:**

### **The Outstanding Governance Enquiries**

#### **2.1. Introduction**

As fairly new political and governance administration phenomenon in emerging African democracies like Kenya and Zimbabwe, the PC system is an enticing subject of enquiry. The study of PCs from African countries is motivated by the desire to generate knowledge and information that helps in understanding their behaviours and influence. This Chapter illustrates some informational gaps that exist and the contributions this project tries to make to the subject of politics and international relations. Due to the lack of adequate, contextually relevant literature on PCs from Africa, the Chapter begins by justifying the relevance of an identity discussion – what PCs are, what they do and how they do it. The Chapter demonstrates knowledge gaps on the potential and significance of PCs from Africa not only in promoting good governance, but also in making strong African leaders and ruling governments a bit flexible, recipient and even responsive. The Chapter further identifies the importance of understanding the interplay of formal and informal political rules in governance and decision making processes with PCs as the platforms. It concludes by illustrating the information gap on determinants of and incentives for PCs' effectiveness and the role of other governance actors outside the state. The Chapter has two mutually existing questions: What does the existing literature on PCs from African parliaments overlook? What could be taken up for further enquiries and inclusion in the subject of politics and international relations?



## **2.2. Deficiencies on PCs' knowledge and information**

There are several information and knowledge gaps on PCs as discussed below in turn.

### **2.2.1. PCs – what they are; what they do and how they do it**

The scant scholarly literature on African PCs makes it difficult to understand what PCs are, how they came into being and what they mean to Africa and its politics. There has not been any specific and detailed scholarly literature on African PCs in the last decade up to 2020. The latest book written by Opalo (2019) entitled *Legislative Development in Africa: Politics and Postcolonial Legacies* traces legislative development in Kenya and Zambia, but rarely mentions PCs in its 276 pages.

Barkan et al. (2010) “Africa Legislative Project: First Findings” provide an interesting performance comparison of legislatures from six countries namely Kenya, Malawi, Mozambique, Zambia, Namibia and South Africa. While recognizing “viable albeit undeveloped committee system emerging”, the authors admit that an examination of a “function” on how they [legislatures] have been “extensive and affective oversight of the executive” was not “included in this report”.<sup>63</sup> Others include Sater (2007) *Changing Politics From Below? Women Parliamentarians in Morocco*, Shepsle (2007) *Assessing Comparative Legislative Research*, February (2005) *More Than a Law-Making Production Line? Parliament and its Oversight Role*, Salih (2005) *African Parliaments* and Gicheru (1976) *Parliamentary Practice in Kenya*.

Whilst this literature is consensual on legislatures as vital democracy institutions, their broader scope of parliamentary analysis crowd out particular understanding of PCs and their significance in African parliamentary democracies and politics. What this project intends to add – which is neglected in the mainstream literature – is a deeper understanding on what African PCs are, how they have developed, what they do and their

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<sup>63</sup> Barkan et al. (2010: 35-36).

insinuation to politics and governance processes. This would consequently show their potentials in persuading governments to conform to some good governance frameworks as discussed below.

### ***2.2.2. PCs' significance and potentials***

Though the establishment of the institution of Parliamentary Committees (PCs<sup>64</sup>) in African Parliaments have raised interests on whether African governments are genuine in promoting democracy and good governance, nothing much has been done in extracting the potentials they have in challenging and repudiating strong ruling bureaucrats. Chan (2003) recognises significant deficiencies of powerful African governments that “cannot be seen in a straight line” or a one dimensional spirit that could be both a “demon and mad” or sheer “intrigue and power play”<sup>65</sup>. However, he forgets to show possible or realistic PC effect to such unbecoming bureaucratic behaviours.

Cheeseman (2015) is worried about African institutions, especially those from revolutionary and powerful governments that “are inconsistent in nature and character of the leadership bureaucracy”<sup>66</sup>. But like Chan (2003), Cheeseman (2015) does not take some time to look further around to recognise PCs and what they could possibly do to tame the “characters” of the strong African bureaucrats. Cheeseman (2015) makes additional complaint that Africa’s political institutions have not been very strong because of neopatrimonialism: conflict between traditional and modern forms of governance that created powerful presidents with weak institutions.<sup>67</sup>

Bratton and van de Walle (1997) also recognise the neopatrimonial grievance of African institutions that are “weaker” because presidents “dominate state

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<sup>64</sup> This phrase will be used to refer to PCs from all the countries studied interchangeably with country specific PC naming.

<sup>65</sup> Chan (2003:23).

<sup>66</sup> Cheeseman (2017: 39).

<sup>67</sup> Cheeseman (2015).

apparatus and stand above its laws”<sup>68</sup>. Whilst it could be agreeable some strong ruling parties, especially from Africa, are arrogant and sometimes are laws into themselves, the authors present portraits of hopelessness, of continuous and unchallengeable African bureaucratic nuisance. This document intends to look further by illuminating the potentials and significance of PCs in arbitrating political and governance decisions even in the context of strong ruling parties. This means that the research would reveal some characteristics, not well documented elsewhere, of strong ruling parties behaviours when faced with good governance demands from formal institutions such as PCs.

### ***2.2.3. Malleability of strong ruling parties***

Some literature gives impressions of permanently arrogant and selfish strong African leaders rigid to governance advices or persuasions even from formal organisations like PCs. Adejumobi (2017) brings in the “Big Man” metaphor where behaviours of some African presidents are likened to traditional chiefs who depended on patrimonial affiliations characterised by clientalism. The latter undermines the role of formal institutions by prescribing gifts, jobs and service delivery in exchange of political support and government loyalty.<sup>69</sup>

Adejumobi (2017) adds that the “Big Man” phenomenon weakens already weak African modern institutions such as political parties, legislatures and Executive which are always under pressure from unruly presidents. The generalization of the strong ruling parties from Africa as if they were the same largely comes from lack of appreciation of PCs’ roles and significance in good governance, both in theory and practice, and in understanding PC strategies or powers which this document intends to present.

Salih (2018), whilst acknowledging the “Big Man” concept, shows there other African contexts where Executive power has been strongly constrained by PCs. Examples are given in the area of budget approval, oversight and

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<sup>68</sup> Bratton and van de Walle (1997: 62).

<sup>69</sup> Cheeseman (2015).

implementation of national budgets. In June 2013, Kenya's National Assembly budget Committee rejected a proposal to purchase an office building for the executive at a cost of US\$8.2 million.<sup>70</sup> The Committee Chairperson sent back the treasury to the drawing board to come up with easier options for the taxpayer. In 2007, Malawi Congress Party (MCP) and the United Democratic Front (UDF) rejected a supplementary budget after the president failed to convincingly justify the extra spending.<sup>71</sup> In 2013-2014, Zambian Parliamentary Standing Committee on Social Development did not endorse the "meagre allocation" for the Ministry of Information, Youth and Culture.<sup>72</sup> This project wishes to present further evidence not only on the successes of PCs in the face of strong ruling parties, but also obstacles to their efficacy.

Thus some African legislatures, with PCs as their tools, have increasingly become more assertive. They have challenged the executive and defied the rudimentary generalizations that there are mere rubber stamps. This gradual transformation from the "Big Man" phenomenon calls for further investigations – which this project intends to do - of the nature of the new relationships and politics that have developed between PCs and the dominant ruling parties and presidents. This project offers an opportunity to re-examine and understand African institutions in light of such emerging evidence, especially the development of the PCs and the differences they have made to the doing of politics. Or how the way politics is done has shaped the dynamics of PCs and therefore African political institutions.

#### ***2.2.4. Use of formal and informal political rules***

Literature on PCs from the British Westminster Parliament provides some understanding of how PCs are framed. It is relevant to use here to draw some questions because as former British colonies, also called Commonwealth countries, the case studies copied and adopted or adapted the British Westminster parliamentary model after getting independence from Britain. In

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<sup>70</sup>Salih (2018).

<sup>71</sup>*Ibid.*

<sup>72</sup>*Ibid.*

British Parliament, PCs, called Select Committees (SC), have been known since 1979. However, greater interest in their roles and influence started in 2010<sup>73</sup> when SC system provided “an ever more influential mechanism of “shadowing” each government department or ministry and bringing legislators’ view to bear”<sup>74</sup>.

PCs from Zimbabwe, known as Portfolio Committees, are, just like SCs from British Parliament, designated according to government departments or Ministries. Their main purpose, following the British Westminster model, is to examine the expenditure, administration and government policy and other matters arising within the specific portfolios.<sup>75</sup> PCs from Kenya, known as Departmental Committees, shaped in a similar fashion like the British and Zimbabwe PCs, are described as “Parliamentary enabling tools and agents for simultaneous tasking and expediency”<sup>76</sup>. In both cases, PCs are comprised of MPs from all political parties according to their weighted ratios in Parliament.

Dunleavy (2018) shows there could be several PCs executing different tasks but contributing to good governance in different ways. This context is true for both Kenya and Zimbabwe with at least fourteen<sup>77</sup> and nineteen<sup>78</sup> PCs

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<sup>73</sup> See Institute for Government “Working to Make Government more Effective” on <https://www.instituteforgovernment.org.uk/publication/parliamentary-monitor-2018/select-committees> [Accessed on 1 January, 2020].

<sup>74</sup> Dunleavy (2018: 165).

<sup>75</sup> See ‘Introduction to Committees of Parliament’ at <https://www.parlzim.gov.zw/about-parliament/committee-system> [Accessed on 10 February, 2020].

<sup>76</sup> See ‘Mandate and Classification’ at <http://www.parliament.go.ke/the-national-assembly/committees> [Accessed on 10 February, 2020].

<sup>77</sup> These include Administration and National Security; Agriculture and Livestock; Communication, Information and Innovation; Defence and Foreign Relations; Education and Research; Energy, Environment and Natural Resources; Finance and National Planning; Health; Justice and Legal Affairs; Labour and Social Welfare; Lands; Sports, Culture and Tourism; Trade, Industry and Cooperatives; Transport, Public Works and Housing. Also see <http://www.parliament.go.ke/the-national-assembly/committees/departamental-committees> [Accessed on 7 January, 2020]

<sup>78</sup> These include Transport and Infrastructural Development; Defence, Home Affairs and Security Services; Public Accounts; Environment, Water, Tourism and Hospitality Industry;

respectively. Whilst this project recognises the affinity, it proposes to provide more understanding on methodologies and institutional, contextual, structural and political context under which African PCs operate and implications on their efficacy. The research would make valid input to the scholarly literature on democracy, institutions and governance by showing the influence of PCs in shaping and creating African political (party) relationships.

#### **2.2.5. Determinants and incentives for PCs' effectiveness and role of others**

PCs' effectiveness has been associated with several causal factors. Mention has been made on the significance of PCs Chairpersons in ensuring their success. The effectiveness of Parliamentary committees depends on "experienced", "influential" and "well liked chairs"<sup>79</sup>. Barkan (2009) adds Legislative performance and effective execution of core functions depends on the structure of incentives. Rush, (2005: 113) agrees incentive enhance MPs efficiency not only because they ensures parliamentary legitimacy, but also because they are the main sources of MPs' incomes, especially from the Lower House, the base for PCs.

Knill and Tosun (2011) and Dunleavy (2018) think gender consideration is equally critical for PCs effectiveness. They observe that women MPs chair - and have an increased concentration - in less prominent PCs which sometimes fail to conduct hearings or to make media visibility. Barkan *et al.* (2010) concludes the power and unity of political parties impact greatly on PCs processes. However, Barkan *et al.* (2010) recommend further analysis to fully

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Mines and Energy; Higher Education, Science and Technology; Public Service, Labour and Social Welfare; Finance and Economic Planning; Communication Technology, Postal and Courier Services; Justice, Legal and Parliamentary Affairs; Health and Child Care; Foreign Affairs; Women Affairs, Gender and Community Development; Industry and Commerce; Lands Agriculture Mechanization and Irrigation; Local Government, Rural and Urban Development; Media, Information and Broadcasting Services; Small and Medium Enterprises and Cooperative Development; Youth, Indigenization and Economic Empowerment and Education, Sport, Arts and Culture. See also <https://www.parlzim.gov.zw/about-parliament/committee-system/portfolio-thematic-committies> [Accessed on 6 January 2020].

<sup>79</sup> Dunleavy (2018:55).

understand the impact of political parties on the process of legislative development in Africa. This project will take a similar analysis in the African context to provide more understanding on the relationships between PCs' performance and MPs incentives, gender of PC Chairpersons or the nature of political parties in Parliament.

PCs' effectiveness depends on their ability to identify and bring in witnesses as outside knowledge to legislative scrutiny and policy implementation.<sup>80</sup> It "matters a lot on who provides evidence – and whether they represent their own or selfish interests".<sup>81</sup> Dunleavy argues that the bulk of PCs submissions come from interest groups, individuals and private companies.<sup>82</sup> Thus in most cases, and in the British context, witnesses appearing before SCs as witnesses - Ministers interest groups, private companies, government departments or agencies, public stakeholders, experts, think tanks, foundations, local and regional interest groups and political parties - have been largely elitists and high ranking individuals or institutions.<sup>83</sup>

Black (1948) reminds of the popular median voter theorem. In circumstances where the simple majority rule is used as in parliamentary democracies, opinion held by the median voter should become the policy decision.<sup>84</sup> In view of the existence of other actors such as experts, professionals, citizens or CSOs in enabling PCs to fulfil their responsibilities, the research will create knowledge on how "other" governance stakeholders have participated in the African context and their implications on PCs' outcomes and effectiveness.

### **2.3. Conclusion**

There are various knowledge, information and contextual gaps identified in this Chapter that makes this project important. Despite several studies on African Parliaments, specific studies on PCs' behaviours are scarce. This calls

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<sup>80</sup> Dunleavy (2017).

<sup>81</sup> Russel and Cowley (2016: 73).

<sup>82</sup> *Ibid.*

<sup>83</sup> Dunleavy (2017).

<sup>84</sup> Black (1948).

for a radical approach in studying PCs from Africa, starting from the basic analysis of their form, character and nature. Studying the understudied PCs potentials and significance in demanding good governance, the extent to which strong ruling parties bend to the PCs' demands and the way political party rules – formal and informal – interfere in governance processes through PCs would make significant inputs to the politics and international studies scholarship. The literature on PCs from British Westminster Parliament model is important not only because PCs from the case studies are framed from them. They provoke important questions the research also applies to the case studies. Subjects on the role of non state actors, value of citizens, professionals or experts in the work of PCs highlighted in the literature on PCs from the British Parliament could be easily accustomed to the cases in question to generate the required knowledge and information. The following Chapter discusses the methods used to generate responses to these and other research questions.



## **Chapter 3:**

### **Methodological Pluralism and Reflexivity**

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We were together in the civil society and you know what Parliamentary Committees are, what they do, how they do it and what they have achieved...and you can easily write that down without bothering yourself, others and me to do some kind of an interview about them.<sup>85</sup>

This interview has enabled me to deeply reflect on the work I do with Parliamentary Committees and challenged me to do some of the things differently.<sup>86</sup>

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#### **3.1. Introduction**

This Chapter gives an analysis of the three interconnected qualitative research methods used to generate primary data in Zimbabwe for this thesis: elite interviewing, focus group discussion, and participant observation. Document analysis, which could be stated as the fourth methodology, is already given as it cuts across all the sections of the project. The Chapter shows how primary data was generated from two types of elites classified as Ultra Elites and Elites. The former refers to men and women of the highest offices interviewed such as the Speaker and Clerk of Parliament, current and former PC Chairpersons or PC Members also MPs. Elite refers to men and women of the second level offices interviewed such as PC Clerks, leaders or representatives of civil society organisations working with PCs or Parliament. The Chapter also demonstrates how primary data was generated through focus group discussion and participant observation. It argues the use of multi methods enabled cross verification and methodological triangulation of generated data ensuring rigour and reliability of the information generated. The presentation is made in the form of a story to make some emotional connections and expand understanding on the research methods used. The two related Chapter

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<sup>85</sup> Former CSO Colleague, Harare, 6 September, 2020.

<sup>86</sup> Elite Interview 4, Harare, 2 December, 2020.

questions are: What were the methods used to collect primary data on PCs? How do they co-exist to establish trust and confidence in the information generated?

### **3.2. Interviewing Elites**

An interview is a discussion for gathering information. It involves an interviewer, who coordinates the progression of the conversation and asks questions, and an interviewee, who responds to the questions.<sup>87</sup> The earliest definition for elites is provided by Dexter (1970) who defines them as men and women in important or exposed positions that require very important person (VIP) interviewing treatment on issues relating to their importance or exposure. What Dexter omits is an analysis of why the individuals would have attained the 'elite' tag. Richards (1996: 198) makes some additions to this definition by seeing elites as "groups of individuals, who hold, or held a privileged position in society and, as such... are likely to have had some influence on political outcomes than general members of the society."

Zuckerman (1972) proposes the concept of elite could be divided into ultra-elites and general subgroups. Ultra-elites are "the most highly placed members of the elite," while general elite are men and women with "the ability to exert influence" through social networks, social capital and strategic position within social structures"<sup>88</sup>. Peabody *et al.* (1990: 451) combines and qualifies these definitions by establishing "political elites" as an encompassing term to include top political, government and civil society leaders. Political elites therefore include "Presidents and Cabinet Members; Senators and Representatives; Supreme Court Justices... political party...officials; lobbyists and media personnel"<sup>89</sup>.

In the context of this project, the Speaker of Parliament, the Clerk of Parliament, and Chairpersons of PPCs interviewed could be seen as "Ultra

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<sup>87</sup> Easwaramoorthy and Zarinpoush (2006).

<sup>88</sup> Harvey (2011: 433).

<sup>89</sup> Peabody et al. (1990: 451).

Elites” whilst PPC Clerks and leaders of civil society or faith based organisations working with the Parliament of Zimbabwe (or Parliament) interviewed could be seen as just “Elites”. This includes interviewed community based men and women who participated in activities with or organised by the Parliament of Zimbabwe or PPCs – focus group discussion participants – to represent individual or communal interests.

As Hunter (1993) observes, elites remain relatively understudied because of their positions and authorities they use to protect themselves from invasion. In this regard, Liu (2018) concurs with Morris (2009) that elite interviewing should be placed in a more philosophical and reflexive framework since the process of interviewing them may not easily conform to traditionally accepted forms and standards.

### **3.2.1. Positionalities, Anxieties and Reflexivity**

#### ***3.2.1.1. Accessing ‘colleagues’ from the civil society and faith based organisations***

The greatest optimism in my fieldwork arose when I (the researcher) imagined interviewing ‘elites’ from the civil society organisations (CSOs) working with the Parliament. These, in my opinion, were readily available for me. I would use my connections and experiences with them to make some appointments. Following Tillmann-Healy (2003), the ‘friendship’ approach was intended to address the power dynamics namely reducing the hierarchical separation between the researcher and the participants. As also expressed by Smith *et al.* (2009), I intended to engage former colleagues from an ‘insider’ position as a way of trying to tap into already existing dialogical relationship [formerly] filled with an ethic of caring, expressiveness, empathy, solidarity and emotion.

But the experience was on the contrary. The existing relationships made socialisation, loyalties and casualness more difficult to navigate. Those that I was familiar with were not easy to make them settle and talk to me. What they did most was to shower me with congratulatory messages for climbing a step up on the academic ladder: “congratulations on doing a PhD... I envy you...”

wrote one of my former CSO colleagues. She asked me to send the interview questions on electronic mail so she could send an audio response. But nothing came despite numerous follow ups which always ended in social conversations not related to my research.

Some wanted to talk more about what the organisation I worked for used to do when I was still there – and how they missed it. There were others who laughed at it and did not take me seriously: “We used to do these things [Parliamentary engagements] together and you know the experiences – what else do you want to know... but in any case, there is nothing new” said a CSO Director I intended to interview. “Just write down the experiences we had together” because “you [already] know what PPCs are, what they do, how they do it and what they have achieved...and you can easily write that down without bothering yourself, others and me to do some kind of an interview about them”, said another. It was clear from these statements that even if they had fulfilled my interview requests, their responses were not going to be holistic and reflective enough because of their conviction that I had all the necessary information because I was in the system.

My former CSO colleagues were still seeing me as one of them, an “insider”. It was not very familiar I was coming to them, not as their CSO colleague, but as an “outsider” sort of – an academic soliciting data on the implications of CSOs to the work of PPCs. As a result, and with snowballing support from Parliament, I revised my target of the CSO elite. Though there were few familiar figures that seriously considered my interview requests and responded to the best of their abilities. I began to engage those that were less familiar but had or were equally engaging with the Parliament of Zimbabwe and or PPCs.

Re-sampling worked well as some of CSO elites started calling on my phone soon after receiving my written invitation to confirm their interest in the interview. Conversations with them were more serious and revealing with some mutual benefits. After the interviews, and in acknowledging the researcher’s appreciation for their interview availability, they replied that

choosing them as respondents was a sign their organisations' work with PPCs was significant and recognisable. One of the interviewed elite said, "We will put your interview request in one of our progress reports as evidence of our organisation's impact, especially as seen by international educational institutions and academics" because "you [researcher] could not have approached us for an interview if we were an CSO of no consequences"<sup>90</sup>. It was refreshing to recognise mutual benefits for the researcher and the research participants from the research process. I got the information. They got the recognition and a sense of security in their value motivating them to continue important work.

#### *3.2.1.2. Accessing the Parliament of Zimbabwe*

Research setting questions arose when I began to plan for fieldwork. First was gaining entry. Second was to persuade research participants to take part and share information through interviews. One of the challenges I had as a CSO leader in Zimbabwe was to engage the state and therefore political elites, especially on pertinent civic issues. Even if the engagement invitations were made in at least three different ways – a stamped letter on a hard copy and hand delivered; an email and a telephone call - it was not always possible to get a responsible Minister, a Permanent Secretary, a Departmental Director / Deputy Director, a Departmental Head or someone senior and legitimately accountable to interface an audience and respond to their 'civic' concerns.

The phrase "legitimately accountable" is used in the sense whoever was sent and mandated to represent a higher bureaucracy was expected to make binding and conclusive responses that could be used for future planning purposes. But often, those that were seconded would immediately make some disclaimers they were "just given an instruction" to listen and collect notes for onward communication with senior officials who would "look into it" and respond "as soon as possible". This position usually triggered the question: When would they respond? Well, "they will examine your concerns and come

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<sup>90</sup> Elite Interview 14, Harare, 10 May, 2021.

back to you”, the delegates would promise. But most participants for such meetings would know that it would be the end of it all!

My pessimistic view of state bureaucracy influenced by my CSO experiences, which did not easily move out of mind, made it difficult to believe the Speaker or Clerk of Parliament would respond – negatively or positively - to a “request for an interview” letter sent through an email. This circumstance has often been described by Bourdieu’s concept of habitus: “a subjective but not individual system of internalised structures, schemes of perception, conception, and action common to all members of the same group or class”<sup>91</sup>. I had some internalised dispositions I had absorbed in my social and professional environment. If ordinary MPs were not available when their constituents wanted them for engagements, how about the Speaker or Clerk of Parliament?

I also reflected on the motivation and incentive that would push Ultra Elites to respond to interview questions from a mere student whose value to their work could be seen as far-fetched. I sympathized with some interview procedures and protocols that portray academic studies as selfish enterprises! The declaration, which is usually made at the beginning of the interview, or interview letter, that the research is solely for the student’s academic fulfilment and would only be used for that is true but also a bit unsettling when visioning engagement with powerful elites.

Even when there was this anxiety and uncertainty, my hope to interview the Ultra Elites and Elites stayed alive because of my changed circumstances. Again, taking a cue from Bourdieu (1977) that “observers need to situate themselves within a real activity, taking on practical relation to the world themselves, rather than try to represent practice”, the “militancy” and the “activism” approach of the civil society I used during my time as practitioner was being overtaken by the position of a research student that of questioning, listening and learning.

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<sup>91</sup> Bourdieu (1977: 81).

The contextual, enabling circumstances made it a lot easier. The Parliament equally felt a duty to show the world a semblance of democracy and good governance. This was most appropriate amid the international blames of human rights violations, one of the reasons that justified continued targeted sanctions on Zimbabwe through ZIDERA<sup>92</sup>. This became even eminent when the request for interview appointment bore the University of London as the gatekeeper. One Ultra Elite stealthily expressed it during interview there was some hope on Zimbabwean researchers in American and European Universities that as they present their research findings in their institutions, “they also speak the true Zimbabwean story, and in so doing, rebuild its good image”<sup>93</sup>.

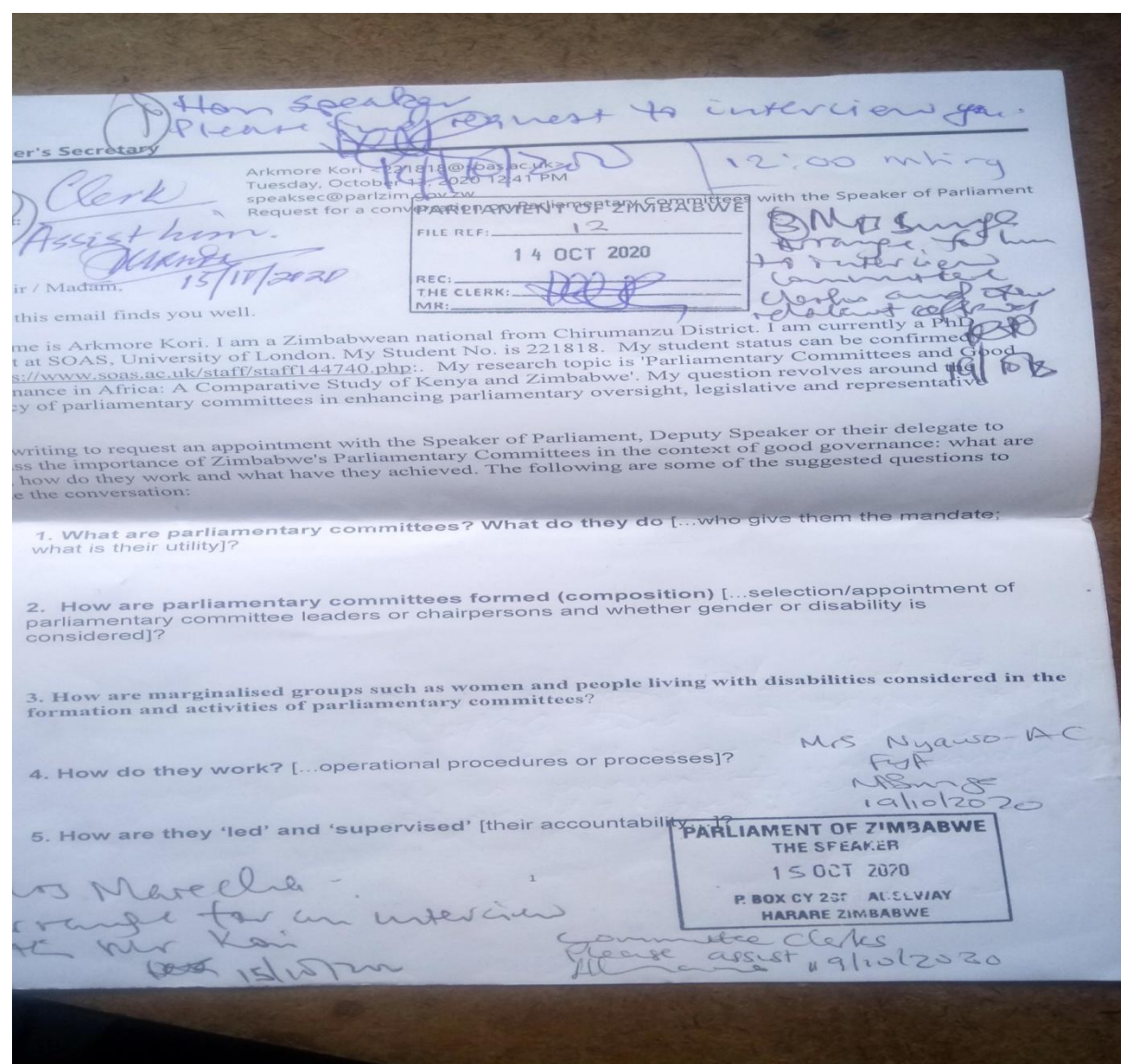
The implications of this, as would be stated later, was Ultra Elite would, in the interview, present an “exaggerated” role and efficacy of PPCs in enhancing good governance and democracy in Zimbabwe. Perhaps, as learnt later, this was one of the reasons why, as part of their commitment to contribute to knowledge and sharing of experiences, the Parliament had given itself, as part of its mandate, a responsibility to respond to students’ requests for interviews and researches. The Parliament’s openness did well in moderating my apprehension. The following is a copy of the ‘gatekeepers’ ‘letter’: a stamped document I had presented to the Parliament of Zimbabwe’s Administration asking for permission to carry out the interviews.

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<sup>92</sup> Zimbabwe Democracy and Economic Recovery Act was passed by the United States Congress in 2001 imposing economic sanctions on Zimbabwe as a mechanism to enforce a transition to democracy and to promote economic recovery.

<sup>93</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

Fig. 1. 'Gatekeepers letter' with various written and stamped 'approvals' for the interviews



The gate keeper letter was not an order. Nor was it a declaration the respondents should speak to the researcher. It was just a 'clearance': that those who wished – and who had time - could speak to me. Access did not guarantee cooperation. Negotiating for and justifying my research for the interviewees remained my responsibility. When the supervisor for some of the Elites allowed me to conduct the research in her department, she did not call a meeting to inform them, or promised to let them know about my interview in any of their upcoming meeting. Rather, she showed me the premises that housed individual Elites I intended to interview. It also happened during the



time I was in her office rounding up the interview, one of the elite was present. “This is one of them, follow him, talk to him and agree whether you could interview him... and he could also show you the offices of other PPC Clerks”, she said.

There were frustrating and emotional moments though, especially when some of the expected respondents took their time to respond to interview appointments. For how long was I supposed to wait for their interview confirmations? It was more frustrating when they deferred appointments, without some remorse or apologies, on the last minute after spending resources travelling to the interview venue. But such circumstances, which only required patience and perseverance, were manageable – and interviews were later done.

There were circumstances of overshooting. I found myself coming out from the bracket of a researcher to a Zimbabwe citizen with rights to be heard and therefore accorded an interview by any elected leader. This specifically occurred when one of the PPC Chairpersons responded to my interview invitation as follows: “I am too busy to assist. I am sorry”. I felt the MP’s response was too rude and arrogant. As an elected leader, he was supposed to find time to meet with the people – or the voters like me - and have some conversations with them as part of constituency work. I shared with my supervisor, who calmed me down after consulting whether I was justified to make an equally arrogant response to the MP’s message. I later learnt that it was my responsibility as a researcher to humble myself in order to carry out the research with a clear conscience.

#### *3.2.1.3. Carrying out the interviews*

Interview access to both Ultra Elites and Elites was granted without their contact details. Shown to me was just the location of their offices. I followed the first Elite from his superior’s office to his own where an appointment for an interview was granted. As a way of snowballing, I asked him the location of his colleagues. They were just on the same floor – next to his office. Again,

during the conversation, one of his colleagues got in and was introduced to me. I was able to book another appointment with him. I started to knock on the office doors of the Elites that had been shown to me and booked interview appointments using the gatekeepers' letter.

The gatekeepers' letter signed and stamped by the authorities of the Parliament was very useful and instrumental. It demonstrated the power of hierarchy and the benefits of following access protocols of a bureaucracy. Even as I hoped from one door to the other asking for interview appointments, there were some Ultra Elites and Elites, who, after seeing the letter, agreed to be interviewed "right now". Since it was also the moment they were hearing the interview questions for the first time, there is little assumption their responses could have been politically premeditated to portray certain narratives. Building rapport was not even necessary in the majority of circumstances. The Ultra Elites and the Elites contacted wanted the interview done – and they were very serious about it.

### *Building rapport*

But there were some few instances where I tried building empathy and rapport with the research participants to build trust. An attempt was made at the beginning of an interview with one Ultra Elite. The interview was given without earlier communication with me. I had just been invited by the Secretary to the Ultra Elite to collect a letter of approval to carry out the interviews in Parliament and perhaps, an interview date or dates. When the Ultra Elite arrived and realised my presence in the Secretary's office waiting for further instructions, he immediately invited me to his office for the interview "now".

This was a surprise. I did not expect any interview that day with any Ultra Elite or even Elite. Except for some ephemeral nervousness, the instantaneous interview did not present significant challenges. Having formulated and developed the research tools for the research – and having revised them several times – I had strongly mastered my line of questioning, the outline of the subjects I wanted to learn about and skills of picking up at important

issues. The lesson was that at any time, a researcher should always be ready to engage in an interview, otherwise great opportunities of obtaining primary data from VIPs could be easily lost.

My attempt to start the interview process by way of trying to warm up and building rapport almost became political and biased. After formal greetings and introductions, I started making comments on the pictures in the office and commended the interviewee's approachability. I ended up by praising the way the government had managed to keep us well housed and fed where I was Covid 19 quarantined in May 2020 soon after arriving in Zimbabwe from the UK for fieldwork.

Perhaps my attempt in building rapport could be seen as wasting time on what was not on the agenda. Nevertheless, the early opportunity for positive social interaction created a warmer relationship between us. It seemed to have consequently paved a way for more fluid dialogue that led to richer narrative and more elaborate replies. The Ultra Elite seemed to have been excited by the "compliments". He smiled and said; "Thank you".

Perhaps the overemphasised positivity as an attempt to build rapport repressed the Ultra Elite's detailed and needed commentary on the flip side of the PPCs. Though he mentioned some "negatives" in his responses, the sentiments pitched too high the PPCs' efficacy in their 'oversight roles'. But the uneasiness - and sometimes silence - to provide tangible evidence of successful PPCs, referring the question on 'efficacy' to PPC Clerks and PPC Chairpersons betrayed some of the overstated praises.

### *Moments of silence*

Moments of silence that ensued when I was interviewing some of the Ultra Elites and Elites became an important tool in my research arsenal. I was patient to let the silence fill in without feeling very awkward. This was very important in giving the interviewees some time to let the question jell as they had not seen the questions in advance. It was also an opportunity to give my respondents opportunities to weigh whether they felt comfortable in sharing a

truth. In general, sitting patiently through silence increased my chances of getting interesting and objective information.

There were instances though where some of the respondents were not comfortable to answer certain questions. This was common with those that were largely judgemental and evaluative, especially questions that asked them to name the best or least performing PPCs and why. The least they could do, which was equally critical in helping determine efficacy, was to explain or demonstrate some PPC efficacy indicators.

### *Interview location*

Harvey (2015) states that the location of an interview may have some influence on the information respondents are prepared to disclose. Harvey (2015) does not see a workplace as the best place for an interview because respondents may be less willing to share confidential information for fear of being overheard. In contrast, Dexter (2006) thinks the workplace is the best because of high possibilities of being interrupted by family members or relatives if the interview is held at home or public place. But Harvey (2015) comes in to say the workplace is worse still because colleagues could also come in and disturb. This indeed could be possible where interviewees share offices at workplaces. I conducted all, except two of the face to face interviews, in different offices and without any significant interruptions.

Some of the Ultra Elites and Elites placed “don’t disturb” tags on their office doors during the interview. The fear of interviewees to disclose ‘confidential’ information was minimal because anonymity was guaranteed. Almost all the face to face interviews were conducted between the interviewee and the researcher behind closed doors. If there is something the interviewees did not share, it was not because they feared someone would overhear them. But it was simply because they were not willing to share it!

But the interview I conducted at the premises of one Ultra Elite reduced my control of the interview. The power dynamics that were at play favoured the interviewee who was at home. Firstly, the interview was delayed by almost

two hours because the interviewee was taking care of his daily routine household and business responsibilities, including giving his workers their daily activities. When the interviewee finally showed up, he demanded it to be brief because he was already late for his weekend sport training. To make it shorter, he commanded me to explain all the questions I wanted him to speak to so he could respond to them in one speech. He ordered me to switch on the recorder since he was going to speak continuously without a break. There was no adequate space given for probing. Though the information generated was helpful and significant, the interview almost became a political rally in which the respondent talked 'alone' - and continuously. Perhaps the balance of power could have been different if the interview was organised at some 'neutral' venue or work place.

Fig. 2: The researcher (right) with one of the Ultra Elites at his home soon after the interview.



Politicians are viewed as the least satisfactory group for elite interviews in providing reliable data.<sup>94</sup> Richards (1996) concurs that elite interviews should not be conducted with a view to establish some “truth” in a crude, positivist manner. This assertion assumes by their very nature, elite interviews provide subjective information. The basis for this view is sometimes the influences politicians have in society entice them to deliberately mislead or falsify an issue or an event. Political elites, “often encounter pathological difficulties in distinguishing the truth, so set have their minds become by long experiences of partisan thoughts”<sup>95</sup>.

Ryan and Dunton, (2008) add elite interviews are complicated social processes which can be highly politicised and subject to manipulation by events and actors, creating biases and subjectivities. However, from the experience of the researcher, the bigger challenge lied with the interview process rather than interviewees. Misinformation from elites are largely caused by interviewers who are extraordinary too courteous. This includes the inability of interviewers to navigate power relations, especially when interviewing elites who may want to dominate the interview.

Whilst the multi-methodological approach was also considered to tone down subjectivities, the training received prior to the fieldwork empowered the researcher to be able to cautiously assert power to control elite interviews. One of the strategies included avoiding the rigidity and monotony of questionnaires. The researcher adopted a grand tour<sup>96</sup>, semi-structured interviewing technique. Most of the interviews were opened by asking the research participants what they enjoyed and knew most in their own work and on the study subject. This was followed by open reflections that guided the interviews as they developed. The benefit of the semi structured grand tour questioning was it got the respondents talking though in a reasonably focused way. It created some compromises that reduced interviewee – interviewer

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<sup>94</sup> Seldom (1998).

<sup>95</sup> Seldom (1998: 10).

<sup>96</sup> See also Leech (2002) and Spradley (1979).

conflict but at the same time provided “detail, depth, and an insider’s perspective”<sup>97</sup>.

### *The grand tour interviewing approach and data validity*

The use of the grand tour approach enabled the interview process to apportion mutual benefits for both the interviewer and the interviewee. Several elites from the Parliament interviewed viewed the open discussion strategy of the face to face conversations as having provided them with some opportunities to remember, reflect and re-examine their work. When the researcher thanked one of the respondents for the time put to the interview, she said, “I am happy that you got the information you wanted... but I am equally happy because I also benefited.” The interview “has enabled me to deeply reflect on the work I do with PPCs and presented me with challenges to do some of the things differently”<sup>98</sup>.

Respondents’ subjectivity was minimised by the researcher’s strategy of not sharing questions in advance with the research participants, except some questionnaire schedule with the Parliament of Zimbabwe Administration when the permission to conduct the interviews was being sought. This tactic prevented the interviewees from over preparing and placed the locus of interview in the control of the researcher. Sharing questions in advance did not give the research participants enough opportunities to solicit personal and or subjective responses which would have made it difficult to deviate from them during the interviews.

The information generated from interviewed Ultra Elites and Elites has some flaxen evidence adequate in providing political scientists and the rest of the readers with information on the attitudes and minds of politicians. They are an important research group. Their understanding of the complex relationships, behaviours, opinions, feelings, experiences and knowledge determine the work and functions of a critical institution of democracy and

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<sup>97</sup> Leech (2002: 665).

<sup>98</sup> Elite Interview 4, Harare, 2 December, 2020.

good governance called PPCs. Apart from contributing to the uniqueness of this study by generating information not recorded elsewhere, the interviews for this project, some of which were carried out over the telephone, will help with the interpretation of existing documents on the subject and information generated through focus group discussions and participant observation.

#### *3.2.1.4. Telephone interviewing: Implications on the data generated*

Since almost half of the interviews for this project were conducted over the telephone due to Covid – 19 restrictions on physical interactions, it is important to make a note on whether the data collected could be seen as credible. The assumed lack of visual cues, which could lead to data loss or distortion, has been one of the main criticisms of telephone interviews when compared to face to face interviews.<sup>99</sup> The presumed data losses happen in at least three instances common in telephone interviews. Through telephone interviews, there is loss of nonverbal data communicated through facial expressions and body language.

Burnard (1994) together with Chapple (1999) argue that non verbal data has cognitive or emotional content that enhance the richness of data and interpretation of interviewees' verbal responses. Whilst it is irrefutable data conveyed in gestures and actions could have been lost through telephone interviews I conducted, it is fair to state this kind of information was less necessary and helpful in this project. As an evaluative project, sought were not non-verbal messages of interviewees which could be subjectively (mis)interpreted. But evidence to convince PPCs efficacy or otherwise in their oversight roles – information which could be easily said over the phone and verified with other sources.

Secondly, telephone interviews have been accused of concealing contextual data.<sup>100</sup> This argument is concerned about the failure of telephone interviews to observe the environment and the surrounding of the research participant. As put by Patton (2002), this assertion would be most valuable to

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<sup>99</sup> Novic (2008).

<sup>100</sup> Opdenakker (2006).



ethnographic researchers especially those that might, for example, be interested in the participant attire or where they stay probably to deduce some conclusions on interviewees' economic status. However, the questions surrounding this research did not require such kind of environmental and contextual data. This means the loss of contextual data that could have happened in the telephone interviews conducted for this research do not pose any unimportance to the quality of information generated.

The third accusation is that use of telephone to conduct interviews could reduce probing, rapport and in-depth discussion leading to loss or distortion of verbal data.<sup>101</sup> Rapport is critical to qualitative research processes – and its absence may undermine the quality and rigour of the responses.<sup>102</sup> But for this research, a sense of connectedness, familiarisation and therefore rapport with the research participants was cultivated formally and informally before the interviews. Pre-interview introductions and informal chats using the Whatsapp Messenger<sup>103</sup> established some familiarities between the researcher and the research participants. Once the contacts of the research participants were obtained through snowballing, the researcher began informal conversations with them requesting for the most opportune times for the telephone conversations. It was in these initial contacts some form of friendliness and openness was established.

Telephone interviews also made some compensation for the presumed loss of non verbal and contextual data when they were used to conduct the interviews. Throughout the telephone interviews, the researcher was actively listening for what Tausig and Freeman (1988: 424) call auditory cues namely “anger, sarcasm, curt responses or rapid, compulsive speech”. These could be

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<sup>101</sup> Novic (2008).

<sup>102</sup> Sweet (2002).

<sup>103</sup> This is an internationally available instant messaging and voice over service that allows users to send text and voice messages make voice and video calls and share images and documents using mobile devices for free as long as users mobile remain connected to the internet. Also see <https://www.digitaltrends.com/mobile/what-is-whatsapp/> [Accessed on 4 November, 2021].

easily picked in a telephone interview through the respondents' voices, intonation or breathing.

Thus there is little suspicion the use of telephone interviews in this research could have produced compromised findings. Hopper (1992) states that sometimes, telephones may enable research participants to disclose information more freely and comfortably. Novic (2008) concludes telephone conversation has some features that makes it suitable for research interviews.

Nevertheless, it could still be admitted there was something, though not very significant, that was missed with telephone conversations – the non verbal emphasis of phenomena. When one Ultra Elite was asked during a face to face interview how difficult it was to convince the Executive to implement PPC proposals and recommendations, she just said “it’s about pushing... and pushing the Executive...” The respondent expressed the non describable difficulties and lack of strategy of making the Executive more responsive by biting her lower lip and at the same time producing a clicking sound by rubbing thumb with the middle finger and moving her forearm up and down simultaneously with her head affirming “pushing... pushing...and pushing”. Perhaps more of such non-verbal emphases were missed when telephone interview were carried out.

Finally the researcher missed a conversation with one of the MPs representing people living with disabilities (PWDs) in the Parliament of Zimbabwe. The MP was a signer who could not speak over the phone. But the researcher managed to speak to one of the only two MPs representing PWDs. The views obtained from the one MP for PWDs constituency interviewed could be seen as representative of the views of PWD constituency on PPC roles and efficiency.

#### *3.2.1.5. Scope and Reach*

The project targeted to interview a total of thirty four Ultra Elites and Elites. It managed to interview thirty one of them – fourteen males and seventeen females. There was no deliberate gender targeting because the target was more purposive than gender based. It sought for PPC Clerks, PPC

Chairpersons, CSO leaders of organisations working with PPCs readily available for interviews regardless of their gender as shown in the table below:

Table 1: Accessed research participant showing possible and actual reach

Name / Designation of Political Elite	Organisation	Totals	
		<i>Possible /Planned</i>	<i>Actual</i>
Speaker / Clerk of parliament	Parliament of Zimbabwe	2	1 <sup>104</sup>
Parliamentary Portfolio Committee Clerks	Parliament of Zimbabwe	9	10
Chairpersons of Parliamentary Portfolio Committees	Parliament of Zimbabwe	8	11
Chief Whips for political parties in parliament	Parliament of Zimbabwe	2	2
Leaders for civil society organisations working with parliamentary portfolio committees	Civil society organisations	3	3
Parliamentary representatives for People with Disabilities	Parliament of Zimbabwe	2	1 <sup>105</sup>
Leaders or representatives from faith based organisations working with the parliament	Faith Based Organisations	2	2

<sup>104</sup> The Clerk of Parliament participated in two capacities – on his own behalf and representing the Speaker of Parliament.

<sup>105</sup> The other MP for People with Disabilities was a signer and therefore could not be interviewed by the phone. Physical engagements were not permitted due to Covid – 19 regulations.

Former Parliamentary Portfolio Committee Chairpersons	Private	N/A	1
Parliamentary Portfolio Committee Vice- chairpersons	Parliament of Zimbabwe	5	N/A <sup>106</sup>
<b>Totals</b>		<b>34</b>	<b>31</b>

The interviews therefore covered more than 90% of the expected research participants. This is a statistically significant reach because by definition, “elites are less accessible and are more conscious of their own importance; so problems of access are particularly important – and inevitably, elite interview samples tend to be a lot smaller”<sup>107</sup>.

Whilst the PPCs’ interviews dependent largely on access and availability, more female PPC Chairpersons were more forthcoming than their male counterparts because of several reasons. Some male PPC Chairpersons were more demanding in terms of protocols. For some, the gatekeeper letter was not enough and wanted the Speaker to announce the presence of the researcher in Parliament. There were others who could not provide time for the interviews partly because they also doubled as business people or entrepreneurs. They could not evenly balance their time for the interview, the Parliamentary business and their own businesses. This was not the same with some business or entrepreneurial female PPC Chairpersons who had their male counterparts assisting when they were in parliament.

Finally, there were other male Ultra Elites known and interested to only respond to interview invitations from local and international media for their own profiling. The researcher was warned by some of the interviewed research

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<sup>106</sup> Parliament of Zimbabwe does not have vice-chairpersons for Parliamentary Portfolio Committees.

<sup>107</sup> Richards (1996: 200).

participants not to try “the media excited MPs for interviews because they don’t cooperate”<sup>108</sup>. It was shared the cooperation of media loving Ultra Elites is usually motivated by opportunities to appear on national and international news headlines where they gained some political capital. When the researcher tried to contact them, they did not even respond to the messages or picked up the calls.

The other intention was to interview at least two top Ultra Elites of the Parliament. However, there was no much informational deprivation felt when the interview was taken by one of them. It was explained he was the best respondent for the rest because of several reasons.

First his responsibilities had significant overlaps between the PPCs. Apart from the routine administrative work, the interviewee was one of the chief constitutional Parliamentary advisors through the rest of other Ultra Elites also represented. Second, the interviewee provided advice on Parliamentary procedures and business including Parliamentary privilege. The interviewee also had a mandate to appear before PPCs and [Senatorial] Thematic Committees to observe and examine constitutional and parliamentary matters. Thus there was little implication on the information collected as the interviewed Ultra Elite was representative.

Peabody et al. (1990) provides advice on the alternative of interviewing former elites when, for example, targeted respondents are not willing or too busy for the interview. Information provided by former elites could be more powerful because “such sources frequently have more time and most have retained their institutional memory”<sup>109</sup>. The initial research plan provided flexibilities and commitments to interviewing former PPC Chairpersons or members if necessary. Just in the same sense consensual employment exit interviews generate deeper reflections in a workplace culture, more than half of the

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<sup>108</sup> Ultra Elite Interviews, Harare, various: September 2020 – May 2021.

<sup>109</sup> Peabody et al. (1990: 542).

interviewed Ultra Elites recommended, similar “exit interviews” with a few selected former PPC Chairpersons.

Through the snowballing, the researcher identified and interviewed some former PPC Chairpersons who had significant experiences with the PPCs they led. Some of them were not easy to mobilise for the interview. But the mention of my Supervisor - a widely known Professor of World Politics – and his consequent communication with some of the research participants in support of my interview request made it easier to access and interview some ‘retired’ Ultra Elite.

The primary data generated from the former Ultra Elites would combine well with the data generated from the interviews carried out with the serving Ultra Elites. Since they were no longer part of the PPC leadership, they were relatively impartial and honest in their responses. They expressed deep feelings and emotions about the culture of the PPCs and the state - and internal political dynamics with implications on their roles and efficacy.

### **3.3. Focus Group Discussion**

Focus groups are interview techniques for small groups in which the researcher aims to prompt a spontaneous exchange of views among participants on a given topic of interest.<sup>110</sup> They are “carefully planned series of discussions designed to obtain perceptions on a defined area of interest in a permissible, nonthreatening environment”<sup>111</sup>. Rather than one to one interviews where interviewees are generally unchallenged even if they provide suspicious information, focus groups are more intriguing in that participants “will often argue with each other and challenge each other’s views”<sup>112</sup>.

#### **3.3.1. Participants’ mobilization**

Participants for the focus group discussion were mobilised in two ways. The researcher, at the conclusion of elite interviews with CSO leaders, requested

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<sup>110</sup> Michael and Liatto-Katundu, (1994: 537).

<sup>111</sup> Kruger and Casey (2009: 2).

<sup>112</sup> Bryman (2001: 338).

research participants to provide names of two or three men or women from communities they knew had been involved in engaging with the Parliament and or PPCs. The researcher specifically requested for men and women who had continuously engaged with the Parliament or PPCs in the “last” three years on the least. This was important. The researcher intended to trace the dynamics of policy development from the community to Parliament or PPCs, and citizens implications on the adoptability, implementation and therefore efficacy.

Not all interviewed respondents provided names and contacts of focus group Elites for the focus group discussion. Interviewed CSOs largely concerned with providing capacity to the Parliament of Zimbabwe or PPCs to effectively do their work such as Bill analysis did not have community based men and women who were active in engaging the Parliament of Zimbabwe or PPCs. However, organisations working on policy advocacy issues that required evidence from the communities such as governance of local resources had some men and women in respective communities.

As *bonafide* residents, and through technical assistance from the CSOs, one of the roles of “animators”<sup>113</sup> is to generate primary data or situation reports on state of affairs relating to different socio-economic thematic areas in their communities. Also known by the CSOs as community based “focal persons”, the animators would mobilise and create community pressure groups and lead in using the generated information for evidence based local policy advocacy and liaisons with duty bearers and policy makers including PPCs.

The second strategy used to mobilise participants for the focused group discussion was snowballing. The few contacts of the “focal persons” or “animators” the researcher obtained from the Ultra Elites and Elites

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<sup>113</sup> Animators are men and women who are trained or have developed the capacity to help their communities to participate in and manage their social, economic and political realities and experiences. They have real time connection with community development processes through regular communication and engagements with both community members and government or development agents. (Also see Pollo, 1991).

interviewed were requested to provide names and contacts of two or three other people they knew had interactions with the Parliament of Zimbabwe or PPCs in the last three years. Purposive sampling was used since focus group discussion relies much on the ability and capacity of participants to provide relevant information.<sup>114</sup> As a result, the researcher was able to mobilize four men and five women from different communities for a focus group discussion. The turnout was more than ninety percent since only one female participant failed to come.

The challenge could be that some “focal persons” seconded their friends with insignificant stakeholder engagements. A positive factor in this regard was if the community based focal persons snowballed their friends, they picked those they had encountered regularly during some of their meetings with solution holders. It later turned out during the focus group discussion introductions, and through the presentation of their profiles, almost all of them had continuously interacted with the Parliament of Zimbabwe and or PPCs at least three times in the last three years.

Once the ‘focal persons’ provided the names and contacts of others they knew had also been involved in engaging with the Parliament of Zimbabwe and PPCs, the researcher started the initial contacts with the potential group discussants using a very cheap cell phone communication application called Whats Application Messenger. This was very convenient because everyone was connected to the application. Every participant was on it and responded timely to the researcher’s communication. Some form of rapport was build even before the focus group discussion was conducted.

Due to their effective community entry strategies, some interviewed CSOs provided contacts of their animators from the remote countryside, some more than five hundred kilometres away from the centre of the focused group discussion. To diversify the human experiences, the researcher made an attempt to invite one discussant from the countryside. They could not be

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<sup>114</sup> Morgan (1998).



several, or spread across the country due to limited resources for their upkeep in and transport to Harare, the venue of the focus group discussion.

There was no much implication on the information later generated in the focus group discussions even though some of the animators from the countryside could not be part of the group discussion. Identified animators from the countryside who could not be part of the group discussion were working together with the same CSOs that provided the contacts for animators close to the group discussion point. Animators from close proximity that participated in the group discussion were also open to share the experiences of their colleagues from the remote areas they regularly met during progress reporting, monitoring and evaluation meetings organised by the CSOs that supported them.

### ***3.3.2. Facilitation and Discussion Methodology***

#### ***3.3.2.1. Rapport and Trust Building***

The focus group discussion was held in central Harare. The place was fairly convenient for the participants due to regular availability of transport to the capital city. The researcher, who was the facilitator of the group discussion, did not know any of the participants physically though the participants could have been familiar with one another. The group Elites knew the name of the researcher but it was the first time to see him physically. How then could people who did not physically know each other be open to share information?

The initial contacts had created some form of social interactions. The researcher / facilitator had used the Whatsapp Messenger platform to engage them on some social and welfare conversations about their costs for mobility and food if they attended the group discussion session. It was from this basis some semblance of trust was built. The group Elites came to the focus group meeting using their own resources with a lot of accrued trust their costs for mobility and food would be reimbursed. But this “trust building” process was not adequate for the group to open up and share their experiences in depth.

Some form of confidence and trust building process were needed for the group to speak out with confidence and without suspicion or fear.

It was important the methodology the researcher / facilitator used put the group at ease. In Zimbabwe, and any other parts of the African continent, religion and belief has been a unifying factor. Before undertaking a task, prayers are usually said to seek spiritual guidance to the discussion processes. But it is not always the case everyone submits to praying. Some, for example, describe themselves as 'non-believers' and would feel very uncomfortable with prayers. To recognise freedom of religion - though the *Constitution of Zimbabwe Amendment (No. 20) Act 2013* recognises Christianity as the official religion - the researcher / facilitator asked whether all the participants were comfortable with praying. The consensus for a prayer made it easier for the researcher to ask one of the participants to open the Focused Group Discussion Meeting with an 'Opening Prayer'. The participants became more relaxed. They also responded to the Prayer with their body languages. They were nodding, shouts of 'Amen', 'Hallelujah', 'Thank you Jesus', pointing and looking into sky as one of the participants said the prayer.

There were other ways the researcher / facilitator used to build trust. First was the sitting arrangement. Rogers (2020) argues the sitting arrangement of pupils or adults in a classroom, hall or even under a tree for learning, educational and discussion purposes has some repercussions on their participation and interaction with each other. The sitting arrangement for the focus group discussion was made in a horse shoe formation also known as a circle. This made participants to face each other for direct communication and interaction. There was free sitting without a 'high table'. The sitting formation established some form of equality and disregarded titles. This created a free environment for discussing and sharing.

Second, and following and following Training for Transformation approach<sup>115</sup>, the researcher / facilitator created a centring to bring together the participants

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<sup>115</sup> It is an adult education approach that applies Paulo Freire's principle of action and reflection.

emotions, ideas and beliefs into some form of common focus. This was done by placing a colourful, decorated map of Zimbabwe in the middle of the circle. Copies of the *Constitution of Zimbabwe Amendment (No. 20) Act 2013* were placed around the decorated map of Zimbabwe. This was combined with a holistic introduction process where every participant was requested to do the following task:

**Individual Task:** Participants write the following on provided sheets of paper and share in plenary after 30 minutes: (i) Full Name(s); (ii) Nickname; (iii) Totem; (iv) Domicile; (v) Hobbies; (vi) Experience with parliament (explain how you have engaged / interacted with the PoZ / PPCs? When did you start..? Etc) (vii) What is the Motivation / inspiration? (viii) What has made you happy? What has made you sad?

As each of the group participants presented their responses to the individual task, they lit a candle and placed it on their chosen place on the margins of the centre piece – the decorated portrait of the map of Zimbabwe. The lighting of the candle symbolised the participants' potential to be the light of Zimbabwe in their various efforts of voluntary engagements not only with the PPCs, but also with the duty bearers.

Fig 3. Focus Group participants in a discussion circle



This was important in putting in the minds that in as much as the discussion was designed for generating information for the studies of the researcher, it

was also a benefit on their side as a moment of reflecting and appreciating the work they were doing with the Parliament of Zimbabwe and or PPCs. There was also a feeling of some form of patriotism. As they provided information, they also had moments of reflecting on the good they were doing for the nation through their various engagements – and the challenges they were facing.

The sharing in plenary amalgamated the thoughts of the group Elites especially related to individual group tasks (vi) to (vii). In addition to verbal expression, body messages were used to explain general attitudes the discussants had towards the Parliament of Zimbabwe and PPCs. “Fears”, “emotions” “worries” expressed in response to individual question (viii) were discussed and demystified to encourage free sharing of knowledge and information.

The second process of generating information from the research participants was a group task of interrelated questions shown below followed by plenary sharing:

Group Tasks: Participants divide into two equal groups to discuss the following questions for the next 1 hour, write their responses on flipcharts and share in plenary:

**Main Question:** *What thoughts, feelings and associations come to your mind when you think about the Parliament of Zimbabwe / Parliamentary Portfolio Committees? Give examples where possible.* [Think about their roles; what they did/are doing, how they have done it and the successes / failures in, for example, (i) Identifying policy and legislative issues – how has this been happening? (ii) Public consultations and ‘inviting’ citizens – how has this been happening? Who is invited? How? (iii) Conducting public consultations – how are they done? Who speaks? How? Why? (iv) Documenting public views – how is it done? Whose views are documented? (v) Triangulation – coming back to the ‘public’ to verify reports on views obtained from the public consultations?? (vi) Putting the public views in the legislative / policy documents? (vii) Implementing the views and using the evidence to ask for accountability – inviting a witness (who is invited? How? (ix) Has the state (executive/cabinet ministers) been complying? Has it been accountable as a result of PoZ / PPC processes? How? Why?..]

**Exit Question:** *If you were given all the powers and resources to change PoZ/PPC, what would you do? Why?*

Fig. 4. Focus group discussants engaged in group work



The loss of information discussed was minimised by using at least three methods to record the information generated from the group discussion. First group elites recorded some of their information on plain sheets of paper and flipcharts. The researcher / facilitator, with the help of one of the group discussants, recorded verbal and non-verbal information generated during plenary discussions, probing responses from follow up questions during plenary discussions.

It was not only the researcher / facilitator who asked further questions or clarifications during the group plenary presentations and discussions. Questions seeking some clarifications, additions and further comments were also made by other members of the focus group discussion. Latitude for discussions was allowed to range fairly widely and at the same time brought

back when it went too wayward – but again with careful restraints as further discussions led to interesting revelations.<sup>116</sup>

Finally, the focus group discussion was captured through some photographs and images. Participants felt it was not necessary to tape record the discussion because it minimised their freedom of expression as they had to choose the ‘right’ words and the ‘correct’ posture for a presentable audio or video submission.

The focus group discussion helped in uncovering communities’ experiences with the PPCs. It helped in disclosing what citizens thought about PPCs and why they did so. Further, focus group discussion produced distinctive, open ended and even unexpected responses to complement information generated using other methods.

Fig. 5. Focus group discussants group photo - researcher on the extreme left



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<sup>116</sup> Also see Bryman, (2001).

The relationship established during the focus group discussion went beyond the circle.<sup>117</sup> One of the male participants, for example, asked the researcher to help him settle an outstanding hospital bill including medication for “my four months pregnant wife who is also hypertensive”. The researcher could not help at the moment but empathized with the participant without undermining the importance of the request and the trust the participant had in the researcher.

### **3.4. Participant Observation**

The researcher complemented data generated through methods discussed by observing PPCs in session. The PPC meetings in Zimbabwe are open to the public. The researcher used this opportunity to observe three PPC activities. Though the wish was to observe four PPC activities, availability depended on the PPCs’ agendas – beyond the control of the researcher - during the fieldwork period.

A PPC in session was observed at the Parliament of Zimbabwe Building on 2 November, 2020. A government Ministry was making its annual budget presentation to the respective PPC. The budget presentation meeting was held in Committee Room 507 on Fifth Floor of Zimbabwe Parliament Building. Since there was no adequate space for observers inside the meeting room<sup>118</sup>, the session was observed by the door and all the deliberations were seen and heard. Some of the critical observations were recorded.

The second and third PPC scenarios were public hearings. Following a petition on Adolescence Access to Reproductive Health<sup>119</sup> submitted to the Parliament

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<sup>117</sup> The researcher is still communicating with some of the focus group discussants at the time of writing.

<sup>118</sup> Citizens can only observe Parliamentary Committees in session and are not allowed to speak. If they want to say something, they would have to do it through an MP in the session. This would mean telling an MP in the session to speak out the contributions of the observers.

<sup>119</sup> The petition sought amendment of Public Health Act of 2018 that (i) there should be no restriction in accessing reproductive health care service by persons aged 12 years and above – HIV testing, pre and post counselling, access to contraceptives and other pregnant prevention and management tools for adolescents and young people – and to ensure that there are



by an organisation called Core Advocacy Group in August 2020, the relevant PPC<sup>120</sup> recognised it as a public interest issue and therefore sought to solicit public views through public hearings. On 12 November 2020, the PPC organised a Constitution Amendment Bill Hearing on the petition. The researcher was able to observe two sessions of the public consultations held on the same day but in different places and time.<sup>121</sup>

The researcher arrived at the venues before the beginning of the public consultations to observe its setting and determine whether it created conducive environment for the public to articulate their ideas. The researcher also observed the public consultation processes from the beginning. This included the sitting arrangements, the way of opening – Prayers and Introductions and how the information was shared. This was important in assessing the implications of these processes in enabling the ‘public’ to freely and independently speak.

The researcher was also able to observe the power dynamics in the public consultations process – and the methodologies used - guided by the following questions: To what extent were the ‘public’ aware of the issues on the agenda? How was the public consultation publicised? How did the ‘public’ speak? Who spoke [first/ last] and why? The researcher took notes of all the processes observed.

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proper administrative measures to monitor and provide reproductive Health rights for persons under 12 years; (ii) there should be a provision in the Children’s Justice Bill ensuring access to reproductive health services for adolescents and young people aged 12 years and above and (iii) there should be realignment of all other appropriate legislation to ensure consistency among policies guaranteeing access to critical and often life saving health care services for adolescents and young people.

<sup>120</sup> Thematic Committees are Senate equivalents of PPC though they cover broader thematic areas as opposed to PPCs that shadow one Ministry.

<sup>121</sup> One was observed at Community Hall, Seke Unit L., Chitungwiza was conducted between 10:00 am and 12:00 mid day and the one held at Harare Sports Centre between 2:30pm and 4:00pm.



### **3.5. Conclusion**

There is no log linear approach to fieldwork research. The pre-fieldwork lecture room imaginations and planning do not always come to pass. Reflexibility in fieldwork research – at least according to these experiences - means humbleness: the ability to adjust to fit in situation, including the plans of others namely the research participants. But reflexibility brings frustrations and emotions when interview appointments are suddenly cut without prior notice and when key respondents refuse to entertain interviews. Yet it is also about patience, about giving respondents time to be ready and volunteer to be available for an open sharing at their own convenience. For the researcher and the respondents, this research experience created some mutual relationships. The interviewer, through the use of the different but complementary research methodologies, got the primary information sought. The interviewees had some useful moments to recollect and learn to do better in their work.

The use of the three methods was important for the research. When there were inadequacies or questions on some of the responses obtained using one methodology, the researcher made further enquiries using the other. For example, one methodology would acknowledge the truth discovered by the other and uses it to detect further truth and evidence; another [methodology] would point out an error made and improves on it and so on. The methodological cross checking did not happen all the time. It happened every time when a methodology provided suspected misinformation or incongruent responses. Use of researched information begins in the next Chapter which takes a broader analysis on the form, nature and characteristics of PCs from Commonwealth countries outside Africa.

## **Chapter 4:**

### **Single Template, Assorted Practices: Parliamentary Committee from Former British Colonies Outside Africa**

#### **4.1. Introduction**

Common among the former British colonies is the imitation of the Westminster governance style. Several Commonwealth countries have voluntarily taken up the PC system to deal in greater depth, with sophisticated oversight and legislative matters on behalf of the main Parliament also known as the House or Plenary. By discussing PCs from earlier democracies like the UK, Australia Canada and Australia and those from emerging democracies like India, Bangladesh and Singapore, this Chapter discovers PCs' empirical variations and utility. It extracts some common and uncommon PCs fundamentals and behaviours to inform and hinge the thesis, and indeed, the consequent discussions on PCs from Kenya and Zimbabwe. The mixed case study selection helps to establish a pattern of PCs' behaviours including general factors determining or undermining their efficacy. The Chapter starts with a delineation of PCs' definitions. This is followed by identification and evaluations of their powers, composition, leadership, public and expert involvement. The final part discusses government reactions to PCs feedback. Whilst recognising PCs' existence in both Houses of the bi-cameral Parliaments from the Commonwealth countries – except for Bangladesh and Singapore with unicameral Parliaments – and that there are other temporary PCs that could be formed for specific assignments, this Chapter, and indeed the whole thesis, strongly focuses on PCs from the House of Commons or the lower chamber that have extended oversight mandate to shadow or scrutinise government Ministries and departments. The Chapter question is: Why, how and with what variations and successes have former British colonies outside Africa adopted and adapted the Westminster governance model? It is concluded although there are differences in PCs' efficacy across the former British colonies depending on the powers they have and the responsiveness of

incumbent governments, their mandates, characteristics, tools and strategies are analogous and universally comparable.

#### **4.2. The Roles: Decongesting Parliamentary Agenda**

The differences in PC naming<sup>122</sup> – Departmental Select Committees from the UK; Parliamentary Committees from Australia; Standing Committees from Canada and Bangladesh; Standing or Permanent Committees from India and Government Parliamentary Committees from Singapore – does not provide significant differences amongst them in respect of what they are and what they do. They are universally described as groups of MPs created to deliberate on selected and sometimes complex matters in greater depth than is possible in the Plenary Parliament.<sup>123</sup> As small groups of MPs, PCs do not have any mandate to initiate or formulate policy. They hold the ruling parties accountable to fulfilling its own policies by studying and examining government spending, legislation and policies of specific government ministry and departments. In so doing, they add value and decongest the oversight roles of the House, making it more focused on its core business of considering, reviewing, amending and passing laws.<sup>124</sup>

Except for the National Parliament of Bangladesh, the Jatiya Sangsad that is mandated by the national Constitution to have at least two PCs – Public Accounts Committee and Privileges Committee – the formation of PCs from the rest of the Commonwealth countries in this study, are not exclusively instructed by national constitutions. PCs from Australia, Canada, Singapore, the UK, India - and additional committees for Jatiya Sangsad of Bangladesh may propose to create - are instituted and formalised by parliamentary protocols or *Rules* called Standing Orders in the UK<sup>125</sup>, Canada<sup>126</sup>, Australia<sup>127</sup>

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<sup>122</sup> Since the naming is conceptually and factually insignificant, the word Parliamentary Committees (PCs) will be predominantly used alternatively to refer to all Parliamentary Committees from different Commonwealth countries under study.

<sup>123</sup> *Parliament of Canada* “Committees” at <https://www.ourcommons.ca/Committees/en/Home> [Accessed on 22 February, 2022].

<sup>124</sup> Uhr (1997).

<sup>125</sup> UK Parliament “Standing Orders of the House of Commons Public Business 2002(2) – Select Committees” at

and Singapore<sup>128</sup>; Rules of Procedure in Bangladesh<sup>129</sup> and Act of Parliament or Rules of Procedure and Conduct of Business in India<sup>130</sup>. The Parliament of Canada vividly expresses PC mandates in a universal manner:

[PCs] examine and enquire into all such matters as may be referred to them by the House, to report from time to time, and to send for persons, papers and records, to sit while the House is sitting, to sit when the House stands adjourned, to sit jointly with others standing committees; review and report on programs, policies, expenditure plans, laws, achievements and any other matters related to the mandate, management, organization, or operation of the department or government Ministry as they deem fit.<sup>131</sup>

Committees are empowered and bound by the *Rules* that elaborate their work and keep them within the confines of their mandated responsibilities as subordinates of Plenary Parliaments that establish them.

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<https://publications.parliament.uk/pa/cm200102/cmstords/27519.htm> [Accessed on 20 February 2022].

<sup>126</sup> See House of Commons – Chamber des Communes Canada “Standing Orders of the House of Commons – Consolidated Version as of December 2, 2021” at <https://www.ourcommons.ca/About/StandingOrders/Chap13-e.htm> [Accessed on 23 February, 2022].

<sup>127</sup> House of Commons – Chamber des Communes Canada “Standing Orders of the House of Commons – Consolidated Version as of December 2, 2021” at <https://www.ourcommons.ca/About/StandingOrders/Chap13-e.htm> [Accessed on 23 February, 2022].

<sup>128</sup> *Parliament of Singapore* “Standing Orders of the Parliament of Singapore” at <https://www.parliament.gov.sg/docs/default-source/default-document-library/standing-orders-of-the-parliament-of-singapore.pdf> [Accessed on 20 February, 2022].

<sup>129</sup> See *Bangladesh Parliament* “Rules of Procedure of the People’s Republic of Bangladesh” at [http://www.parliament.gov.bd/images/pdf/Rules\\_of\\_Procedures\\_English.pdf](http://www.parliament.gov.bd/images/pdf/Rules_of_Procedures_English.pdf) [Accessed on 21 February, 2022].

<sup>130</sup> See Lok Sabha Secretariat (2019).

<sup>131</sup> *Parliament of Canada* “Standard Orders of the House of Commons – Consolidated Version as of 2 December, 2021 at <https://www.ourcommons.ca/About/StandingOrders/Chap13-e.htm> [Accessed 24 February, 2022].

### **4.3. Powers: Quasi-judicial - and sometimes effective even without enforcement authority**

PCs have several powers at their disposal to enable them scrutinise government Ministries or departments. At the centre of their roles and responsibilities in holding the state institutions accountable is the importance of information. PCs need adequate evidence to convince the Executive by raising important accountability questions or persuade them to take certain policy directions or reforms. In this regard, PCs have different powers they use to fulfil their mandates.

#### ***4.3.1. Power to call for documents and summon witnesses to give evidence***

PCs have different forms of formal, derivative power ascribed to them by the “parent” House. All PCs under discussion possess the most important official power to send for persons, papers and records. This is important key evidence gathering power which includes the power to call witnesses.<sup>132</sup> The strength and limitation of this power varies from one country to the other. While some parliamentary Rules in countries such as India - and Zimbabwe as shall be seen in the next Chapters - give PCs power to summon every citizen except a sitting President, there is significant limitation to this power in the UK Select Committees. Except for the Committee on Standards and Privileges, the power of UK Select Committees cannot be used to compel MPs, Lords, and the Crown or government Ministers to appear before them.<sup>133</sup> Even when the PCs send for ordinary citizens, they do not have the enforcing power to make them comply. Their formal power has rarely been tested because witnesses have largely been compliant. Witnesses have always voluntarily presented themselves when invited. Papers or records have been made available not

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<sup>132</sup> Institute for Government “Select Committees” at <https://www.instituteforgovernment.org.uk/explainers/select-committees> [Accessed on 19 February, 2022].

<sup>133</sup> Institute for Government “Select Committees” at <https://www.instituteforgovernment.org.uk/explainers/select-committees> [Accessed on 19 February, 2022].

because of the formal power the British Select Committees have, but largely on goodwill, political or reputation pressure.<sup>134</sup>

Assuming that some witnesses may choose not to appear before the PCs when invited to give evidence, some PCs have powers to summon. PCs from Bangladesh are even more powerful as the national constitution gives them power to enforce attendance of witnesses for questioning under oath and for compelling the production of documents through the Parliament. Similarly, PCs from Australian Parliament have enforcement, quasi judicial powers to punish summon skippers:

A person summoned to appear before a committee but refuses to attend, or a witness who refuses to answer a question or produce a document, who lies to or misleads a committee, may be punished for contempt by reprimand, fine or imprisonment. A person attempting to influence a witness or to prevent a witness from giving evidence, or persecuting or injuring a witness for having done so, would also be guilty of contempt, and may be prosecuted under the provisions of the *Parliamentary Privileges Act 1987*.<sup>135</sup>

But in all cases, summoning power is limited, and to some extent, selective. Governments are excused from producing documents or information if the disclosure of such is seen to be prejudicial to the national safety and interests. Nevertheless, there are few excuses for witnesses to skip summons or refuse to provide documents because PC proceedings are also Parliamentary proceedings. Parliament rules also apply in committee work. Just like Parliament, PCs have powers to administer oaths. In this regard, they have Parliamentary Privileges that also protect witnesses summoned to provide evidence from prosecution. This provides PCs with significant chances of getting factual, comprehensive and truthful information. The power to

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<sup>134</sup> Institute for Government “Select Committees” at <https://www.instituteforgovernment.org.uk/explainers/select-committees> [Accessed on 19 February, 2022].

<sup>135</sup> Parliament of Australia “Info-sheet 4 – Committees” at [Infosheet 4 - Committees – Parliament of Australia \(aph.gov.au\)](https://aph.gov.au/infoshheet/4-committees) [Accessed on 22 February, 2022].

summon and call for documents makes committees able to thoroughly investigate questions of government administration and service delivery.<sup>136</sup>

But PCs from countries without well established committee systems like Singapore are compromised in their summoning power. Whilst some of the rules give committees powers to send, they are not explicit on whether it is mandatory to appear before PCs.<sup>137</sup> They do not even state consequences for breaching of the invitation order<sup>138</sup> though they “may, at their own discretion, refuse to hear any irrelevant evidence or any recalcitrant witness and may reject any irrelevant representation”<sup>139</sup>. This means whilst the power to summon is important, its effective use for significant PCs’ effectiveness depends on whether PCs are acquainted with adequate formal or informal institutions to enforce their summons. The power to summon is linked to the power to make enquiries as discussed below.

#### ***4.3.2. Powers to question and enquire***

PCs have powers to make enquiries. The most outstanding use of this power has been with the UK Select Committees. They have been unique in putting into practice their power to make enquiries, publish reports and question Ministers and elite individuals even if they do not have enforcement powers. Employing some fiery questioning tactics, some UK Select Committees have managed to expose poor performing Ministries, a tactic that, for example, “forced British Home Secretary Amber Rudd to resign in April 2018 after misleading the Home Affairs Select Committee over the Windrush scandal”<sup>140</sup>.

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<sup>136</sup> Parliament of Australia “Info-sheet 4 – Committees” at [Infosheet 4 - Committees – Parliament of Australia \(aph.gov.au\)](#) [Accessed on 22 February 2022].

<sup>137</sup> Cheong (2012).

<sup>138</sup> For example Singapore’s Select Committee Order No. 100 of. Also Cheong (2012).

<sup>139</sup> Parliament of Singapore “Standing Orders of the Parliament of Singapore 2017 Reprint” at <https://www.parliament.gov.sg/docs/default-source/default-document-library/standing-orders-of-the-parliament-of-singapore.pdf> [Accessed on 27 February, 2022].

<sup>140</sup> It was a scandal that broke out in 2018 when the UK government apologised for threatening to deport Commonwealth citizens’ children even after having lived and worked in the UK for decades. Many of them, especially from the Caribbean, were told that they were not UK citizens because they lacked official citizenship paper work. As a result, they were wrongly

The strength of committees, in the British context, lies not largely on the Rules, but on the valiance of the Members, led by the Committee Chairpersons, to question witnesses. The questioning, especially for government officials accused of misbehaving, has implied some form of vicious command or instructions to the Executive. The pessimistic O'Rourke, shows some concern on how PCs could become a bit overambitious by arguing that the "minute somebody joins a Committee [as Member], they immediately suffer from a committee brain. They become wildly ever-enthusiastic, over-optimistic, over pessimistic... committees turn people into idiots and politics is a committee"<sup>141</sup>. This observation could also be relevant to witnesses, especially those that have appeared before some of the fiercest UK Select Committees. A BBC Point of View broadcast observes this and states that:

...it was his appearance before the Culture, Media and Sports Select Committee [in July 2011 to answer questions about the phone hacking scandal<sup>142</sup>] that Rupert Murdoch described as the "most humble day of my life"...What about the Culture Select Committee grilling the director-general of the BBC over Jimmy Savile affair? Or the humiliation of private equity business executives? Screw up in front of a select committee and your reputation will be damaged, and your resignation may even follow. Earlier this month [March 2015], Rona Fairhead, an HSBC executive and chair of BBC Trust, was labeled as "totally incompetent" and told to resign by Margaret Hodge, chair of the Public Accounts Committee.<sup>143</sup>

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detained, denied legal results with the Home Affairs department making at least 80 cases of wrong deportations. See also *The Guardian* "Windrush: 11 people wrongly deported from UK have died – Javid" at <https://www.theguardian.com/uk-news/2018/nov/12/windrush-11-people-wrongly-deported-from-uk-have-died-sajid-javid> [Accessed on 21 February, 2022].

<sup>141</sup> See O'Rourke "Brainy Quotes" at [https://www.brainyquote.com/quotes/p\\_j\\_orourke\\_617443](https://www.brainyquote.com/quotes/p_j_orourke_617443) [Accessed on 24 February 2022]

<sup>142</sup> Also see *The Guardian* "Rupert Murdoch invited to appear before MPs" at <https://www.theguardian.com/media/2011/jul/12/rupert-murdoch-invited-mps> [Accessed on 24 February, 2022].

<sup>143</sup> See *BBC News* "A Point of View: Do parliament's select committees wield too much power?" at <https://www.bbc.co.uk/news/magazine-31961356> [Accessed on 25 February, 2022].



In view of the PCs powers to question and enquire, it is not clear where the powers should start and begin. Using this power, a PC Chairpersons could ask questions, but it is not apparent on whether they should also suggest Executive deployment or demotion. Government bureaucrats are appointed by the Executive and their recall or *disappointment* should also be made by the Executive. This means powerful PCs present conflicts in separation of powers, a subject that will be revisited later in this section. Meanwhile, it is relevant to look at the other power PCs have namely the power to consult.

#### ***4.3.3. Powers to consult experts and the public***

When PCs need additional expertise or capacity to execute certain tasks, they have the power to solicit or call for expert advice from technically competent individuals, organisations, non-state actors or Civil Society Organisations (CSOs). Similarly, PCs have powers to consult citizens and harvest their views in situations where certain legislative, oversight or scrutiny matters affect public lives. The powers to involve both experts and citizens have made PCs more effective as they use evidence generated to hold the Executive accountable. It is important to look at these powers separately and in some detail to broaden their understanding.

##### ***4.3.3.1. PCs and the experts***

Also evident in PCs from Commonwealth countries is their limited technical capacity to effectively legislate, scrutinise and oversight. Majority of MPs constituting PCs are elected without adequate knowledge, skills and experience in legislative work. There are no significant professional qualifications or experience required as credentials for becoming an MP across several Parliaments from former British colonies. There are no schools or universities that prepare MPs to increase their understanding of legislative roles and responsibilities. This makes it important for PCs to solicit expert advice, not only to give them the knowledge and skills to effectively fulfil their responsibilities, but also details on different enquiry subjects or themes related to their portfolios.

Involvement of CSOs as experts in capacitating PCs is more evident in Bangladesh. Members from three most technical PCs responsible for ensuring financial accountability<sup>144</sup>, for example, benefited from some CSO's technical accompaniment. The technical advice and training provided was based on needs assessments of PC officers and Members. The initiative went beyond workshops for increased skills and knowledge to

...the development of performance monitoring and management information systems material support to the PC to be more effective such as development of operation manuals and advice notes on committee procedures and processes, designing and developing effective monitoring systems that measure outputs against agreed benchmarks; development of information systems with automated records and management and workflow facilities, infrastructure assessment and website development for each committee; facilitating cross learning with international peers.<sup>145</sup>

PCs do not only lack the requisite expertise, but also adequate supporting staff with relevant skills. PCs from Bangladesh - and to some extent and Singapore - do not have fully committed technical staff. They largely depend on civil service staff regularly seconded from various government Ministries and departments. These do not have adequate commitment since their roles would be divided between where they are fully employed in government and PC work where they usually commit as opportunities to advance and diversify their careers. However PCs from Australia, Canada, the UK and India have permanent staff with more time and greater involvement in planning and policy making than their counterparts in Bangladesh. But in general, most PCs do not have specialized staff like “gender specialists”, “experts on children” or “governance” to provide some technical advice and leadership on specific

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<sup>144</sup> These included Committee on Estimates which scrutinizes executive financial estimates; Public Accounts Committee which reviews audit reports on the accounts of the central government and Committee on Public Undertakings that review audit reports on state owned enterprises.

<sup>145</sup> *Oxford Policy Management* “Strengthening Parliamentary Oversight in Bangladesh” at [Strengthening parliamentary oversight in Bangladesh | Oxford Policy Management \(opml.co.uk\)](https://opml.co.uk) [Accessed on 16 February, 2022].

themes. Even in richer countries with relatively more developed committee systems such as the UK, PCs are “under resourced and overstretched”<sup>146</sup>. This leaves PCs with options of hiring for or consulting on specific themes from special interests groups or professionals for effectiveness and informed scrutiny, oversight or legislative processes. But when arising issues are not very technical and affect the general public, PCs exercise their power to consult citizens.

#### *4.3.2.2. PCs and citizens*

PCs from all the study sites have powers to invite the public to provide their input on certain national practices, policies and legislative issues with national prominence. In Australia, public hearings are largely conducted to hear from “witnesses” - men and women with experience or expertise relevant to the committee’s enquiry.<sup>147</sup> In Canada, PCs hear “different views on any topic” from “witnesses” or “experts in particular fields or non-governmental organizations with particular interests in the matter before the committee or, more rarely, private individuals”<sup>148</sup>.

Witnesses for public hearing in Australia and Canada are drawn from individuals and organizations that submit briefs of their main points to respective PCs following calls for public inputs or participation. The public consultation process itself is not usually for everyone to speak, but for further explanations from organizations or individuals who would have earlier submitted their opinions.<sup>149</sup> A similar elitist approach to the public hearings is also applied in India where, in the “course of their work” PCs “may interact

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<sup>146</sup> *BBC News* “A Point of View: Do parliament’s select committees wield too much power?” at <https://www.bbc.co.uk/news/magazine-31961356> [Accessed on 25 February 2022]

<sup>147</sup> *Parliament of Australia* “Attending a public hearings” at [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Attending\\_a\\_public\\_hearing](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Attending_a_public_hearing) [Accessed on 22 February, 2022].

<sup>148</sup> See also *Parliament of Canada* “Committees Practical Guide” at <https://www.ourcommons.ca/About/Guides/Committees-e.html> [Accessed on 22 February, 2022].

<sup>149</sup> *Ibid.*

with government officials, consult key stakeholders or invite comments from experts”<sup>150</sup>.

The “witness” or “expert” focused approach to public hearings, and how ordinary men and women are left out, is well demonstrated in Australia’s structured and formal public hearing procedures:

An inquiry on a public issue is advertised inviting individuals and organizations to submit their opinions and proposals. Specific invitations are made to interested organizations or individuals with specialized knowledge on the enquiry. Some of those that lodge submissions are invited to a meeting with the committee called public hearings to discuss their submissions and answer some questions.<sup>151</sup>

It is up to Committees to decide speakers at a public hearing. But they

Often choose from those who would have made written submissions, especially when there is need for elaboration. Those that intend to be witnesses indicate on their written submission, but the final decisions on public hearing speakers rest with the committees. For more diverse views, the committees sometimes group together witnesses in panels to interact and discuss amongst themselves.<sup>152</sup>

Even with these limitations, PCs organize and facilitate public consultations to harvest ideas that enable them to be aware of the best choices that could be made amongst competing scrutiny, legislative and oversight issues and “of some of the interests that promote specific choices”<sup>153</sup>. Typical public hearings in the majority of cases are opened by the PC Chairperson who introduces the purpose, subject and procedure of the inquiry.

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<sup>150</sup> Sinha and Kanwar, (2019: 33).

<sup>151</sup> Parliament of Australia “Info-sheet 4 – Committees” at [Infosheet 4 - Committees – Parliament of Australia \(aph.gov.au\)](https://aph.gov.au/infoshheet4) [Accessed on 22 February, 2022].

<sup>152</sup> Parliament of Australia “Info-sheet 4 – Committees” at [Infosheet 4 - Committees – Parliament of Australia \(aph.gov.au\)](https://aph.gov.au/infoshheet4) [Accessed on 22 February, 2022].

<sup>153</sup> Brown (2003:5).

There is a special way of sitting in the community hall or public places where the public hearings would be conducted. Witnesses sit on a designated place and are asked to identify themselves and whether they represent organizations or stand as private individuals. They are expected to tell the truth and sometimes asked to make an oath or an affirmation. It is usually the PC Chairperson that starts to ask witnesses questions and the rest of the Members would follow suit.<sup>154</sup> In Canada, only PC Members are allowed to ask witnesses questions. In rare occasions where members of the public are provided with their own opportunities to speak to an enquiry and make comments, “they will only have to contribute in respect of witnesses’ submissions”<sup>155</sup>.

The witness based public enquiry method has some advantages. It serves time and is relevant when issues on PCs enquiry agenda are too technical to be understood and comprehended by the ordinary people. But there are methodological questions on criteria, objectivity and fairness. In the context of Australia for example, the “witness” approach to public hearings potentially deprive almost thirty percent of Australian adults classified as lacking literacy skills required to cope with the complex demand of the witness submission process.<sup>156</sup> As a result, elite public hearings cease to be very helpful places where “citizens, sometimes as groups and as individuals and often as representatives of a group, can meet, place their views on public record and then examine and react to other views”<sup>157</sup>. Inclusive public consultations on public interest issues involving both “witnesses” and the general public enable PCs to generate more universal views.

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<sup>154</sup> *Ibid.*

<sup>155</sup> *Ibid.*

<sup>156</sup> See *OECD* “Country Note: Survey of Adult Skills First Results – Australia” at [https://www.oecd.org/skills/piaac/Country%20note%20-%20Australia\\_final.pdf](https://www.oecd.org/skills/piaac/Country%20note%20-%20Australia_final.pdf) [Accessed on 22 February, 2022].

<sup>157</sup> Brown (2003:5).

There are further limitations in some Commonwealth countries where the public are not allowed to observe, attend or participate in PC meetings or discussions. In Bangladesh and India, PC meetings are held in private with no outsiders except for committee Members and staff. In Singapore, PC meetings are held in private where “strangers and other Members [not in the Committee] may not be admitted ... when the Committee is deliberating or hearing evidence in private”. Admissions to Select Committee “shall be subject to such rules as the Speaker may make from time to time” <sup>158</sup>. The “sittings” of PCs from Bangladesh “shall be held in private”<sup>159</sup>.

Despite these methodological challenges in soliciting public views, PCs legislative, oversight and scrutiny processes and consequent submissions to the Executive and the House carry a lot of weight and legitimacy when they are supported by empirical evidence from the public and expert input. In any case, it is not possible for every citizens’ view to be heard and considered, but every effort PCs make to involve the public resonate to some important tenet of democracy and good governance namely citizens’ participation in decision making processes. Thus PCs have also been effective in broadening democratic practices. But they have also made the institution of Parliament more competent partly because PCs have the power to continue operating even when the House is adjourned.

#### **4.3.4. Powers to sit even when Parliament is on recess**

PCs make Parliaments more productive by using their powers to meet and function all year round even when the House is on recess.<sup>160</sup> Whilst all the PCs

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<sup>158</sup> *Parliament of Singapore* “Standing Orders of the Parliament of Singapore 2017 Reprint” at <https://www.parliament.gov.sg/docs/default-source/default-document-library/standing-orders-of-the-parliament-of-singapore.pdf> [Accessed on 27 February 2022].

<sup>159</sup> *Bangladesh Parliament* “Rules of Procedure of Parliament of the People’s Republic of Bangladesh” at [http://www.parliament.gov.bd/images/pdf/Rules\\_of\\_Procedures\\_English.pdf](http://www.parliament.gov.bd/images/pdf/Rules_of_Procedures_English.pdf) [Accessed on 27 February 2022].

<sup>160</sup> *Parliament of Singapore* “Standing Orders of the Parliament of Singapore 2017 Reprint” at <https://www.parliament.gov.sg/docs/default-source/default-document-library/standing-orders-of-the-parliament-of-singapore.pdf> [Accessed on 27 February, 2022].

in the Commonwealth have these powers, the case of India is symbolic and illustrative. PCs from India played an important supplementary and complementary role when the House had minimal time to sit. During the first session of the Seventeenth Lok Sabha<sup>161</sup>, Parliament sat for only thirty seven days. The role of PCs was even more prominent in the period between 2010 and 2020 - a decade in which Lok Sabha, due to different reasons such as Parliament boycotts<sup>162</sup>, was only able to meet for only 67 days per year on average. This was a very short time for the House to be able to get to the details of legislative, scrutiny and oversight matters. Meetings of the Lok Sabha's PCs organized throughout the year made up for lack of time available on the floor of the House.<sup>163</sup> Whilst PCs powers are important in making them more effective, questions arise on whether they conflict with some important concepts of democracy and good governance such as the separation of powers.

#### **4.3.5. PC powers versus separation of powers**

The powers PCs have raise broader questions on the concept of separation of powers. Perhaps in respect of the of procedural fairness and the separation of powers, the Legislature, which makes laws, should not be seen to also have summoning and enforcing powers, which the Judiciary, as separate arm of the state, should execute.<sup>164</sup> Giving PCs summoning power and meting punishment for those that skip summons make PCs very powerful. They would appear as combining all the roles of the state – Judiciary, Executive and

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<sup>161</sup> Name of India's Parliament.

<sup>162</sup> Parliament boycotts are very common in India and have often stifled the work of Parliament making PCs an asset. See for example *The Hindu* "Opposition Parties Walk out of both House of Parliament" at <https://www.thehindu.com/news/national/parliament-proceedings-opposition-parties-walk-out-of-both-houses-of-parliament/article61703731.ece> ; *The Economic Times* "Opposition Boycott Remaining Session of Parliament, Protesting suspension of 8 Lok Sabha MPs" at <https://economictimes.indiatimes.com/news/politics-and-nation/opposition-to-boycott-remaining-session-of-parliament/articleshow/78263628.cms?from=mdr> [Accessed on May 31, 2022].

<sup>163</sup> Kanwar (2019).

<sup>164</sup> *Institute for Government* "Select Committees" at <https://www.instituteforgovernment.org.uk/explainers/select-committees> [Accessed on 19 February, 2022].

Legislature. This seems to weaken the separation of power with more powerful PCs becoming threat to the balance of power.

Yet if PCs fail to summon witnesses, access papers or records using some form of informal coercive methods, they risk legitimacy as they could be ignored at will. Even when criminalisation of contempt of Parliament give Parliaments some additional (Judiciary) roles of policing parliamentary procedures, they can as well be administered simultaneously with other existing measures used by Parliaments to control its own affairs. One way could be using them side by side with Parliamentary Privileges which protect parliamentarians and witnesses against civil or criminal liability on actions done or statements made during the course of parliamentary processes.<sup>165</sup> In any case, conflicts in the separation of powers remain, making it important to reflect on whether the practice of separation of powers is possible. This is a cross cutting question. Its final determination, in as far as this thesis is concerned, could only be made in the conclusion after building from PCs behaviours demonstrated in other Chapters. Meanwhile, it is important to discuss another important characteristic of PCs namely composition – and its implications on PCs efficacy.

#### **4.4. Composition: Cross party sharing, cooperation and consensus**

PCs composition in all selected cases indicates some form of tolerance and acceptance of political diversities and co-existence of different political parties in Parliament. PCs are generally created, in different ways, from a mix of all political parties in Parliament with Members' representation for each committee proportional to each political party standing in the House.<sup>166</sup> This is in exception of single party Parliaments such as Singapore where PCs are dominated by governing party Members backed by some resource persons of subject experts and lay persons with rare instances of one or two individuals Members from the opposition.<sup>167</sup> Though the ruling parties maintain a

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<sup>165</sup> *Ibid.*

<sup>166</sup> Cheong (2012).

<sup>167</sup> For example, a Mr. Chen Show Mao, an opposition Member of Parliament was drafted in Singapore's Committee selection after 2011 General Elections. See also *Research Office*



majority is all PCs and therefore dominate vote based decision making, presence of Members from all political parties in PCs increase diversity and allow for greater representation of ideas in government scrutiny and oversight processes.

Despite the political diversities, there are rare instances where PC Members may not agree. In such circumstances, a minority or dissenting report would be added to a PC report. But a common feature of PCs within the Commonwealth has been the ability of all political parties to work constructively together to develop agreeable proposals. As mediums for building consensus across political parties, MPs in PCs are more flexible and free to question and discuss issues and arrive at a consensus in their PCs' closed meetings than in Plenary. The publicity of proceedings of the House gives MPs some insecurity as they always try to speak to their political party positions on national matters. Yet PCs give them - including MPs from the ruling parties - the space to freely express themselves on any arising issues, even debating against their own comrades, without fear of retribution or disciplinary action from their political party caucuses. There are various ways – as explained below - MPs are seconded to PCs.

#### ***4.4.1. Election of MPs to PCs***

There are at least three ways across the case studies where Members are second to PCs. In unique single party dominated countries like Singapore with obscure committee Member selection rules, the allocation of Members to PCs is initiated by the ruling party that decides on the criteria. The ruling party allocates PC a corresponding Ministry to examine the policies, programmes and proposed legislation. The ruling party also mandates PCs to provide the relevant Ministry with feedback - and suggestions and the Ministries and

government departments to also consult PCs on issues of public interest.<sup>168</sup> In Bangladesh, there are no fixed rules on appointment of Members to a committee as selection is guided by a motion of Parliament.<sup>169</sup> This means that the role of PCs in good governance is even recognised by strong ruling parties though they seem to dominate in agenda setting.

The second way involves the appointment of Members to PCs by their political parties in Parliament using their own internal systems. After the internal selection processes, political party Whips<sup>170</sup>, in the case of Canada for example, submit names of Members for each PC to the Standing Committee on Procedure and House Affairs to be approved by the House.<sup>171</sup> In Australia, Members for each PC are elected by their respective parties and their names are forwarded to their party Whips for submission to the Speaker. A resolution of the House formally appoints Members to the respective PCs.<sup>172</sup>

The final method, which is common in the UK, is a sophistication of the second. Once the number of seats won by each political party is known, the Speaker of Parliament applies an undisclosed formula to calculate how many Members each party should have in a PC, political parties hold internal

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<sup>168</sup> *Research Office Legislative Council Secretariat Fact Sheet: Parliament of Singapore* at <https://www.legco.gov.hk/research-publications/english/1516fsc23-parliament-of-singapore-20160226-e.pdf> [Accessed on 17 February, 2022].

<sup>169</sup> *Bangladesh Parliament* “Rules of Procedure of Parliament of the People’s Republic of Bangladesh” at [http://www.parliament.gov.bd/images/pdf/Rules\\_of\\_Procedures\\_English.pdf](http://www.parliament.gov.bd/images/pdf/Rules_of_Procedures_English.pdf) [Accessed on 27 February, 2022].

<sup>170</sup> MPs chosen by each political party in Parliament to ensure Members of their political parties follow party line or agenda in their Parliamentary deliberations, contributions or voting.

<sup>171</sup> See also *Parliament of Canada* “Committees Practical Guide” at <https://www.ourcommons.ca/About/Guides/Committees-e.html> [Accessed on 22 February, 2022].

<sup>172</sup> *Parliament of Australia* “Info-sheet 4 – Committees” at [Infosheet 4 - Committees – Parliament of Australia \(aph.gov.au\)](https://www.aph.gov.au/infoshheet4) [Accessed on 22 February, 2022].

elections to allocate each Member to a Committee.<sup>173</sup> Once each party has agreed on their Members, a motion setting membership of each PC would be agreed on the floor of the House.

The election of Members for each PC, even within political parties, is seen as one way PCs can improve in their effectiveness. Before the reforms that introduced the voting system, UK Select Committees - and perhaps PCs from other Commonwealth countries that do not use the voting system - were honorary positions given to backbenchers by the Whips as some form of rewards or motivation. As a result, "Select Committees could easily be bullied or over-ridden. Many Members did not even bother turning up for meetings" and "Select Committees never hit headlines"<sup>174</sup>. Committee Membership voted for by the parties rather than being appointed by the party Whips acquire some form of legitimacy and mandates from their peers they would always strive to fulfil.

PC Members are either front benchers or back benchers<sup>175</sup>. Whilst there are few Committees that can be regarded as wholly back bench Committees, Bangladesh has no legal restrictions forbidding any MP, including Ministers, deputy Ministers or Chief Whips to be PC Members. But this is different in India and the UK where front benchers such as Ministers, Deputy Ministers or Whips are not PC Members. PCs comprised of backbenchers are more effective than those with both backbenchers and front benchers. The latter are usually the policy makers and part of the Executive responsible for leading government policy implementation. Becoming Members of PC means that the front benchers become "judges against their own case", a way of providing oversight to themselves which is counterproductive. Again, this raises

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<sup>173</sup> *Institute for Government* "Select of Committee Chairs and members in the House of Commons" at <https://www.instituteforgovernment.org.uk/explainers/election-select-committees> [Accessed on 21 February, 2022].

<sup>174</sup> *BBC News* "A Point of View: Do parliament's select committees wield too much power?" at <https://www.bbc.co.uk/news/magazine-31961356> [Accessed on 25 February, 2022]

<sup>175</sup> Front benchers are MPs that are also Ministers, Shadow Ministers, Deputy Ministers, Whips, Speaker or Deputy Speaker. Back benchers are the opposite: ordinary MPs in a parliament who are not Ministers, Deputy Ministers, Shadow Ministers or Chief whips.

questions on the concept of separation of powers as observed earlier. But how does the number of MPs in a PC affect its functions?

#### **4.4.2. Number of MPs in PCs**

There are differences in the number of Members in PCs across countries with instances of some correlations between Membership number and efficiency. Some countries have as few Members as eight in a PC and others with as many as thirty. PCs from Bangladesh have between eight and fifteen Members. PCs from Canada comprise of between ten and twelve Members spread over at least twenty five PCs.<sup>176</sup> India made its PCs stronger by composing them as joint Committees. It has brought the human and material capital from the Lower and Upper House together to build its two dozen PCs. In general, they consist of twenty Members from Lok Sabha (lower House) and ten Members from Rajya Sabha (upper House).<sup>177</sup> The Tenth Bangladesh Parliament had more than forty five PCs with each comprising between ten and fifteen Members.<sup>178</sup> There are seven PCs from Singapore, each comprising between seven and ten Members. Though there is Public Accounts and Estimates Committees that oversight government revenue and expenditure, the PCs from Singapore are not designed to shadow government Ministries as in the rest of cases.<sup>179</sup> Where Parliamentary Secretaries are considered as PC Members in countries like Canada, Australia and the UK they enjoy all Committee privileges except voting, move motions or being recognised as part of the quorum.<sup>180</sup>

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<sup>176</sup> See also *Parliament of Canada* “Committees Practical Guide” at <https://www.ourcommons.ca/About/Guides/Committees-e.html> [Accessed on 22 February, 2022].

<sup>177</sup> Kanwar (2019).

<sup>178</sup> *Bangladesh Parliament* “Parliamentary Business” at <https://www.parliament.gov.sg/about-us/structure/select-committees> [Accessed on 24 February, 2022].

<sup>179</sup> *Parliament of Singapore* “Select Committees of Parliament” at <https://web.archive.org/web/20070713030923/http://www.parliament.gov.sg/AboutUs/Committees.htm>

<sup>180</sup> See also *Parliament of Canada* “Committees Practical Guide” at <https://www.ourcommons.ca/About/Guides/Committees-e.html> [Accessed on 22 February, 2022].

PCs with fewer Members have tended to be less effective, especially in their oversight and scrutiny rigour, because of fatigue and exhaustion emanating from participating in more than one PC and for more time. A detailed example is provided in the case of Canada where too many PCs and too few backbenchers were stretched too thinly across too many Committees. Typically meeting twice a week for at least two hours each, backbenchers, entitled to “seven Members on each Committee compared to four from the opposition”<sup>181</sup>, the Canadian PC system become too overwhelmed. Many Members sit on two Committees or are drafted as substitute to different Committees. As a result, Members came to the meetings less prepared. This limits the “kind of in-depth studies of complex issues or probing, clause by clause examination of government Bill that they... do” <sup>182</sup>. As a result, the overwhelmed Committee Members “rubber stamp legislation and produce light weight reports that create few ripples in the parliamentary pond and have little, if any, impact on the government’s agenda” <sup>183</sup>.

Busy PC schedules are hardest on governing parties entitled by the majority principle to more Members in the Committees who “end up agreeing to the judgements of Parliamentary Secretaries... more knowledgeable about the issues”<sup>184</sup>. But in the UK and Australian cases, PCs efficiency has been relatively higher because of less number of Committees and Committee meetings schedules per week with more MPs for the Committees. In UK for example, there were 650 MPs after 2019 General Election<sup>185</sup> to fill slots on thirty five Committees which met only once a week. In the same period, Australia had similar number of MPs to the UK, but had only fifteen

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<sup>181</sup> See *The Canada Press* “Parliamentary committees are ‘weak’ , ‘waste of time’” at <https://www.cbc.ca/news/politics/parliamentary-committees-are-weak-waste-of-time-1.1276540> [Accessed 19 February, 2022].

<sup>182</sup> *Ibid.*

<sup>183</sup> *Ibid.*

<sup>184</sup> *Ibid.*

<sup>185</sup> See *UK Parliament* “Frequently Asked Questions” at <https://www.parliament.uk/about/faqs/house-of-commons-faqs/members-faq-page2/#jump01> [Accessed on 19 February, 2022].

Committees. Both situations provided MPs with more time and space to prepare for the Committee meetings.

Even if parliamentary composition and meeting frequencies are well managed, there are other situations that affect PCs' effectiveness. More technically sophisticated committees, such as those mandated to analyse Statutory Instruments or Bills are the most frustrating for Members, especially if they do not have adequate capacity. This is expressed by a British MP who sat on a Statutory Instrument Committee which was "pretty bloody boring..." a "thankless work scrutinising hundreds of often highly technical SIs [Statutory Instruments]". There is "no political reward for such mind numbing legislative graft away from the spotlight" because "legislative scrutiny never hits the headlines so constituents... know little about the work of MPs... on the legislative committee corridor"<sup>186</sup>. Without adequate knowledge of the complex legal terminologies, legislative scrutiny procedures become a waste of time. Delegated MPs do it, but end up producing poor quality supporting documents, an epitome of meaningless oversight of law making.<sup>187</sup>

It follows that the work of Parliament in general, and PCs in particular, is also very technical - and at risk of being compromised because Members are not always professionals in the themes of the Ministries or government departments they scrutinise or oversight. This becomes more pronounced in multi-tasked PCs such as those from India or Bangladesh that perform both legislative<sup>188</sup> scrutiny and administrative oversight. In such circumstances, there are challenges in their effectiveness, owing to overload and bias with a tendency to stress one function at the expense of the other. It is the technically

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<sup>186</sup> See *Hansard Society* "Parliament is under-scrutinising swathes of important law. But the problem can be fixed" at [Parliament is under-scrutinising swathes of important law. But the problem can be fixed | Hansard Society](#) [Accessed on 21 February, 2022].

<sup>187</sup> See *Hansard Society* "Parliament is under-scrutinising swathes of important law. But the problem can be fixed" at [Parliament is under-scrutinising swathes of important law. But the problem can be fixed | Hansard Society](#) [Accessed on 21 February, 2022].

<sup>188</sup> Countries like Zimbabwe, for example, and as shall be seen, have specific specialised PCs for legislative scrutiny while others focus solely on administrative and policy issues.

demanding legislative load that is usually thrown away, procrastinated or given inadequate attention.<sup>189</sup>

But when PCs consider legislative scrutiny, it tends to take most of their time undermining their ability to fulfil other oversight Committee responsibilities.<sup>190</sup> In India, “on the other hand... evidence shows that [PCs] give more emphasis to scrutinizing the demands for grants by various departments than to legislation”<sup>191</sup>. This shows PCs’ effectiveness depends on the capacity of Members not only to engage on different thematic areas within the precepts of their Committees. But also to even out their oversight and scrutiny responsibilities amongst all the responsibilities they are mandated to execute. This communicates to issues of focus and direction, a process usually driven by an organisational leader called Chairpersons in PCs. The next subsection looks at how PC leadership is important in delivering their mandates.

#### **4.5. Chairing: Committee focus and working practices**

PC Chairpersons are the faces of PCs. They provide leadership and initiative on what PCs should do. They organise and time meetings and ensure effective participation of all Committee Members. They ensure reports are unanimously agreed by Members in order to build a cross party support for the conclusions and recommendations.<sup>192</sup> Their role calls for some good public relations necessary for informal responsibilities to establish relationships with Ministers or senior civil servants from the Ministries they shadow. With good relations, PC Chairpersons are able to access more important, and sometimes

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<sup>189</sup> Mitchel (1993: 95).

<sup>190</sup> Goff (1993:167).

<sup>191</sup> Bardwaj (1995: 316).

<sup>192</sup> *Institute for Government* “Select Committees” at

<https://www.instituteforgovernment.org.uk/explainers/select-committees> [Accessed on 19 February, 2022].

informal, knowledge and information for informed PC work.<sup>193</sup> There are various ways PC Chairpersons are appointed with different implications on their effectiveness.

#### ***4.5.1. Negotiated PC chairing***

In countries like the UK, India and Canada where political parties in Parliament negotiate PC Chairing in proportion to the number of their MPs in Parliament, the formula used to allocate chairing positions for respective PCs is rarely disclosed. But it can be conjectured political parties negotiate to chair PCs responsible for their policy priorities. In 2019, for example, the Scottish National Party, for the second time, secured the chair of the Scottish Affairs Committee as well as the International Development Committee.<sup>194</sup> The party with the majority, the ruling party, often chairs PCs related to Treasury, Defence, Foreign affairs, or Internal Security though there are no stipulated rules on that.

But the Chairperson of a financial committee commonly known as the Public Accounts Committee (PAC), in all circumstances, including single party dominated countries like Singapore, is drawn from the opposition. The oldest in the British Parliament, and very influential in oversight, PAC is the basis on which all the former British colonies imitating the Westminster governance model replicated the rest of their PCs. Its cross cutting form makes PAC universal in all the government departments as it scrutinises “probity and value for money in public expenditure across the whole breadth of government”<sup>195</sup>. As the focal point of the state’s accounting system where senior government officials are directly accountable, the PAC is the core of Executive accountability the opposition Members are privileged to lead.

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<sup>193</sup> *UK Parliament* “Role and Power of Select Committee Chair” at <https://guidetoprocEDURE.parliament.uk/articles/3Tzv4DMo/role-and-powers-of-select-committee-chairs> [Accessed on 3 March, 2022].

<sup>194</sup> *Institute for Government* “Select of Committee Chairs and members in the House of Commons” at <https://www.instituteforgovernment.org.uk/explainers/election-select-committees> [Accessed on 21 February, 2022].

<sup>195</sup> Elston and Zhang (2022:2).



With such magnitude of importance, the general expectation is Member of the ruling party would be a strategic Chairperson for PAC. The Rules of countries do not state why the opposition across all the former British colonies is given PAC leadership. But this illustrates the significance of the PC system in making the opposition political parties in Parliament, which are not in themselves policy initiators, external and therefore impartial scrutinisers, evaluators or auditors of government expenditure. This affirms the role of opposition political parties in good governance to oversee the expenditure of public money and call government or the public service to account for their actions and ask them to explain or justify certain administrative decisions.<sup>196</sup>

There are also others PCs where opposition political parties are traditional chairs. In Canada, for example, PCs on Access to Information, Privacy and Ethics; Government Operations and Estimates and Status of Women are chaired by a Member of the official opposition assisted by a Member of the government party as vice chair and a Member of an opposition party other than the official opposition party as the second vice chair<sup>197</sup>. In Singapore, the Estimates Committee is chaired by opposition members in parliament though they are appointed by the Speaker.<sup>198</sup> This shows how the PC system has embraced the opposition political parties in Parliament as key actors in national governance processes. But in some countries within the Commonwealth, PCs are chaired by government Members.

#### ***4.5.2. PC Chairing by government Members***

Though PC composition in countries like Canada is also determined by the proportion of political parties in the House, the chairing is not proportionally distributed in the same way as Committee Membership. The Chairperson, in

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<sup>196</sup> *Parliament of Australia* “Info-sheet 4 – Committees” at [Infosheet 4 - Committees – Parliament of Australia \(aph.gov.au\)](#) [Accessed on 22 February, 2022].

<sup>197</sup> *Parliament of Canada* “Standard Orders of the House of Commons – Consolidated Version as of December 2, 2021 at <https://www.ourcommons.ca/About/StandingOrders/Chap13-e.htm> [Accessed 24 February, 2022].

<sup>198</sup> See *Parliament of Singapore* “Standing Orders of the Parliament of Singapore 2017 Reprint” at <https://www.parliament.gov.sg/docs/default-source/default-document-library/standing-orders-of-the-parliament-of-singapore.pdf> [Accessed on 27 February, 2022].

the context of Canada, “shall be a Member of the government party, the first vice chair shall be a Member of the opposition and the second vice chair shall be a Member of an opposition party other than the official opposition party”<sup>199</sup>. Five of the seven Committees from Singapore are all chaired by the Speaker of Parliament.<sup>200</sup> In Australia, PCs are chaired by a government Member with an opposition Member as deputy chair.<sup>201</sup> The ruling party back benchers in Bangladesh monopolise PC chairing. This means the Executive, specifically Ministers, are given the opportunity to dominate and chair PCs. In contrast, and following Britain and other Commonwealth countries, Ministers rarely find places in any committee in India, UK, Canada or Zimbabwe as they are mandated to provide accountability to the very same Committees.

There are efficacy concerns for PCs chaired by Ministers, or at least, have some of the Executive staff as Members. Evidence could be drawn from Bangladesh where a PC was powerless and unable to react after a Minister, who was also a Member or PC Chairperson made some interjections. Ahmed (2020:23) narrates a specific incident as follows:

As an example, reference could be made to objections raised by Minister of Agriculture against the presence of one of the (four) experts who the Agriculture Committee of the seventh parliament in Bangladesh (of which she was a member) earlier invited to attend a meeting which was scheduled to discuss the problems and prospects of agriculture education in Bangladesh. The Minister apparently forced the Chairman of the Committee to drop the agenda, while the experts were unceremoniously asked to leave the meeting. The opposition Members in the meeting insisted on not dropping the agenda but failed. The [PC] Chairman succumbed to the pressure of the Minister. He

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<sup>199</sup> *Parliament of Canada* “Standard Orders of the House of Commons – Consolidated Version as of December 2, 2021 at <https://www.ourcommons.ca/About/StandingOrders/Chap13-e.htm> [Accessed 24 February, 2022].

<sup>200</sup> See *Parliament of Singapore* “Standing Orders of the Parliament of Singapore 2017 Reprint” at <https://www.parliament.gov.sg/docs/default-source/default-document-library/standing-orders-of-the-parliament-of-singapore.pdf> [Accessed on 27 February, 2022].

<sup>201</sup> *Parliament of Australia* “Info-sheet 4 – Committees” at [Infosheet 4 - Committees – Parliament of Australia \(aph.gov.au\)](https://aph.gov.au/infoshheet/4-committees) [Accessed on 22 February, 2022].

told the press subsequently that the situation got out of hand (because of the Minister's pressure) and he had to drop the agenda.

If Ministers sit on PCs as Members or as Chairpersons, they use their exclusive advantages to stifle discussions to prevent deliberations from becoming a cause of embarrassment to the government. This is different with PC Chairpersons appointed by elections.

#### **4.5.3. Elected PC Chairpersons**

Other countries have subjected the post of the PC Chairperson to some voting processes to give them more weight and legitimacy in PC leadership. The Chair for Bangladesh PCs “shall, unless designated by the House, be elected by the Committee from amongst the members of that Committee”<sup>202</sup>. In Canada, PC Chairpersons and Vice Chairpersons are nominated by the House. If more than one candidate is nominated, an election would be conducted by a way of secret ballots.<sup>203</sup> The UK has similar, but unique process of voting for PC Chairpersons which is important to state in detail to learn from its complexities.

##### *4.5.3.1. The case of the UK – professionalism and experience considered*

Since 2010, Chairpersons for UK Select Committees “are subject to elections by the whole House although Chairpersons of small number of committees such as the European Scrutiny Committee and Liaison Committee are elected by Members of the committee, not the whole House”<sup>204</sup>. Once the parties in Parliament are informed of the PCs they chair, MPs that are interested to

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<sup>202</sup> *Bangladesh Parliament* “Rules of Procedure of Parliament of the People’s Republic of Bangladesh” at [http://www.parliament.gov.bd/images/pdf/Rules\\_of\\_Procedures\\_English.pdf](http://www.parliament.gov.bd/images/pdf/Rules_of_Procedures_English.pdf) [Accessed on 27 February, 2022].

<sup>203</sup> *Parliament of Canada* “Standard Orders of the House of Commons – Consolidated Version as of December 2, 2021 at <https://www.ourcommons.ca/About/StandingOrders/Chap13-e.htm> [Accessed 24 February, 2022].

<sup>204</sup> *Institute for Government* “Select of Committee Chairs and members in the House of Commons” at <https://www.instituteforgovernment.org.uk/explainers/election-select-committees> [Accessed on 21 February, 2022].

chair should get signatures of 15 MPs or 10% of MPs elected to the House as Members from the same political parties to be nominated.<sup>205</sup>

But the general observation is elections of PC Chairpersons are conducted largely to formalise their legitimacy and use of popular Members' power. Through the use of secret ballot where all MPs vote for every chair irrespective of their political parties, it has been common in the UK Parliament, since the introduction of elections for Committee chairs in 2010, for many candidates to stand unopposed.<sup>206</sup> This means the principle of elections is undermined and overtaken by internal party politics which – after everything - determines the chair of their choice. Chairs of thirteen UK PCs were unopposed in 2020, down from seventeen in 2017 though slightly higher than in 2015 where eleven chairs took their posts uncontested.<sup>207</sup>

The process of electing Chairpersons is more democratic, but its time consuming especially when there are several rules to be followed. For the UK, for example, the PC chair elections should happen within fourteen days after the Speaker announces party allocation, but MPs usually vote to request for more time as they did after 2019 general elections. Yet PC elections in the UK are usually timed for December though they were done on 29 January the following year after 2019 general elections. This is scheduled to enable Committees to start their work in February after possible government department changes that usually occur at the end of January. The delay in the election process was detrimental to parliamentary scrutiny as PCs started work only after February 2020.<sup>208</sup>

However, elected PC Chairpersons enjoy a greater legitimacy and confidence. The chairs became even more legitimate as their positions are voted by the whole House, which gives them a cross party mandate. Though it is not clear what criteria Members use in electing PC chairs of their choice, relevant

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<sup>205</sup>*Ibid.*

<sup>206</sup> *Ibid.*

<sup>207</sup> *Ibid.*

<sup>208</sup> *Ibid.*

experience seem to be considered to make PCs more effective. Experienced Chairpersons “know what they are talking about” <sup>209</sup>. Examples are given of MPs that came to UK Parliament in 2010: “Sarah Wollaston, chair of the Health Select Committee” who worked “as GP for 20 years and is particularly critical of the pharmaceutical industry. Roy Stewart, Chair of the Defence Select Committee, not only worked for Foreign Office, but also conducted diplomacy in Iraq and Afghanistan” <sup>210</sup>.

There is some respect and admiration of PC Chairpersons with professional and practical experiences in the PCs they lead. Being accountable to the House that elected them, PCs Chaired by elected Members have all the authority to oversight, scrutinise or even condemn government departments, state institutions “like BBC” because “they no longer have to satisfy the Whips to be nominated or stay in their role”<sup>211</sup>. Elected PC Chairpersons become even more effective when there are motivations.

#### *4.5.3.2. PC Chairpersons’ rewards and incentives*

Whilst there are no Rules that stipulate any remuneration for PC Chairpersons, the case of the UK shows fairly remunerated PC Chairpersons are more stimulated to drive their PCs to success. Most Chairpersons of UK PCs receive an addition to their salary. Between 2018 and 2019, for example, PC Chairpersons received an additional £15,509 for the extra time and work their role required.<sup>212</sup> “They [PC Chairing] have become alternative political careers to ministerial office” because “you get paid the same salary as junior Minister” and “you can expect much more media coverage as Select Committee Chairperson” <sup>213</sup>. Margaret Hodge, the popular chairperson of UK PC on Public Accounts, felt “[she had] more influence now than she did when

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<sup>209</sup> *BBC News* “A Point of View: Do parliament’s select committees wield too much power?” at <https://www.bbc.co.uk/news/magazine-31961356> [Accessed on 25 February, 2022].

<sup>210</sup> *Ibid.*

<sup>211</sup> *Ibid.*

<sup>212</sup> *UK Parliament* “Role and Power of Select Committee Chair” at <https://guidetoprocedure.parliament.uk/articles/3Tzv4DMo/role-and-powers-of-select-committee-chairs> [Accessed on 3 March ,2022].

<sup>213</sup> *Ibid.*

she was a government Minister” after having mentioned almost 2000 times in the press – more than many government Ministers - between June 2013 and June 2014.<sup>214</sup>

But there have been concerns on how some of the powerful, elected and fairly remunerated PC Chairpersons have become too overzealous to even undermine human rights and dignity in the conduct of their duties. Pointed has been, for example, the manner they humiliate witnesses appearing before their PCs by asking them tough, and sometimes dehumanising questions without giving them opportunities to respond:

They shame and they label witnesses. Keith Vaz [UK Select Committee chair for Home Affairs – 2010] and Margaret Hodge cut their witnesses off, and stop them providing evidence. They hector them. Then the sounbite we hear on the news is the select committee chair triumphantly labelling their witness a tax cheat or an idiot. No wonder their media profiles are high. We may think this is great, and that we are rebalancing our democracy. But we may also begin to have concerns. There is a difference between holding the powerful to account and putting people in the stock.<sup>215</sup>

The witnesses, especially those asked questions by PCs in public, are subjected to situations very difficult to defend themselves. In full public glare, MPs lean on parliamentary immunity to make any accusations they like without fearing the law. The process of “subjecting people, however powerful to a courtroom style cross-examination without proper procedure or protection borders on the unjust and possibly a departure from due process”<sup>216</sup>. It conflates the separation of powers where PCs, a Legislative organ, also performs the work of another state organ, the Judiciary. Whilst there is recognition PCs’ efficacy also depends on the ability of Chairpersons to drive them – and the motivations they obtain for doing their best – there are concerns on how such effectiveness could be sustained without undermining other important

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<sup>214</sup>*Ibid.*

<sup>215</sup>*Ibid.*

<sup>216</sup> *BBC News* “A Point of View: Do parliament’s select committees wield too much power?” at <https://www.bbc.co.uk/news/magazine-31961356> [Accessed on 25 February, 2022].

components of democracy and good governance. However, whatever strategy they use in their work, the main purpose for PCs is to persuade or convince the Executive and the House. The following sub-section looks at whether the ruling parties have been responsive to PCs' suggestions and recommendations.

#### **4.7. Efficiency: What kind of a government response matters?**

In the absence of tools to measure PCs efficacy, there are at least two important factors implicitly or explicitly hinted in the ongoing discussions to be considered to deepen understanding of their efficacy. Firstly, PCs are not policy initiators. Their role is to monitor and make recommendation on government policy. The ruling party bureaucracy formulates and implements government laws and policies. Secondly, PCs do not have a mandate to supervise policy implementation. Again, it is the responsibility of the ruling party bureaucrats. Thus the role of PCs is largely advisory. They raise alarm on unbecoming government behaviors, ask questions, make recommendations and persuade the ruling bureaucracy to take them up. But as with the rule of advice, PC recommendations can be taken up or rejected. Within the Commonwealth countries, ruling parties are not compelled by any Rules or laws to accept and implement PCs recommendations. This raises question on how PCs' effectiveness could be seen or measured. But firstly, it is important to state, in some detail, methodological challenges in measuring PCs efficacy.

##### ***4.7.1. Challenges in measuring PCs efficacy***

Given the operational frameworks for PCs, and that they do not have the power – other than persuasion - to force the government to implement their recommendations, questions emerge on what should really be measured to assess their effectiveness. The scope of measurement is so vast and presents difficulties in determining the highest, the lowest or the median level of PC effectiveness.

First are questions at the input level. Should PCs' effectiveness be determined by the number of times they sit, the number of hearings or enquiries they

make or the number of government misrules they identify? Second is measurement at the output level. Should effectiveness of PCs be determined by the number of reports they produce and submit before the House or the Executive? Or the number of their reports debated in the House?

Second is measurement at the outcome level. Should PCs effectiveness be determined by the number of their recommendations taken up by the government? Fourth are questions at the impact level. Should PCs effectiveness be measured by observable policy reforms or improvement in service delivery? A further challenge across the Commonwealth countries is lack of a PCs systemic and standardised reporting which makes it difficult to generalise or develop some common measuring tools. The complexity of PC reports that range from brief or cursory investigations to more detailed examination of complex phenomena makes it difficult to deduce general efficacies.

Elston and Zhang (2022) argue government reports on the implementation of PCs recommendations are the main sources of evidence of efficacy. Aldons (2000) adds government progress reports should be analysed on whether they inform Parliament about actions, not merely declared intentions. Elston and Zhang (2022) caution that when a government accepts a PC recommendation, it does not imply automatic guarantee for implementation. Government “may accept in good faith but later renegade, perhaps as the difficulty or appropriateness of the action becomes clear or as other political or policy challenges and opportunities arise”<sup>217</sup>.

Morin (2008) and Kells (2011) claim achievements that are straightforwardly measured such as formal acceptance of PC inquiry recommendations or report by the government expose little about tangible impact of the oversight. On the other hand, “whether recommendations are ever actually implemented, how quickly and thoroughly, and with what cumulative effect on behaviour or

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<sup>217</sup> Elston and Zhang (2022:9).



outcomes – presents many difficulties in measurement and inference”<sup>218</sup>. The challenge is compounded by governments’ irregular publication schedules and inconsistencies on how departments of Ministries disclose data. Though impact of PC reports could be deduced from the assiduity with which their recommendations are monitored. The absence of recommendation trackers in Commonwealth Parliaments makes it difficult to understand how PCs have been influencing policies.<sup>219</sup>

Dubnick (2005) notes whatever the challenges, it remains important to have more understanding on the accountability of the Executive to the Legislature. This increase understanding of political and bureaucratic behaviours, possibilities of driving service delivery improvements and consequently, trust in political institutions.<sup>220</sup> A popular report on sexual harassment in Australian Defense Forces produced by Australia’s PC on Defense and Trade Committee in 1994 is often seen as one of the best indicators of effectiveness. The Australian government supported and implemented sixty four out of sixty-six PCs recommendations.<sup>221</sup> In this regard effectiveness could be expressed by the extent to which a government responds to PCs recommendations.

Indeed, a distinctive feature of PCs’ scrutiny in the Commonwealth countries is governments are committed to respond to every PC report within a given period of time that differ from country to country. The government responds to PC reports by way of written statements to the House within six months of their presentation in Australia.<sup>222</sup> In Canada, “government should make a comprehensive response” to PC recommendations within a period of 120 days

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<sup>218</sup> Elston and Zhang, (2022: 2).

<sup>219</sup> The Hansard Society (2001).

<sup>220</sup> Dubnick (2005).

<sup>221</sup> Uhr (1997).

<sup>222</sup> Parliament of Australia “Info-sheet 4 – Committees” at [Infosheet 4 - Committees – Parliament of Australia \(aph.gov.au\)](https://aph.gov.au/infoshheet4) [Accessed on 22 February 2022].

after presentation.<sup>223</sup> When a Ministry receives PC recommendations in the UK, it is expected not only to respond within a period of sixty days, but to also accept and implement them. In addition, it should make a statement to the House of any recommendations accepted but not implemented within a year of their acceptance.<sup>224</sup>

In 2019, the UK PC on Liaison Committee recommended every government department to produce an annual memorandum to the relevant PC showing progress on implementing recommendations. Such decisions are important in furthering PCs - government dialogue on national policy implementation. It is in India where conversations between government departments and PCs are well elaborated making it a bit easier to trace PCs efficacy as discussed below.

#### *4.7.1.1. PCs and government relations in India*

When PCs examine policies in India – just like any other PC from the Commonwealth countries - they make suggestions to government. After receiving a PC report, the government report back to the PCs on whether it accepted its recommendations. The PC would analyse the government report to produce an Action Taken [by Government] Report showing the status of government action on each recommendation and present it to Parliament. Among several recommendations made by Lok Sabha's PC on Health through the 2019 National Medical Commission Bill for example, Indian government accepted several recommendations including “removing the provision for allowing for a bridge course for AYUSH<sup>225</sup> practitioners. This conversational process is written by Sinha and Kanwar (2019):

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<sup>223</sup>Parliament of Canada “Standard Orders of the House of Commons – Consolidated Version as of December 2, 2021” at <https://www.ourcommons.ca/About/StandingOrders/Chap13-e.htm> [Accessed on 24 February, 2022].

<sup>224</sup> Elston and Zhang (2022: 1).

<sup>225</sup> AYUSH is an abbreviation medical systems practised in India such as Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homeopathy. The systems are based on some medical philosophies and represent a way of healthy living focused on disease prevention and health promotion. Also see AYUSH at [https://www.nhp.gov.in/ayush\\_ms](https://www.nhp.gov.in/ayush_ms) [Accessed on 1 March, 2022].

Every year, India's select committees identify and select subjects and policy issues for detailed focus and examination. After the select committees submit their reports to Parliament, the Ministry responds to its recommendations. Consequently, the committee looks at the Ministry report and writes an Action Taken [by the Ministry] Report and submits it to Parliament. In 2016, for example, the Standing Committee on Power submitted its report on Energy Access in India with two key recommendations. One asked the respective Ministry to elaborate on energy access with a related one that demanded mapping of Indian villages that were not electrified to ensure their electrification. In its Action Report, the Ministry accepted all the recommendations of the Committee.<sup>226</sup>

Even when governments show some form of responsiveness, the similarity in all Parliaments from former British colonies is PCs can only suggest. They do not give orders. The concept of separation of power articulates the government, and its bureaucracy runs a country. Parliament should not govern. But should discover how the country is run by exercising some special Executive control which, borrowing from Crick (1968), could be illustrated as follows: "Control means influence, not direct power: advice, not command; criticism, not obstruction; scrutiny, not initiation; and publicity, not secrecy"<sup>227</sup>. PCs are therefore involved in policy implementation review, not public policy supervision, initiation or development from the scratch. PCs' focus is not public policy but government administration of the policy. This raises further questions on whether PCs are very relevant.

#### *4.7.1.2. PCs' relevance to government functions*

Conventional thinking about PC-government relations is that government is the essential function and PCs are only relevant if governments choose to take note of them and their recommendations. If it doesn't, the Parliament, not the government, will be the loser. The Australian experience that applies to many of the Commonwealth countries, illustrates that PCs, even from countries ruled by strong rulers, are not useless:

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<sup>226</sup> Sinha and Kanwar (2019: 34).

<sup>227</sup> Crick (1968: 25-26).

Government may accept, or partially accepts, a Committee's recommendations, and announce its intention to take certain action. Some recommendations may be rejected, while the government may announce that it wishes to give further consideration to others. Government may implement recommendations made by committee through changes in legislation or government administration or policy without a formal response having been published. [But] The information collected by committees and their reasoned conclusions can also contribute to policy thinking and community debate.<sup>228</sup>

Though recommendations produced by PCs in their reports are not binding, they have a lot of weight. This is seen by the way some PCs recommendations have ended up as national policies. In fact, PCs are seen to be more effective in influencing legislative and policy reforms than other parliamentary tools. In the UK for example, “between 30-40% of Select Committee recommendations end up as government policy, which is better odds of influence than authoring a private Member's Bill<sup>229</sup> that has only the slimmest chance of becoming law”<sup>230</sup>. Between 2012 and 2018, the UK government responded to 595 of the 615 recommendations made by PAC. The remainders were replied by independent bodies and state departments such as BBC. In the period, the government fully or partly agreed with 371 and 153 PAC recommendations respectively and explicitly disagreed with forty eight. The remaining twenty three received non- committal responses, mainly because PAC's comments were not actionable. This resulted in the acceptance rate – full or part – of eighty eight per cent.<sup>231</sup>

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<sup>228</sup> Parliament of Australia “Info-sheet 4 – Committees” at [Infosheet 4 - Committees – Parliament of Australia \(aph.gov.au\)](#) [Accessed on 22 February 2022].

<sup>229</sup> Member's Bill is a proposed law or policy introduced in the Legislators by a Member who is not a government official or a representative of the Executive.

<sup>230</sup> *BBC News* “A Point of View: Do parliament's select committees wield too much power?” at <https://www.bbc.co.uk/news/magazine-31961356> [Accessed on 25 February, 2022].

<sup>231</sup> *BBC News* “A Point of View: Do parliament's select committees wield too much power?” at <https://www.bbc.co.uk/news/magazine-31961356> [Accessed on 25 February, 2022].

Similarly, PCs from former British colonies ruled by strong ruling parties and governments have been able to use their reports to demand accountability. In Bangladesh, the PC on Defence and Health for the Seventh Parliament explored substantive irregularities and corruption in procurement of medical and surgical equipment through a subcommittee established to trace and document the misconducts.<sup>232</sup> The PC's sub-committee detected misappropriation of millions of dollars by civil surgeons who connived with some junior and mid ranking Ministry officials. Following some questioning of the Navy Chief over an exaggerated military equipment tender, the PC on Defence discovered more irregularities in the purchase of military equipment from countries like Russia.<sup>233</sup>

Similarly, Singapore's Twelfth Parliament's PAC identified several procurement and contract management laxities after a review of the Accountant – General's report. As a result, PAC managed to convince the government, through the Ministry of Finance, to establish a central procurements agency as officers from different Ministries lacked requisite experience and expertise in administering large procurement projects.<sup>234</sup>

Nevertheless, PCs' achievements are determined by the nature of business before them. Bills or legislation seeking to make differences to public services may provoke issues of constitutional or political significance, but are unlikely to arouse strong party feelings. This is especially true when Bills or legislations are the end products of PC debates and discussions. They settle issues of principle and reduce questions and suspicions to matters of implementation. PCs' submissions on such matters of public goods are accepted by governments because they aggrandize their political images.

But PCs' recommendations outside the scope of existing government policies are seen - especially in countries ruled by strong ruling parties such as Bangladesh - not as efficiencies, but as government inconveniences. More

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<sup>232</sup> Cheong (2012).

<sup>233</sup> *Ibid.*

<sup>234</sup> *Ibid.*

effective PCs give governments less freedom to act as they see fit. They are seen as obstructions of the speed and efficiency of governments to execute their mandate as open decision making and consultations come into government business for mainstreaming. PCs that constantly challenge ruling parties on reforms are inconveniences to powerful Executives and their high level bureaucrats responsible for public affairs.

#### **4.8. Conclusion**

PCs are a common feature in former British colonies. They are a hallmark of political party collaboration in government oversight and scrutiny as each of them are generally composed of Members from all political parties in Parliament according to their representation ratios. Their main role is to monitor implementation of government policy and provide feedback, suggestions, advice or recommendations ruling parties could choose to take up or reject. They do not initiate policies nor do they have powers to force the government to implement their recommendations. But the questions they raise and what they suggest for the government carry a lot of weight because of moral, public and certified legitimacy derived from their powers to summon and demand documents, make public and expert consultations and powers to meet even when Parliament is on recess. When they are compared to other Parliamentary tools for legislation, Executive oversight or scrutiny such as Member Bills, PCs are more efficient and effective because they are cheaper and inclusive as they represent thoughts of all political parties in Parliament. Their effectiveness differs from one country to the other depending on the strength of their institutions or Rules, the appeal of the Chairpersons, the incentives provided and the responsiveness of the ruling parties. Even when there could be evidence of their successes or failures, it is not easy to measure them and make some general conclusions due to different methodological and technical challenges.

One possible quantitative method of measuring their efficacy would be counting the number of meetings or enquiries conducted, questions asked and number of reports tabled before Parliament. This could be combined by a qualitative approach to also consider PC outcomes and impacts - the number

of recommendations adopted by the government, their implementation and differences they make on policies and citizens. Yet there are technical challenges in data presentation and availability. Most Parliaments and government Ministries within the Commonwealth lack policy implementation tracking tools - and even if they have them, are not consistent and rigorous in their policy adoption and implementation reporting.

Nevertheless, PCs are recognised and appreciated even in countries ruled by strong ruling parties though recommendations on public service delivery issues are more acceptable by governments rather than those that challenge the powers of the ruling incumbents. However, there are concerns on balance and separation of powers where strong and powerful PCs also use some judicial powers to summon or Executive powers to influence dismissal or resignation of government bureaucrats. Since this is a subject that runs in the thesis, it is necessary to wait and see how it manifests in Chapters that follow. Meanwhile, it is important to recognise major elements of analysing PCs' efficacy this Chapter has revealed for use in subsequent Chapters namely MPs' technical and professional capabilities, PCs' power, composition, chairing, resources and incentives and government responsiveness. The next Chapter draws from these and shifts to Africa to understand its taste of the PC system in good governance. It focuses on behaviours and experiences of PCs from Kenya, a former British colony in the Commonwealth.

## **Chapter 5:**

### **Scrutiny and Investigation Laboratories: Existence and Use of Laws in Kenya's Parliamentary Committees**

#### **5.1. Introduction**

The Republic of Kenya is a former British colony. It is one of many Commonwealth Countries that have adapted the British model of governance called the Westminster. Its main feature is Parliament, a group of Members elected or nominated to exercise representative, legislative and oversight authority of the ruling party on behalf of citizens. Kenya's 2010 Constitution establishes a bi-cameral Parliament with two Houses, the National Assembly and the Senate. Each of the Houses is empowered to establish small groups of Parliamentarians called Departmental Committees in the National Assembly and Standing Committees in the Senate. As their main role, the Committees exercise in-depth scrutiny and oversight of state organs at local and national levels. This Chapter shows how the Committees from Kenya's bi-cameral Parliament use their bestowed constitutional and statutory powers to hold the ruling bureaucracy to account on their governance and policy implementation. It recognises the efficiency of ungraded relationships between key Executive Members responsible for government accountability, or Cabinet Secretaries, and the Committee Members in levelling engagement spaces and processes. It argues that the effectiveness of Committees from Kenya owe much to the judicious use of their powers as provided by a consortium of legal instruments and the equal relationship that exist between them the government bureaucrats. The Chapter starts by establishing the origin and purpose of the Committees, followed by examining their nature and composition, power and effectiveness, showing, with some examples, how they have or have not managed to leverage on their copious and defining statutory muscles. The Chapter question is: How and with what success and efficiency has Kenya customized its PC system? It concludes that PCs from Kenya have been successful because they are highly motivated by favourable institutional frameworks which does not only make them almost equal partners to the



Executive bureaucrats , but also gives them real, self administered power to demand good governance from the strong ruling party.

## **5.2. Origin and Purpose - The Investigation Laboratories**

The establishment of PCs in Kenya, with ensigns of citizens focused governance practice, is implied by the country's supreme law. Section 93 of the Constitution of Kenya establishes a bi-cameral Parliament consisting of the National Assembly and the Senate.<sup>235</sup> The Constitution places people at the centre with “authority” over the nation “vested in and exercised”<sup>236</sup> by the two Houses. It gives the National Assembly and the Senate powers and basis to “exercise oversight of State organs” and of representing, protecting and serving the “interests of the counties and their governments”<sup>237</sup> respectively.

The two Houses stretched these constitutional instructions in their Parliamentary Rules or Standing Orders. They make provisions for the establishment of Committees - “small legislatures operating in an agency relationship with the Legislature” as “laboratories for investigation and detailed scrutiny of issues”<sup>238</sup>. As small groups, PCs engage or deliberate on specific issues of their own choice, as petitioned by citizens or as instructed by the Houses.<sup>239</sup> They receive evidence and find out facts by examining witnesses, meeting Ministers, civil servants and senior persons from interest groups and draw up conclusions, suggestions, recommendations or advice for the ruling party.<sup>240</sup> Committees enable citizens to participate in governance processes by creating and providing platforms and avenues for hearing and harvesting public views and opinions on legislative, oversight and policy issues.<sup>241</sup>

PCs deliberations are more meaningful and detailed than debates in the House because they focus on specific issues which they study and report back

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<sup>235</sup> See *Constitution of Kenya*, 2010.

<sup>236</sup> See Section 94(1) of the *Constitution of Kenya*, 2010.

<sup>237</sup> See Sections 95 4(b) and 96(1) of the *Constitution of Kenya*, 2010.

<sup>238</sup> See The Senate Parliament of Kenya (2017).

<sup>239</sup> Republic of Kenya Parliament (2020).

<sup>240</sup> Ntalala et al. (2020).

<sup>241</sup> See The Senate Parliament of Kenya (2017).

to Parliament for adoption. This is important in good governance because it helps in addressing, with traceable evidence, complex issues such as inconsistent or improper government policy implementation, corruption, pervasive procurements, fraud and state fragility.<sup>242</sup> It is even more fascinating that PCs from Kenya make decisions, on behalf of citizens, on major Executive appointments. By default, citizens from Kenya make Executive appointments through PCs which are involved in vetting Executive nominations. In this way, they enlarge and expand citizens' democratic participation in key government decisions as the "authorities" of the Republic.<sup>243</sup>

The existence of PCs in Kenya makes Parliaments more efficient. With committees, legislatures perform numerous activities simultaneously and expeditiously. They decongest the proceedings of the Legislature by executing part of the sheer volume of Parliamentary work such as legislation review, scrutiny of government activities, policies and programs against national statutes and intended national policy frameworks and plans.<sup>244</sup> If a concept of economics is used, Committees fulfil the precepts of division of labour and specialisation – partitioning Legislative tasks into several sub-tasks.

Focus on PCs could raise questions about whether the small groups of MPs within the government routines provide any significant alternatives to governance. Shaw (1998:225) argues that public affairs are more effective when they are conducted in small groups of men and women meeting in "city halls, bureaucracies and legislatures and engage in face-to-face discussion around tables and in armchairs". Their importance does not undermine the less intimate plenary meetings of Legislatures that occur in the Chamber, House or the Floor, often with hundreds of parliamentarians. A mass meeting of legislators is not an outstanding place to get things done even if it is well organised.<sup>245</sup> In Kenya, Committees exist in both the National Assembly and

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<sup>242</sup>*Ibid.*

<sup>243</sup> See Section 94(1) of the *Constitution of Kenya*, 2010.

<sup>244</sup> See The Senate Parliament of Kenya (2017).

<sup>245</sup> Shaw (1998).

the Senate. The next section looks at this dual Committee system and how they operate and co-exist.

### **5.3. The Dual Committee System: National Assembly Departmental Committees and Senate Standing Committees**

The National Assembly and the Senate of Kenya share legislative authority. Their main difference is that the National Assembly makes laws that are national whilst the Senate deals with those that apply to regional governments called Counties. But as shall be seen later, there are some overlaps. Legislative issues affecting the Counties can be national whilst national issues for the National Assembly can also apply to Counties.<sup>246</sup>

There are at least five segments of PCs in Kenya's bi-cameral Parliament distinguishable largely by life span, mandates and partly by composition.<sup>247</sup> These include House Committees, Sessional Committees, Joint Parliamentary Committees and Special, *ad hoc* Committees.<sup>248</sup> But this research is more interested in the last and recent category of PCs known as Standing Committees in the Senate and Departmental Committees in the National Assembly. Whilst the emphasis of this thesis is the role and efficacy of PCs from the National Assembly with a mandate to oversight government ministries, the situation is different in the case of Kenya.

Generally, there are very delicate role differentials between the Senate and National Assembly of Kenya which makes it important to also consider Kenya's Senate Committees in this discussion. Kenya has a devolved governance system. Regional governments called Counties have the power and independence to make their own laws. Empowered by Sections 94 and 96

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<sup>246</sup> Kenya has a devolved system of government and Counties are an equivalent of Provincial governments.

<sup>247</sup> For example the Business Committee found in both Houses distinguishable by its membership comprising the Speaker as Chairperson, the Majority Leader, the Minority Leader and other Members according to respective parliament representative weight.

<sup>248</sup> For details on the roles of these Committees, see for example, Republic of Kenya Parliament (2020); Senate Parliament of Kenya (2017).

of the Constitution, the Senate of Kenya, consisting of sixty seven Members, exists to represent and protect the interests of Counties and County Governments.<sup>249</sup> The Senate is in charge of laws concerning County governments and determines the allocation of resources amongst Counties. Specifically, they debate laws containing provisions affecting the functions of County Governments; laws that have anything to do with the election of Members of a County Assembly or Executive and Bills that affect County government finances.<sup>250</sup>

Though it makes laws that are national in nature, the National Assembly, consisting of 349 Members, considers any Bill, including those concerning County Governments. The complementarities of their functions are noticeable in at least three respects. First, all Bills the Senate considers must also be seen by the National Assembly before they become law. Secondly, all Bills considered by the National Assembly involving County Governments must be considered by the Senate before they become law. Thirdly, Bills that do not concern County Governments are only considered by the National Assembly.<sup>251</sup>

As a result, there are even similarities in the way the Committees are named though they differ in their composition. Senate Committees have fewer Members - not more than nine – because they are just sixty seven Members in the House. Departmental Committees can even have double the number and have Committees with a maximum of nineteen Members because they are as many as 349 Members.<sup>252</sup> Their similarities enable a harmonized response to local and national issues that are brought before the two Houses. Nevertheless, there are sometimes challenges of oversight and accountability

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<sup>249</sup> See National Council for Law Reporting: The Official Law Reports of the Public of Kenya (2010).

<sup>250</sup> *The National Assembly of the Republic of Kenya* “Historical Background” at [Historical Background | The Kenyan Parliament Website](#) [Accessed on 21 March, 2022]

<sup>251</sup> See National Council for Law Reporting: The Official Law Reports of the Public of Kenya (2010).

<sup>252</sup> See Sections 97 and 98 of the *Constitution of Kenya, 2010*.

duplications and clashes of roles and conflicts of responsibilities. Their naming also establishes their similarities.

The Senate has a Standing Committee on Agriculture, Livestock and Fisheries and the National Assembly has a Departmental Committee on Agriculture and Livestock; there is a Senate Committee on Education and a National Assembly Departmental Committee on Education and Research; a Standing Committee on Energy in the Senate and a Departmental Committee on Energy in the National Assembly; Health Committee in the Senate and Health Committee in the National Assembly<sup>253</sup> and so on. It is not in the scope of this discussion to compare them, but to illustrate their dual relevance to this discussion. Their roles converge in establishing the conditions and scenarios that respond to the research question.

House specific naming of the Committees is not very important in this discussion. All of them – Standing Committees from the Senate and Departmental Committees from the National Assembly – are uniformly called Parliamentary Committees (PCs) in the discussion. Having established the *equality* of PCs with the same powers of summoning and questioning, hiring experts, conducting public consultations and carrying out investigations, it is appropriate to move to the next discussion – with examples - on how they are chaired and composed; and later, how they have used their powers.

#### **5.4. Composition and Chairing: The Tyranny of Numbers**

That PCs consist of elected MPs expected to be technically competent has ignited debates on whether they should have requisite professional and academic qualifications to be more useful in executing legislative, oversight and scrutiny tasks. It would be helpful to briefly attend to this question first.

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<sup>253</sup> See *The Senate of the Republic of Kenya* “Senate Committees” at <http://www.parliament.go.ke/index.php/the-senate/committees/senate-committees> and *The National Assembly of the Republic of Kenya* “Departmental Committees” at <http://www.parliament.go.ke/the-national-assembly/committees/departamental-committees> [Accessed on 23 March, 2022].

#### **5.4.1. MPs and “qualifications”**

Before the 2022 Elections, qualifications for MPs from Parliament of Kenya are – as shall be seen - equivalent to those for MPs from Zimbabwe. Both do not speak to any professional or academic qualification, but citizens above the age of eighteen registered as voters, among others.<sup>254</sup> Zimbabwe, as will be illustrated in the next Chapters, has recognized the importance of professional or academic qualifications for MPs, but had not taken a legislative position to promote it. Kenya has recognized the importance of advanced academic qualifications and debates have been ongoing on whether aspiring MPs should possess a bachelors’ degree from a recognized university. In 2017, the National Assembly of Kenya amended Section 22 of the Election Act to add university degree as part of a minimum qualification for aspiring MPs.<sup>255</sup> The amendment was expected to be effective from 2022 General Elections if it is not successfully challenged in a court of law.

Though studies on the relationship between parliamentary efficacy and qualifications of MPs are still scarce, there are calls for Parliaments, especially from emerging democracies, to consider academic qualifications for their candidates. But some studies done outside Africa have found no relationship between academic qualification and parliamentary efficacy. Using the case of the Swedish Parliament, Erikson and Josefsson (2019:65) contextualize findings from thirty three elite interviews and conclude “while legislators value skills required through higher education in their work – such as the ability to handle large amounts of text information – MPs without higher education display similar skills required in alternative ways”.

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<sup>254</sup> See Section 99 of the *Constitution of Kenya* – “Qualifications and disqualifications for elections as Member of Parliament” at <https://www.klrc.go.ke/index.php/constitution-of-Kenya/123-chapter-eight-the-legislature/part-2-composition-and-membership-of-parliament/267-99-qualifications-and-disqualifications-for-election-as-member-of-parliament> [Accessed on 28 March, 2022].

<sup>255</sup> See *Business Daily* “High Court Suspends Law requiring MPs to have degrees” at <https://www.businessdailyafrica.com/bd/economy/high-court-suspends-law-requiring-mps-to-have-degrees-3728682> [Accessed on 22 June, 2022].

Nevertheless, expectations have remained high that an educated Parliament is the best. Montacute (2017) argues education backgrounds of MPs are important, especially where they got educated and their education qualifications helps them appreciate worries and concerns of different parts of society. A Parliament consisting of MPs with diverse educational backgrounds is more effective especially in targeted policy making because “they allow their own [educational] experiences to guide the decisions they make”<sup>256</sup>.

In a paper entitled “Should a degree be compulsory for parliamentarians?” Teferra (2018), adds “a legislative body with discernible academic and professional deficits is a burden both to a nation and itself”<sup>257</sup>. It “creates a situation where a few competent people carry the load and are responsible for the lion’s share of the voice of the legislative body”<sup>258</sup>. But requirement of academic qualifications has not been universally accepted by prospective and even sitting MPs from Kenya who have sought to nullify them. As this document was written, there was an Elections (Amendment) Bill 2021 sitting in the Senate of Kenya sponsored by a Senator to restrict the MPs requirements to literacy in English, Kiswahili and Kenya sign language.<sup>259</sup> But this does not totally dismiss discerning voices for educated and professional MPs to make Parliaments and therefore PCs more effective. Meanwhile, it would be relevant to proceed to the composition and chairing of committees and whether they are important in the work of Committees.

#### ***5.4.2. Nominated Parliamentary Committee Members and Elected Chairpersons***

PC Members from Kenya are not elected to serve in the Committees. They are nominated by a Committee on Selection<sup>260</sup>, in consultation with political

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<sup>256</sup> See Montacute (2017: 23).

<sup>257</sup> See Teferra, D. (2018: 4).

<sup>258</sup> See Teferra, D. (2018:4).

<sup>259</sup> Also see *AfroCave* “The Qualifications for a Member of Parliament in Kenya” at [TheQualificationsforaMemberOfParliamentinKenya \(afrocave.com\)](http://TheQualificationsforaMemberOfParliamentinKenya.afrocave.com) [Accessed on 21 March, 2022].

<sup>260</sup> This is one of Parliament administration committee comprising the “Leader of the Majority Party” who will become the Chairperson, “Leader of the Minority Party and not less than

parties in Parliament, which “shall be appointed within ten days on assembly of new House”<sup>261</sup>. The criteria used in Committee Member nomination ensures equitable political plurality in Parliament. Each PC is composed of relative majorities of the seats each political party in Parliament obtained. Even when there are independent candidates in Parliament, PC membership “shall be as nearly as practical proportional to the number of Members belonging to such parties and independent Members”<sup>262</sup>. Legitimacy of the nominated committee Members to undertake their tasks is made by a Motion of Parliament.

The challenge with nominated Members is that their allegiance to the work of Committees and what they do is not primarily dedicated to the Committees themselves. They are more accountable to the political party Chief Whips, who sit on Committee on Selection to nominate them to different PCs. The obvious outcome of using the weights of political parties in Parliament as ratio to second Members to different Parliamentary Committees is that the ruling party would always have a majority in all Parliamentary Committee - and the majority to influence decisions. Whatever the formula, strong ruling parties will always have their way.

PC Chairpersons are elected, not by the whole House, but by Members of the Committee. But even at that level, the Chairpersons and vice-Chairpersons of PCs execute their duties – in principle - not solely on the mandate of their political parties, but fellow Committee Members that vote them to the leadership positions. Unlike in Zimbabwe where specific committees are chaired by specific political parties upon some undisclosed Parliamentary Portfolio Committee chairing formula, any Member of a political party drafted in a Kenyan Committee can become a Chairperson. But just like everywhere where the Westminster model of parliament is used, “watchdog” Committees

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eleven and not more than twenty one members nominated by parliamentary parties and approved by the House taking into consideration the interests of the independents”. See Order 172 in Republic of Kenya Parliament (2020).

<sup>261</sup> See Section 172(3) of The National Assembly Standing Orders.

<sup>262</sup> See Section 172(3) of The National Assembly Standing Orders.



such as the Public Accounts Committee, Public Investments Committee or the Committee on Implementation from Kenya are both chaired and vice-chaired by Members from a party not in government.

Election of Committee leadership by PCs from Kenya borrows from the general plebiscite practices. Candidates for election as Committee Chairpersons or vice Chairpersons submit nomination papers to the Clerk of Parliament for circulation to Committee Members before elections. The voting process involves Committee Members printing the first and last names of their preferred leadership choices for Chairperson and vice-Chairperson and placing them in respective ballot boxes.<sup>263</sup> The Clerk of Parliament would count the ballots and those with the highest numbers of votes are declared the Committee leaders.

Elections provide limited Committee leadership diversities as the tyranny of majority always prevail. Following Kenya's 2017 elections, the ruling party clinched most of the PC leadership positions. The Chairpersons and vice - Chairpersons of more than half of the National Assembly Departmental Committees came from Jubilee, the ruling party. The rest of the National Assembly Departmental Committees either had a Member from the ruling party as a Chairperson or vice-Chairperson.<sup>264</sup> The elections of Committee Chairpersons and vice-Chairpersons for this period were just a democratic formality because "most parliamentarians were elected unopposed"<sup>265</sup>.

Nevertheless, the practice of elections adapted to PCs from the national practice inculcate the spirit of mandate and duty for committee Chairpersons and vice- Chairpersons to meet similar expectations of any elected candidate.

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<sup>263</sup> See Section 172(3) of The National Assembly Standing Orders.

<sup>264</sup> See *The National Assembly* "Twelfth Parliament – (Fourth Session) Directorate of Committee Services: Leadership of Committees as at Friday, 17<sup>th</sup> July, 2020" at [LEADERSHIP OF COMMITTEES AS AT 17TH JULY 2020-converted.pdf \(parliament.go.ke\)](https://www.parliament.go.ke/LEADERSHIP-OF-COMMITTEES-AS-AT-17TH-JULY-2020-converted.pdf) [Accessed on 21 March, 2020].

<sup>265</sup> See *Tuko* "List: Jubilee Party sweeps most Parliamentary committees to underline its tyranny of numbers" at [List: Jubilee Party sweeps most Parliamentary committees to underline its tyranny of numbers - Tuko.co.ke](https://www.tuko.co.ke/List-Jubilee-Party-sweeps-most-Parliamentary-committees-to-underline-its-tyranny-of-numbers) [Accessed on 21 March, 2022].

This is assisted by the Constitution of Kenya which arrests selfish political aggrandisement behaviours or political swaggering that may arise from political advantages. Instructed by Section 232 of the Constitution of Kenya that provides for abstract values and principles of public service, the Public Service (Values and Principles) Act No. 1A of 2015<sup>266</sup> liquefies and tames partisan interests in state organs such as Parliaments. The Act calls for public sector servants, including parliamentarians and Cabinet Secretaries to exhibit “high standards of professional ethics” and to be “efficient, effective...responsive, prompt, effective, impartial and equitable”<sup>267</sup>. Public sector servants are also constitutionally mandated to provide services and involve people in the policy making processes. Thus PCs from Kenya are under strict legislative commands to produce results – and to be efficient and effective.

## **5.5. The Power to Summon: Confronting “Accountability Fugitives”**

There are several reasons why PCs from Kenya are more confident and assertive in demanding good governance from the Executive - and even to reprimand those that do not comply to their summons.

### ***5.5.1. Power of participating in Cabinet appointments***

The primary buoyancy of PCs from Kenya to overcome bureaucratic panic in their oversight roles starts from their participation in Executive appointments of vital government officials called Cabinet Secretaries, the equivalent of Cabinet Ministers in countries like Zimbabwe. In Kenya, the President nominates Cabinet Secretaries but appoints them “with the approval of the National Assembly” <sup>268</sup>. Though there are possibilities the President could nominate friends or political affiliates, the National Assembly takes part by vetting the Cabinet nominees considering “candidate’s academic credentials,

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<sup>266</sup> See the Republic of Kenya (2015).

<sup>267</sup> See Section 232 of the *Constitution of Kenya, 2010*.

<sup>268</sup> Also see *Katiba Institute* “Cabinet Secretaries: Role, Appointments and Tenure” at [Cabinet Secretaries: Role, appointments and tenure – KI \(katibainstitute.org\)](https://www.katibainstitute.org/Cabinet-Secretaries-Role-appointments-and-tenure) [Accessed on 22 March, 2022].

professional training and experience, personal integrity and background”<sup>269</sup>. The process further humbles the Presidential powers to appoint by also involving citizens in cabinet appointments through invitation of their thoughts and comments, through respective PCs, for each Cabinet nominee.

The National Assembly and citizens vetting process of cabinet nominees in Kenya has a lot of significance and influence. Chances of candidates being dropped out of the cabinet race are possible especially in cases of adverse vetting reports. In 2015, for example, 163 Members of Kenya’s National Assembly rejected Monica Juma the President had nominated as Cabinet Secretary. The Parliament and citizens were concerned because she had “displayed arrogance and insensitivity to the needs and concerns of the public and their elected leaders” after “she wrote a letter to the clerks of Parliament taking issue with MPs frequenting her office [as Principal Secretary to the Ministry of Interior and Government Coordination] to ask for favours”<sup>270</sup>.

Cabinet Secretaries from Kenya are not only accountable to the President who appoints, but also to the Parliament which examines, recommends and even disappoints. “After giving a Cabinet Secretary a fair hearing” the National Assembly of Kenya “can pass a resolution requiring the President to dismiss the Cabinet Secretary”<sup>271</sup>. The confidence and enthusiasm in Kenya’s PCs to call and even reprimand “accountability fugitives” also comes from the equal distribution of power – which can also be viewed as almost in favour of Parliament - between the Cabinet and the Parliamentarians<sup>272</sup>.

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<sup>269</sup> Also see *Katiba Institute* “Cabinet Secretaries: Role, Appointments and Tenure” at [Cabinet Secretaries: Role, appointments and tenure – KI \(katibainstitute.org\)](https://www.katibainstitute.org/Cabinet-Secretaries-Role-appointments-and-tenure) [Accessed on 22 March, 2022].

<sup>270</sup> See *The Star* “Monica Juma breaks silence after rejection” at [Monica Juma breaks silence after rejection \(the-star.co.ke\)](https://www.the-star.co.ke/news/2015-04-23-monica-juma-breaks-silence-after-rejection). Also see *Citizen Digital* “MPs Right To Reject Monica Juma, Says Ndaragwa MP” at [MPs right to reject Monica Juma, says Ndaragwa MP \(citizen.digital\)](https://www.citizen.digital/news/2015-04-23-mps-right-to-reject-monica-juma-says-ndaragwa-mp) [Accessed on 22 March, 2022].

<sup>271</sup> See Section 152 (6) of *The Constitution of Kenya, 2010* at [The Constitution of Kenya, 2010 \(kmpdc.go.ke\)](https://www.kmpdc.go.ke/the-constitution-of-kenya-2010) [Accessed on 7 December, 2019].

<sup>272</sup> See Section 152 (3) of the *The Constitution of Kenya, 2010* at [The Constitution of Kenya, 2010 \(kmpdc.go.ke\)](https://www.kmpdc.go.ke/the-constitution-of-kenya-2010) [Accessed on 7 December, 2019].

Before the 2010 Constitution, Cabinet Members from Kenya were both professionals and politicians because they were drawn from the Parliament where they spent most of their time.<sup>273</sup> They could spend most of their time in offices and occasionally come to Parliament to account. But the 2010 Constitution gives PCs some advantages. Cabinet Secretaries are constitutionally mandated to “attend before a committee of the National Assembly, or the Senate, when required by the committee, and answer any question concerning a matter for which the Cabinet Secretary is responsible”<sup>274</sup>.

In view of the Parliamentary Committee powers to appoint and dismiss, Cabinet Secretaries from Kenya are legally and dutifully constricted to respond to the parliamentary requests - and to humble themselves if they fail to abide. It is not surprising the powerful Minister of Interior and Government Coordination, Fred Matiang’i had to “sincerely” “unequivocally” and “unreservedly” apologise to “you personally [Committee Chairperson]”, the “Members of the Committee” and the “Parliament”<sup>275</sup> at large after failing to appear before a Parliamentary Committee when summoned. PCs from Kenya have further powers to arrest.

#### ***5.5.1. Parliament of Kenya also a consequential judicial body***

When it comes to the enforcement of its mandate to question and demand accountability and good governance from responsible authorities, the

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<sup>273</sup> Also see *Nation* “Executive, Legislature read from different scripts on CS summons” at <https://nation.africa/kenya/news/executive-legislature-read-form-different-scripts-on-cs-summons-70046?view=htmlamp> [Accessed on 20 March, 2022].

<sup>274</sup> See Section 153 (3) of *The Constitution of Kenya, 2010* at [The Constitution of Kenya, 2010 \(kmpdc.go.ke\)](http://The Constitution of Kenya, 2010 (kmpdc.go.ke)) [Accessed on 7 December, 2019].

<sup>275</sup> See *NTV Kenya* “Interior CS Fred Matiang’i unreservedly apologises to MPs for failing to honour previous invitations” at [https://m.facebook.com/watch/?v=10155065396019058&\\_rdr](https://m.facebook.com/watch/?v=10155065396019058&_rdr) [Accessed on 29 March, 2022].

Parliament of Kenya uses its apportionment of judicial powers. This brings debates on the separation of powers. An independent arm of the state, namely Legislature, encroaches and grabs the powers of an equally independent arm of the state, namely Judiciary, yet the two are expected to exercise checks and balances on one another as equals. This means good governance conversations conflate, and disrespect the concept of separation of powers because Parliament, which makes laws, can also administer the same laws it makes – and also pass court judgements even in the presence of a competent Judiciary. Section 18 of Parliamentary Powers and Privileges gives the Parliament of Kenya and its Committees power to

Invite or summon any person to appear before it for the purpose of giving evidence or providing any information, paper, book, record or document in the possession or under the control of that person and, in this respect, Parliament and its committees shall have the same powers as the High Court as specified under Article 125 of the Constitution.<sup>276</sup>

According to Section 23 of the Kenya's Parliamentary Powers and Privileges, public officials have a duty to provide evidence to Parliament or PCs when requested. As such, no public official in Kenya should refuse to produce to Parliament any document or record requested or to give evidence before a Committee of any national security organs as set out in Section 239 of the Constitution of Kenya. Public officers who fail to comply with Parliamentary requests commit an offense and the "resolution of the House shall constitute a ground for removal from office of the public officer in accordance with the constitution or any applicable law"<sup>277</sup>. At the same time anyone appearing before Kenyan PCs or Parliament is protected by law. They are accorded the same right and privileges applicable to witnesses before the court of law. Witnesses are also protected if they reveal evidence or information under oath and such information "shall not be used against the person in a court or other

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<sup>276</sup> The Republic of Kenya Laws of Kenya (2017).

<sup>277</sup> See Section 239 of the *Constitution of Kenya, 2010*.

place outside parliament except in criminal proceedings where the person concerned stands trial”<sup>278</sup>.

If a witness summoned fails to appear or appears and fails to satisfy the relevant committee, the Parliament or a PC “may impose upon the witness such fine, not exceeding five hundred thousand shillings, having regard to the witness’ condition in life and all the circumstances of the case”<sup>279</sup>. The offense also carries a prison sentence not exceeding six months or both – fine and sentence. The PCs from Kenya have been able to use these powers to demand accountability and good governance from the government and to reprimand “fugitives of accountability”<sup>280</sup>.

In September 2021, Energy Cabinet Secretary was fined Sh500, 000 by the Senate Energy Committee after skipping a session to update Parliament on the costs of electricity in the country. The Chairperson of the Committee took the Cabinet Secretary’s “absence very unkindly” as “we cannot allow this to prolong”. Even though the Cabinet Secretary gave apologies he was out of the country in Austria attending an International Atomic Energy Summit he was reprimanded for being “an accountability fugitive”. The Committee Chairperson asserted his authority and protested that:

He [Cabinet Secretary] is a fugitive of accountability who ought to be fined and pay in person. This is not the money that should come out of the Ministry. Having been a Senator he knows the rule of the law and yet he keeps on violating it. The only way that we can only be able to come to the bottom of this matter is if and only we become more punitive.<sup>281</sup>

The other PC Member added that “We need to get tough on this stubborn problem between Parliament and Cabinet Secretaries. We have the powers to

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<sup>278</sup> The Republic of Kenya Laws of Kenya (2017).

<sup>279</sup> The Republic of Kenya Laws of Kenya (2017).

<sup>280</sup> See *Capital News* “Senate Energy Committee Hands Keter Sh500,000 Fine for Missing Appointment Session” at [Senate Energy Committee hands Keter Sh500,000 fine for missing appointed session » Capital News \(capitalfm.co.ke\)](https://www.capitalfm.co.ke/news/senate-energy-committee-hands-keter-sh500-000-fine-for-missing-appointment-session) [Accessed on 22 March, 2022].

<sup>281</sup> *Ibid.*

summon and even get them to be arrested”<sup>282</sup>. The same was applied to the Cabinet Secretary for Petroleum and Mining. After snubbing summons from the PC on Finance and Planning to answer queries on high fuel prices on the excuse he had travelled to Sudan on official duties, he was fined Ksh500 000. It was largely the firmness of the PC Chairperson punishing the Cabinet Secretary for being “uncooperative”.<sup>283</sup>

But the use of the summoning powers has not been equal across the PCs from Kenya due to differences in the assertiveness and discretion of PC Chairpersons. Committees with Chairpersons able to declare their authority and to rally Members to a unified decision have been able to enjoy their summoning powers than those that are divided. This can be illustrated by a similar case which produced an opposite result.

When the Cabinet Secretary for the Ministry of Interior and Government Coordination was summoned by the PC on Agriculture to give information on sugar scandal<sup>284</sup> in June 2018, he told Parliament that he could not make it because he was one of the organisers of a “three day summit of the East African Community (EAC) Heads of State in Nairobi”<sup>285</sup>. When the Cabinet Secretary eventually appeared, he told the PC he got the invitation message late. He asked for an apology, arguing he was not a habitual parliamentary saboteur since he had complied with previous invitations. The Committee Chairperson did not impose a penalty, but rather, accepted the apology though some Members of the Committee had proposed some form of

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<sup>282</sup> *Ibid.*

<sup>283</sup> *Tuko.co.ke*. “ John Munyes: Petroleum CS Fined Ksh 500k for snubbing parliament summons” at <https://www.tuko.co.ke/429295-john-munyes-petroleum-cs-fined-ksh-500k-snubbing-parliament-summons.html> [Accessed 20 March, 2022].

<sup>284</sup> Kenya had imported contraband sugar worth millions of shillings and Matiang’i, as the Cabinet Secretary for the Ministry of Interior and Coordination of National Government, had stated that the illicit sugar contained poisonous elements such as mercury, copper and lead.

<sup>285</sup> See *Citizen Digital* “Matiang’i fails to appear in parliament over sugar scam” at <https://citizen.digital/news/matiangi-fails-to-appear-in-parliament-over-sugar-scam-205165/> [Accessed on 22 March, 2022].

punishment.<sup>286</sup> The PC Chairperson dismissed any punitive action by saying “It’s not a matter of not coming, but of answering the question”. He pleaded with the Committee Members to give the Cabinet Secretary a chance to provide evidence because “at least he has come”<sup>287</sup>.

The Committee Chairperson even acknowledged not appearing when wanted was not important, but for Cabinet Secretaries to eventually appear even at own time, and respond to the questions. He acknowledged the witnesses for having come earlier than the majority of PC Members. He argued, against some of the Members that complained about his contempt, that “It is not a question of not coming, but of answering the questions”<sup>288</sup>. The laws are there, but sometimes they are not utilised. Some offending bureaucrats have been calculative and humble and gotten away with impunity after they approach PCs from a guilty position. But forgiving does not always mean never again. Some unpunished but forgiven Cabinet Secretaries continued to avoid Parliament and PCs, even to the extent of creating apathy amongst Committee members themselves. The next subsection talks about this.

#### ***5.5.2. PCs actively seek to exercise their rights and powers but there are political struggles and frustrations***

Committees that have failed to use their powers to whip government bureaucracy to comply to summons for questioning have caused some of the Committee Members to be fatigued and disillusioned with the processes of engaging the Executive. At the same time, some government bureaucrats have ridden on the Committee Members’ discouragement - which they largely cause by absconding invitations - to present some depiction of a cooperating government bureaucracy let down by an uncommitted PC system.

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<sup>286</sup> See *KTN News Kenya* “Sugar Scandal Probe” at <https://www.youtube.com/watch?v=SPecJ4em7a4> [Accessed on 22 March, 2022].

<sup>287</sup> See *KTN News Kenya* “CS Matiang’i appears before parliamentary committee probing sugar importation saga” at <https://www.youtube.com/watch?v=SPecJ4em7a4> [Accessed on 28 March, 2022].

<sup>288</sup> See “Sugar Scandal Probe” at <https://www.youtube.com/watch?v=SPecJ4em7a4> [Accessed on 22 March, 2022].



In March 2021, the PC on Administration and National Security summoned the Interior Ministry for some questioning. But most of the Committee Members doubted the team from the Interior Ministry led by Cabinet Secretary and Principal Secretary would be available. They had earlier defaulted to appear before the PC several times. As a result, the meeting was aborted because the Administration and National Security Committee Members present did not constitute a quorum. But this was twisted by the government bureaucrats to portray a picture of a disorganised and uncaring PC unwilling to engage and demand good governance. The Principal Secretary for the Ministry of Interior and Government Coordination, for example, wrote:

A little bit discouraged that our meeting with the Parliamentary Committee on Administration and National Security was aborted due to quorum, but we are more than ready to respond to the honourable [PC] Members' questions and concerns as soon as they invite us again.<sup>289</sup>

The Principal Secretary, despite having been unavailable several times when the PC summoned them, emphasised whilst they had done their best to cooperate by assembling at their Harambe House offices to honour an invite to a scheduled virtual meeting with the PC that day, "it was the Committee itself which caused the meeting to be aborted due to a quorum hitch"<sup>290</sup>.

But some of the PC Members for the Committee on Administration and National Security had counter-boycotted claiming the Ministry had snubbed their previous meetings. One Member, for example, said:

What reason do we have to have a meeting with such people [from the Ministry of Interior and Government Coordination]... We have been meeting for the last three and half years and I can say without any fear and contradiction that we have met the CS [Cabinet Secretary] less than three

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<sup>289</sup> *The Saturday Standard* "No End in sight as Matiang'i, lawmakers' dispute deepens" at <https://www.standardmedia.co.ke/politics/article/2001407872/matiangi-kibicho-in-trouble-with-mps-over-sittings> [Accessed on 22 March, 2022].

<sup>290</sup> *Ibid.*

times. Even in the few instances that the Cabinet Secretary appeared before the committee, he would be accompanied by a few members of his team, leading to less fruitful meetings as relevant officers to respond to the questions would have stayed back.<sup>291</sup>

The main concern for the Committee was that Cabinet Secretaries did not avail themselves when the Parliamentary Committees needed them most except during critical discussions on issues that mattered most for the survival of their Ministries. For example, the “only time the PS [Principal Secretary] comes with a full team is when we are discussing a budget. When we are discussing matters as important as questions from MPs, they are never there”<sup>292</sup>. Another Committee Member added “Many times, the Committee has had to call off its meetings with the ministry officials at the very last minute and no reason has been given”<sup>293</sup>. The complains from Committee Members and their subsequent withdrawals from engaging the bureaucracy may not be very meaningful in the Kenyan context where the Parliament and PCs are imbued with legal and statutory powers. This shows how failure to use power could lead to PC inefficiencies.

Yet there were even more powerful bureaucrats that would not care about PC summons. When Nairobi Metropolitan Services Boss, a Major General, and the Chief Lands Officer were asked to appear before the Senate Committee on Devolution to provide “survey plans, deed plans and title deeds for the land that had been parcelled to private individuals in Pumwani and Eastleigh”<sup>294</sup> they could not make themselves available. The Major General was a powerful army general seconded by the army of Kenya to sit in Cabinet and its Committees after the President invoked Executive Order No. 3 of 2020

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<sup>291</sup>*Ibid.*

<sup>292</sup>*Ibid.*

<sup>293</sup>*Ibid.*

<sup>294</sup> *Parliament of Kenya* “Devolution Committee Investigates illegal evictions of residents in Pumwani and Eastleigh” at [DEVOLUTION COMMITTEE INVESTIGATES ILLEGAL EVICTIONS OF RESIDENTS IN PUMWANI AND EASTLEIGH. | The Kenyan Parliament Website](#) [Accessed on 21 March, 2022].

enabling him to “henceforth attend all meetings of Cabinet and its Committees...”<sup>295</sup>. This shows, in the context of PCs, inability to use its powers, but also fear to exercise it on powerful government bureaucrats.

The existence of PCs with similar mandates in the bi-cameral Parliament of Kenya may seem to overwhelm the Executive compelled to be always in Parliament to respond to the respective needs of the two Houses. At one time in Kenya, some Cabinet Secretaries reported to have appeared before the Senate and National Assembly Committees more than twenty times a month.<sup>296</sup> This is possible because of inherent bias of Parliamentary summons. Ministries of National Treasury, Interior and Government Coordination and Agriculture are usually the most summoned.

In situations of illogical and uncoordinated use of summoning powers by both the Senate and National Assembly of Kenya, Cabinet Secretaries have increased the time they spent in seeking answers and appearing before PCs. At one time, a Senate Committee demanded an Interior Cabinet Secretary appears before it in person “to answer questions on a dam tragedy that had killed more than forty people though most of their questions had already been answered by the Chief Administrative Secretary to the same Ministry”<sup>297</sup>. The overwhelming PC schedules for the Executive sometimes affect their roles in policy implementation and supervision, the critical areas central in responding to accountability and oversight questions PCs make.

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<sup>295</sup> See *The Standard* “Nairobi Metropolitan Services boss Major-Gen Badi to sit in the Cabinet” at [Nairobi Metropolitan Services boss Major-Gen Badi to sit in the Cabinet - The Standard \(standardmedia.co.ke\)](https://www.standardmedia.co.ke/news/article/2004667/nairobi-metropolitan-services-boss-major-gen-badi-to-sit-in-the-cabinet) [Accessed on 21 March, 2022].

<sup>296</sup> Also see *Nation* “Executive, Legislature read from different scripts on CS summons” at <https://nation.africa/kenya/news/executive-legislature-read-from-different-scripts-on-cs-summons-70046?view=htmlamp> [Accessed on 20 March, 2022].

<sup>297</sup> *Parliament of Kenya* “Devolution Committee Investigates illegal evictions of residents in Pumwani and Eastleigh” at [DEVOLUTION COMMITTEE INVESTIGATES ILLEGAL EVICTIONS OF RESIDENTS IN PUMWANI AND EASTLEIGH. | The Kenyan Parliament Website](https://www.parliament.go.ke/devolution-committee-investigates-illegal-evictions-of-residents-in-pumwani-and-eastleigh) [Accessed on 21 March, 2022].

Concerns could also be raised on Members seemingly using the powers PCs have as a way of exploiting Cabinet Secretaries and public service bureaucrats possibly frustrating and overloading them. Issues on some MPs' seriousness in Executive engagement also arise in view of situations where Members would, for example, ask Cabinet Secretaries questions but leave immediately before an answer is given:

Recently, a Cabinet secretary was asked nine questions. The MPs who had asked them did not turn up. Only three questions were answered. This is despite the CS having arrived in time and waited for the lawmakers for 30 minutes.<sup>298</sup>

There are also possibilities of Senate and House of Assembly Committees to work at cross purposes<sup>299</sup> because of the narrowness of their functional differences. Governments bureaucracy would become overloaded if, for example, the Senate committee on Energy invites responsible Cabinet Secretary to answer questions on, say, fuel price increases, with the same being also summoned by the National Assembly Committee on Energy or Finance and Planning.<sup>300</sup>

Nevertheless, appearing before PCs is part of the government bureaucracy as mandated by the Constitution of Kenya. There is usually a minimum of seven days notice for Cabinet Secretaries to appear before PCs. This means they can use the notice period to plan their time even in cases of double summons from the two Houses. This all serves to indicate that the PCs from Kenya have a dual, water tight government accountability process though the main weakness has been inability by some PCs to use their constitutional and statutory powers, especially on powerful government officials, to fulfil their responsibilities. In fact, there are little excuses for PCs from Kenya not to be effective. In addition to their constitutional and statutory powers, they have additional strength of a well funded Parliament – the advantage of resources.

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<sup>298</sup> *Ibid.*

<sup>299</sup> *Ibid.*

<sup>300</sup> *Ibid.*

## 5.6. The power of resources; power to investigate and consult

The Parliament of Kenya is financially independent. It is well funded by its own government to an equivalent sum of eight days of government taxes in a year. In 2020/2021, the Parliament of Kenya spent Ksh. 39.15 billion (\$340,71 million), equivalent to Ksh. 9.8 billion (\$85,29 million) every quarter or Ksh.107.26 million (\$933,51<sup>301</sup>) every day.<sup>302</sup> The importance of this government funding is that the agenda for Kenya's PCs is not determined or influenced by donors' needs, amount or time of disbursements, but by public interests. They do not wait for financial disbursements from external sources, but get to work whenever the need for PCs' action arises.

MPs from Kenya are motivated and inspired because they are fairly remunerated as compared to other legislators not only from Zimbabwe, but from the African continent. A study carried out by the United Kingdom based Independent Standard Authority and the International Monetary Fund in 2013 ranked Kenya's MPs second highly remunerated after Nigeria. <sup>303</sup> MPs from countries with equally performing economies like Ghana, Indonesia and South Africa earn way below their Kenyan counterparts. In 2019, MPs from Kenya took home Ksh.710, 000 (about \$6,176.60) which amounted to Ksh.1, 378 million (about \$11,980) including mileage, sitting and responsibility perks. In addition to their salary, MPs from Kenya are entitled to Ksh.20 million (about \$174,060) mortgage with three percent interest.<sup>304</sup> Every

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<sup>301</sup> Rounded figures based on 30 March exchange rate of 1KES to 0.0087 United States Dollars accessed at [https://www.google.com/search?hl=en-GB&source=hp&biw=&bih=&q=kes+to+usd&iflsig=AHkkrS4AAAAAYkRcTFEaovYrioYRn7ekoFRDPhkZk-Um&gbv=2&oq=KES+to&gs\\_l=heirloom-hp.1.0.oi512i433i131joi512l9.4649.7522.0.9303.6.6.0.0.0.1142.3508.0j3j6-1j2.6.0....0...1ac.1.34.heirloom-hp..1.5.2363.QeMS05prgic](https://www.google.com/search?hl=en-GB&source=hp&biw=&bih=&q=kes+to+usd&iflsig=AHkkrS4AAAAAYkRcTFEaovYrioYRn7ekoFRDPhkZk-Um&gbv=2&oq=KES+to&gs_l=heirloom-hp.1.0.oi512i433i131joi512l9.4649.7522.0.9303.6.6.0.0.0.1142.3508.0j3j6-1j2.6.0....0...1ac.1.34.heirloom-hp..1.5.2363.QeMS05prgic) [Accessed on 30 March 2022]

<sup>302</sup> Kemboi (2021).

<sup>303</sup> Also see *The Star* "New House Allowance puts MPs' salary way above world super powers" at <https://www.the-star.co.ke/siasa/2019-05-11-new-house-allowance-puts-mps-salary-way-above-world-super-powers/> [Accessed on 30 March, 2022].

<sup>304</sup> Also see *The Star* "New House Allowance puts MPs' salary way above world super powers" at <https://www.the-star.co.ke/siasa/2019-05-11-new-house-allowance-puts-mps-salary-way-above-world-super-powers/> [Accessed on 30 March, 2022].

Kenyan MP benefits from a government luxury car grant of Ksh.5 million (about \$43,497) every five year term and a “personal car loan from the government of as much as Sh7 million (\$60,896)”<sup>305</sup> at a three percent interest rate. PC Chairpersons get an additional Ksh.10,000 (\$87) and vice Chairpersons Ksh.8,000 (\$69,6) for every session respectively. The luxury of Kenya’s MPs extends beyond their parliamentary terms. They are further motivated by a pension facility available for former MPs. According to Section 8 of Kenya’s Parliamentary Pension Act Chapter 196, “a person shall... be entitled to receive a pension if he or she “has ceased to be a member of the National Assembly” and “...has attained the age of forty five years”<sup>306</sup>.

A significant dynamism of a well remunerated Legislature and therefore PCs is they take initiative to immediately deal with arising issues whilst poorly remunerated cases like Parliament of Zimbabwe largely wait for the media to “blow off” the matters and the public or the civil society to “petition”. The site visits and investigations carried out by Kenya’s Devolution Committee in March 2022, for example, were initiated by one of the motivated Members. The Member wrote a statement to the Committee Chairperson to enable investigations following Pamwani and Eastleigh Evictions.<sup>307</sup> The PC intended to establish the circumstances that surrounded the “evictions, subdivision and allocation of parcels of [Pamwani and Eastleigh] land belonging to the Nairobi City County Government by private developers”<sup>308</sup>.

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<sup>305</sup> *Ibid.*

<sup>306</sup> See Laws of Kenya (2012).

<sup>307</sup> There have been several evictions in Zimbabwe, but no parliamentary committee initiated for or had confidence to conduct investigations. See for example *Zimbabwe Situation* “12 Families in the open after eviction at a farm in Christon Bank” at <https://www.zimbabwesituation.com/news/12-families-in-the-open-after-eviction-at-a-farm-in-christon-bank/>; Human Rights Watch, *Zimbabwe: Evictions, Beatings at Mugabe-Linked Farm*, 23 May 2017, available at: <https://www.refworld.org/docid/59241e5b4.html> [Accessed 30 March, 2022].

<sup>308</sup> *Parliament of Kenya* “Devolution Committee Investigates illegal evictions of residents in Pumwani and Eastleigh” at [DEVOLUTION COMMITTEE INVESTIGATES ILLEGAL EVICTIONS OF RESIDENTS IN PUMWANI AND EASTLEIGH. | The Kenyan Parliament Website](#) [Accessed on 21 March, 2022].

Without significant welfare or remuneration challenges, committee Members execute their responsibilities such as scenario investigations with adequate severity and sophistication. The sites visits made to Pamwani and Eastleigh by the Devolution Parliamentary Committee in March 2022 exposed a resource ownership crisis that prevailed and brought it to the national presence. It raised important questions that could not have been put forward without Member's physical inspection of the places. The circumstances, as discovered by the Committee, raised important procedural, legislative and policy subjects on property ownership and transfer. The Committee Chairperson provided for this when he said:

As the Senate [Devolution Committee] we shall investigate circumstances under which land that belonged to Pumwani Maternity that was housing doctors and nurses was transferred to private developers. We have just seen that land that was used to be a police station is now a petrol station and land that was used to house doctors is now a parking space where private individuals are collecting rent.<sup>309</sup>

The PCs site visits to Pamwani and Eastleigh enabled by immediate availability of funds before the situation got worse was important in providing radical evidence for use to advocate for fairness or respect for and protection of human rights in resource ownership or transfer. The need for the protection of citizens' constitutional rights in such circumstances was identified by the Devolution Committee when, during its site visit and investigations, established the Nairobi City Water and Sewage staff were "allegedly evicted from their homes last year [2021] to pave way for a private developer". The site visit provoked the Committee to "investigate the [eviction] matter diligently to ensure fairness to the affected residents".<sup>310</sup> This case serves to establish well resourced PCs, in their scope of work that involves carrying out consultation and site visits, are also fundamental in protecting citizens' constitutional rights and other important national

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<sup>309</sup> *Ibid.*

<sup>310</sup> *Ibid.*

questions such as land ownership or (re) distribution. These are delicate, but very important responsibilities, which Parliament, as a unified House – and without adequate resources, cannot easily execute with attention to detail.

### **5.7. Conclusion**

Further from the powers discussed in previous Chapter, PCs are made more efficient by effective and realistic use of their institutions. The Constitution of Kenya is very generous to the Parliaments and PCs. The Parliaments have even made their operation in terms of institutional frameworks extremely better in their Standing Orders. Having judicial powers equivalent to Kenya's higher courts does not only show how separation of powers is a complex phenomenon in good governance practice, but recognition of the value and relevance of PCs in governance. The Kenya's Constitution also creates equality amongst the arms of the state by establishing a horizontal relationship between PCs and the Executive. This starts with the participation of PCs in the appointment of Cabinet Ministers or Cabinet Secretaries which even gives them the power to recommend their dismissal if necessary. The Kenyan scenario is also unique in that - perhaps as an attempt to separate powers - Members of the accounting Executive namely Cabinet Secretaries are not MPs.

Thus the power relations between Kenya's PCs and the Executive tilt on the side of PCs giving them leverage to demand good governance with confidence and without fear of political party whipping or retribution. This influence is supported by a competent remuneration for MPs and readily available resources for PCs to execute their work and fulfil their responsibilities owing to a well funded Parliament. But these advantages have not been utilised equally across the PCs. Some of the PC Chairpersons have been hesitant to use their powers and influence to enforce bureaucratic compliance, especially in matters involving powerful government officials. The result has been PCs' inefficiencies caused by the vindictive and retributive tendencies between PCs led by weaker Chairpersons and powerful government bureaucrats skipping summons. Nevertheless, a couple of factors important for PCs' effectiveness, especially from countries ruled by strong ruling parties are revealed: strong



institutions PCs themselves can implement, equal power relations between the Executive and the legislature, adequate Parliament budget for motivating MPs and supporting PC work and assertive and self confident PC Chairpersons. These ingredients are taken further and assessed, not in any particular order, against the context and behaviours of PCs from Zimbabwe, the main case study. This is done in a series of Chapters discussed next starting with PCs form, nature, structure and power.

## Chapter 6:

# Tutorials in Parliament: Nature, Structure and Power of Zimbabwe's Parliamentary Portfolio Committees

In a democracy, everyone is important, even the minority, with their say recognised, but the majority will always have their way.<sup>311</sup>

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### 6.1. Introduction

The *Constitution of Zimbabwe Amendment (No. 20) Act 2013*<sup>312</sup> (hereafter Constitution) establishes a bi-cameral Parliament consisting of the Senate and the National Assembly. It gives the Parliament of Zimbabwe (hereafter Parliament, House, Floor or Plenary) the responsibility to protect “this Constitution and promote democratic governance of Zimbabwe” with “all institutions and agencies of the State and government at every level... accountable to Parliament”<sup>313</sup>. Guided by the preceding discussions, this Chapter discusses the construct and characteristics of Zimbabwe's Parliamentary institutions called Parliamentary Portfolio Committees (PPCs) established to scrutinise, oversight or shadow “institutions and agencies of the State and government”<sup>314</sup>. It shows that their evolution, and subsequently their form, was informed and influenced by intensive neighbourhood and worldwide consultations especially with Parliaments from former British colonies. The Chapter argues that despite adapting important characteristics from other countries, the performance of PPCs from Zimbabwe are highly constrained by dogmatic political party systems, government's hierarchical protocols, and complex institutions which makes Members and Chairpersons hesitant and timid to accomplish. The Chapter discusses PPC evolution, types, purposes, composition, leadership as well as their powers and implications on their effectiveness. It attempts to respond to the following question: Do existing institutional frameworks for Zimbabwe's PPCs enable them to be

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<sup>311</sup> Ultra Elite Interview 2, Harare, 20 November, 2022.

<sup>312</sup> The Constitution was approved by more than ninety five percent of the voters in a referendum held on 26 March 2013.

<sup>313</sup> See Section 118 and 119 of the *Constitution of Zimbabwe Amendment (No. 20) Act 2013*.

<sup>314</sup> Ultra Elite Interview 1, Harare, 2 October, 2022.

effective? The Chapter concludes PCs are important multi-party governance organs that increase Parliament's effectiveness in its oversight, legislative and scrutiny roles through rigorous monitoring and questioning of Executive decisions and actions. But success depends on the assertiveness of PPC Chairpersons and their ability to interpret, use and exercise their powers.

## **6.2. Evolution of PPCs – neighbourhood and worldwide consultations**

The Parliament carried out significant researches and consultations before establishing PPCs with oversight responsibilities over or shadowing specific government departments and Ministries. In February 1997, it appointed a Parliamentary Reform Committee to assess, among others, “the practice and procedure of the House in relation to public business; the Committee System, the legislative process and civic participation in parliamentary business”<sup>315</sup>. The public was consulted and was therefore involved in the parliamentary reform process. They provided their views during public hearings and or made submissions as called by the Parliamentary Reform Committee. In 1998 a report entitled “Strengthening Parliamentary Democracy in Zimbabwe: A Foundation Report by the Parliamentary Reform Committee” provided recommendations for House reformation.

The consultative process revealed citizens wanted to be consulted and therefore participate in policy making processes. Citizens also proposed smaller groups of MPs or PCs of between fifteen and twenty five Members to scrutinize and oversight the Executive in detail with “more teeth to bite”<sup>316</sup> or confidence to ask government bureaucrats difficult but important questions. This was very important because

Even when citizens did not have the structure of the PCs they envisioned, their active participation was an indication that indeed, it was possible to include them in parliamentary processes. You [the researcher] will realise that

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<sup>315</sup> Parliament of Zimbabwe (1999:6).

<sup>316</sup> See Parliament of Zimbabwe (1998: 18-19).

above anything else, the Parliament of Zimbabwe, through its PCs, is strongest in involving citizens through public hearings. The potential and seeds for this [citizens' involvement] success were sown during these initial consultative processes. It is not only with citizens, but also with experts who made submissions to the consultative process. Zimbabwe is amongst other countries on the continent that respects views of experts who have advised Parliament through PCs as individuals, groups or civil society organisations.<sup>317</sup>

Zimbabwe's parliamentary reforms were also influenced by what other Parliaments, especially from former British colonies, were doing. The Parliamentary Reform Committee consulted "sister Parliaments" such as the "Zambian and Namibian National Assemblies, Indian's Lok Sabha, the UK House of Commons, the German Bundestag and the New Zealand House of Representatives"<sup>318</sup>. Literature was also reviewed to obtain "comparative evidence" from "other jurisdictions" that supported the "indispensability" of Parliamentary Committees in a democracy<sup>319</sup>. More admired was literature on Australian Parliamentary Committee system. Specifically, it was Australia's 1997 Senatorial Committee on Constitutional Reference that had "dealt with" and "produced a report on 'Inquiry into Sexuality Discrimination'"<sup>320</sup>. A lot was harvested from the worldwide consultations to establish stronger, hybrid PPCs but

As a sovereign nation, we could not take everything [from the consultation process]. We adapted what was relevant to us. You [the Researcher] must know countries differ in their separation of powers, even amongst the Commonwealth. We wanted to make sure Parliament itself, through PPCs, was not going to end up upsetting the balance of power by ruling – I mean giving the Executive a directive or supervising policies - because it is the responsibility of the Executive. We also had to be cautious with the powers of Parliament, especially the power to summon. Again, we did not want the Parliament, through PPCs, to have the powers equivalent to the Judiciary

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<sup>317</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>318</sup> Parliament of Zimbabwe (1998: 4)

<sup>319</sup> Parliament of Zimbabwe (1998: 18-19)

<sup>320</sup> *Ibid.*

although we learnt during the consultations other countries gave their Parliaments the same judiciary powers equivalent to say, their High Courts or Supreme Courts. To us [Parliament], separation of powers is very important in [our] democracy.<sup>321</sup>

Despite the richness of the information on PC system Parliament obtained through the Parliamentary Reform Committee research<sup>322</sup>, the selective take up and adoption of the recommendations - as shall be seen - suggests the type of PPCs imagined: PPCs that outwardly resembled those of other former British colonies in existence and functions probably for international legitimacy but internally - and in practice - constrained to effectively execute. Nevertheless, both the Eighth (2013-2018) and the Ninth (2018-2022) Parliaments established after the 2013 Constitution created PCs in both Senate and the National Assembly. The next sub-section distinguishes the two and directs focus to PPCs which are more relevant to this discussion.

### **6.3. Ambiguous Senate Thematic Committees and Definite National Assembly Portfolio Committees**

The 1998 Parliamentary Reform Committee report provides functional departure to Zimbabwe's PC system. There were about four Departmental Select Committees responsible for evaluating government annual expenditure and use of resources at Zimbabwe's independence in 1980. Until 1999, the Parliament took a "cluster approach" in providing oversight of government departments and Ministries. A "single PC provided oversight to several government departments and Ministries bulked together according to similarities of their mandates"<sup>323</sup>. For example, the Cluster on Defence covered related peace keeping Ministries such as State Security, Home Affairs and Defence. This approach was inadequate in a country that had around twenty four or twenty five cabinet Ministries.<sup>324</sup>

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<sup>321</sup> Ultra Elite interview 1, Harare, 6 October, 2020.

<sup>322</sup> See for example Parliamentary Reform Committee (1998-1999).

<sup>323</sup> Elite Interview 5, Harare, 15 December, 2020.

<sup>324</sup> Elite Interview 5, Harare, 15 December, 2020.

Clusters were “less effective because their oversight rigour was diluted in the scale of their mandates”<sup>325</sup>. There were also less effective because their “oversight approach was not thorough emanating from less competing ideas and questions”<sup>326</sup>. Most of the Cluster Members belonged to one political party, ZANU PF, which dominated elections and therefore Parliament until 1999. The Cluster Members who were MPs were also in the Cabinet and Executive. They were “already conflicted to oversight the government departments or Ministries they presided and could not in any significant way ask difficult oversight and scrutiny questions to what they did or intended to do”<sup>327</sup>.

The Eighth and the Ninth Parliaments of Zimbabwe that followed the 2013 Constitution established PCs in both the Senate and House of Assembly. Unlike PCs from Kenya’s bi-cameral Parliament, PCs from Zimbabwe’s two Houses are different both in their identification and core functions. Senate Committees are called Thematic Committees because they “deal with broad areas”<sup>328</sup>, something that can be “picked in their names”. The Ninth Parliament had six Thematic Committees. Half of them – Peace and Security, Gender and Development and Human Rights resonate more to the work of Independent Commissions established under Chapter 12 of the Constitution of Zimbabwe to support democracy. The Thematic Committee on Peace and Security echoes the National Peace and Reconciliation Commission; Thematic Committee on Gender and Development simulated the Zimbabwe Gender Commission whilst the Thematic Committee on Human Rights shared the name with the Zimbabwe Human Rights Commission.<sup>329</sup>

The Thematic Committee on HIV and AIDS simulates a quasi government department called the Zimbabwe National AIDS Council established by an Act of Parliament in 1999 to coordinate national multi-sectoral responses to the

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<sup>325</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>326</sup> Elite Interview 13, Harare, 22 April, 2021.

<sup>327</sup> Elite Interview 5, Harare, 15 December, 2020.

<sup>328</sup> Ultra Elite Interview 1, Harare, 6 October, 2021.

<sup>329</sup> See Section 232 of the *Constitution of Zimbabwe Amendment (No. 20) Act 2013*

HIV/AIDS pandemic. The Thematic Committees on Millennium Development Goals and Indegenization and Empowerment may not be easy to identify with specific national institutions. However, all, and unlike in the Kenyan case, Thematic Committees do not have any mandates over government departments or Ministries. In this regard, they are not very relevant to this discussion save to illustrate their existence and differences from other Committees.

The nineteen Committees from the National Assembly, called PPCs, have oversight mandates over state and government institutions. There were created in line with “government portfolios to examine the expenditure, administration and policy of government departments and other matters falling under their jurisdiction as Parliament may, by a resolution, determine”<sup>330</sup>. PPCs are identified with all government Ministries and their departments. A PPC on Industry and Commerce, for example, shadows the Ministry of Industry and Commerce whilst a PPC on Primary and Secondary Education shadows a Ministry with the same or similar name and so on. The following subsection looks at how the Parliament of Zimbabwe has shaped PPCs’ existence and structure to enable them fulfil their responsibilities.

### **6.3.1. The logic of PPCs**

PPCs are defined in various ways according to their sizes and roles in relation to the House. They are “units” of Parliaments “performing the traditional oversight Parliamentary role but with a bigger scrutiny and oversight shareholding on specific government departments or Ministries”<sup>331</sup>. A PPC is “a smaller Parliament drawn from the greater Parliament” led by a PPC Chairperson to “preside over discussions and all other processes enabling

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<sup>330</sup> See *Parliament of Zimbabwe* “Committee System – Parliament of Zimbabwe” at [https://www.google.com/url?esrc=s&q=&rct=j&sa=U&url=https://parlzim.gov.zw/committees-system/&ved=2ahUKEwi2u662v\\_2AhVtQkEAHcApDmgQFnoECAkQAg&usg=AOvVaw3vy8c9imkditPfSWyaLIex](https://www.google.com/url?esrc=s&q=&rct=j&sa=U&url=https://parlzim.gov.zw/committees-system/&ved=2ahUKEwi2u662v_2AhVtQkEAHcApDmgQFnoECAkQAg&usg=AOvVaw3vy8c9imkditPfSWyaLIex) [Accessed on 5 April, 2020].

<sup>331</sup> Elite Interview 5, Harare, 15 December, 2020.

evidence based oversight for specific government department or Ministry”<sup>332</sup>. One interviewed Ultra Elite consolidated these definitions and provided the “logic” of PPCs:

The sense for PPCs is realised when a Parliament is imagined as a big class of, say, 350<sup>333</sup> pupils [MPs] with the Speaker as the “teacher”. In such a big class, it is not possible for the “teacher” [Speaker] to recognise every pupil [MP] and accord them equal opportunities to speak or contribute. The Plenary, just like a class, can be dominated by few individual MPs with a powerful vocabulary and expression. These [loquacious, domineering MPs in the House] crowd out others, especially the shy and less articulate who may not get opportunities to speak or contribute to discussions on motions throughout the entire House sessions though they remain important in times of legislative voting. These “shy” and “reserved” “students” [MPs] sometimes take advantage of the enormity of the House and sit at the back of the “class” [House] or hide behind others, to avoid being recognised and asked to make a contribution. In such a big class [Parliament] a good “teacher” [Speaker] breaks pupils [MPs] into groups [PPCs] and give them tasks [to oversight specific government Ministries and departments] and opportunities to eventually present their discussions to the larger group [Parliament]. This is the logic of PPCs!<sup>334</sup>

The “logic” of PPCs, small seminar groups of between fifteen and thirty MPs<sup>335</sup>, speaks to several advantages that make them, at least in theory, more effective than the House, especially in government scrutiny and oversight. These, as discussed below in turn, could be best seen with some insinuation to the House.

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<sup>332</sup> Ultra Elite Interview 10, Harare, 20 May, 2021.

<sup>333</sup> This was the total number of Legislators from the Upper and Lower Houses of the Ninth Parliament of Zimbabwe.

<sup>334</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>335</sup> Elite Interview 4, Harare, 2 December, 2020. There is no specific number of MPs for Parliamentary Committees though most of them in the Ninth Session of Parliament had between twenty and thirty MPs.



#### *6.3.1.1. Thoroughness and rigour*

PPCs are more precise, focused and thorough because they discuss specific issues relating to their portfolios. House discussions of Ministerial issues during the “Question Time”<sup>336</sup> do not adequately scrutinize and oversight specific government Ministries and departments in detail. Ministers available for questioning in the House during Question Time just “scratch, in a muddled manner, on different Ministerial issues or questions raised by MPs during sessions”<sup>337</sup>. This is because

In the House, MPs do not ask specific questions that are asked in PPCs. The bulk of the questions in the House are broader and usually formulated in relation to a ministerial policy. They do little in provoking adequate explanations of government accountability. Questions like “what is the government policy on service delivery or pupil textbooks ...” are common in the House. But in PPCs, the questions are specific and add value to policy formulation and implementation. Questions like “why is the Ministry allocating more resources to salaries and allowances than to service delivery such as road maintenance [if it is PPC on Local Government]” or “why more resources are allocated to administration than to pupil textbooks [if it is PPC on Primary and Secondary Education...]”.<sup>338</sup>

In the House, MPs ask Ministers questions that are not only too broad or too general, but also not easy to provide a specific, focused response. There is time in PPCs for detailed scrutiny of Ministerial operations such as its budget and activity reports usually impossible in the House. PPCs focus on solutions. The House concentrate on debates.

#### *6.3.1.2. Provide solutions, add value and reduce load for the House*

PPCs are more enquiring and solution oriented than the House. Questions asked in PPCs are not meant to score political goals by humiliating policy implementers for failing or making mistakes as usually the case in the House. PPCs seek to “open up some form of dialogue with the Executive enabling

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<sup>336</sup> In the Eighth and Ninth Parliament, Ministers were expected to be in the House every Wednesday for the Question Time where MPs, including PPC Chairpersons, would ask questions.

<sup>337</sup> Elite Interview 10, Harare, 1 March, 2021.

<sup>338</sup> Ultra Elite Interview 11, Harare, 26 January, 2021.

MPs, from all political parties in Parliament, to express their views and input into policy making and implementation”<sup>339</sup>.

But this is different in the House where “some Ministers or witnesses answer questions in passing or provide unrealistic responses before they go back to their offices to put right the raised concerns”<sup>340</sup>. More serious government bureaucrats in the House who come for questioning “find themselves without enough time for elaborate and adequate responses”<sup>341</sup>.

If a Minister is asked a question in Parliament which they do not have any tangible response, they mumble “...the government remains committed to...” But PPCs have provided solutions through in depth discussions that sometimes reach consensus on, say, budget reallocations - and even mechanisms to request contributions from international organisations to fill Ministerial budget deficits.<sup>342</sup>

PPCs’ discussions are empirical and strive to provide solutions to specific concerns that can even be felt and touched by ordinary men and women. They give themselves time to work on solutions and they strive to reach their annual targets. Unlike the bickering and point scoring in the House, PPC discussions bring with them outcomes like “better schools for children or sanitary wear for the poor girl pupil”<sup>343</sup>. This occurs also because PPCs strive for targets. Their work is largely stimulated by and framed on international and national social and economic policies and standards. At the global level, there are Sustainable Development Goals countries are expected to achieve. At the local levels, targets for social and economic achievements through national visions such as Zimbabwe’s Vision 2030<sup>344</sup> unite PPC Members. As a result based monitoring

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<sup>339</sup> Elite Interview 5, Harare, 15 December, 2020.

<sup>340</sup> Ultra Elite Interview 11, Harare, 26 January, 2021.

<sup>341</sup> Ultra Elite Interview 10, Harare, 1 March, 2021.

<sup>342</sup> Ultra Elite Interview 12, Harare, 20 May, 2021.

<sup>343</sup> Ultra Elite Interview 11, Harare, 26 January, 2021.

<sup>344</sup> See Zimbabwe (2018) *Vision 2030 Towards a Prosperous and Empowered Upper Middle Income Society by 2030* at <http://www.zim.gov.zw/index.php/en/government-documents/category/1-vision-2030> [Accessed on 12 April, 2022].

mechanism, each PPC “should present at least one report every year to the House to inform debates and discussion on respective real time policy and legislative issues”. Thus PPCs do not only condemn, “but also provide constructive ideas and feedback on government policy formulation and implementation”<sup>345</sup>.

With PPCs, the House finds its work lighter because of delegation. Specific parliamentary issues are

Broken into pieces and given to parliamentary ‘groups’ for detailed attention and scrutiny. Just like students engaged in group work in class, PPCs comprising small groups of MPs enable Parliament, through some form of delegation and division of labour, to focus on several issues simultaneously. In this, PPCs are the Parliament’s equivalent of tutorials, seminars or study circles with focus and effort entirely on specific agendas aiming some logical conclusions.<sup>346</sup>

By being part of the discussions - with each one having opportunities to “argue and present”<sup>347</sup> their ideas – all PPC Members become accountable to the products of their discussions. Though there may be differences, the PPC circumstances force some form of ideological agreements or convergences among Members as “resolutions or action plans on any particular subject matter should be based on consensus”<sup>348</sup>. In PPCs, every MP has an opportunity to contribute.

#### *6.3.1.3. Safe spaces for vulnerable MPs to freely articulate and provide their best*

There are some reservations on the House which sometimes “conducts its business as if it were a political theatre or drama series”<sup>349</sup>. Members in the

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<sup>345</sup> Ultra Elite Interview 6, Harare, 11 February, 2022.

<sup>346</sup> Elite Interview 13, Harare, 22 April, 2021.

<sup>347</sup> Elite Interview 15, Harare, 2 November, 2020.

<sup>348</sup> Ultra Elite Interview 4, Harare, 3 February, 2021.

<sup>349</sup> Ultra Elite Interview 6, Harare, 11 February, 2021.

House dress in their political regalia making the House a political battleground. An example can be used to clarify this:

Sometime in December 2018, an MP from the opposition asked a question on what the government policy was regarding health workers who were on industrial action. The Leader of the House, representing the absent Minister of Health and Child Care, told Parliament he was not going to respond to questions raised by the opposition in Parliament because [following the contested 2018 Harmonised Election] they [opposition in Parliament] had refused to recognise their [ruling party] leader as the President of the country.<sup>350</sup>

But PPCs have remained relatively stable and operational focusing on the national question even in the face of squalls and commotions in the House: when “action stops in the House, work continues in PPCs”<sup>351</sup>. Nevertheless, and in the Zimbabwean context of 2018 contested election results, PPCs became instruments legitimising contested ruling party leader and the government that was established. By being Members of and participating in PPCs shadowing policies formulated and policy makers appointed by “the illegitimate” leader, the opposition indirectly endorsed and accepted the very government and its leader they were contesting. In this regard, PPCs became the official instruments that rubber stamped and therefore legitimised the policies and ideologies of the strong contested ruling party.

Competition of political superiority and dominant participation make the House a relatively weak platform to fully address oversight and policy issues<sup>352</sup>. The biggest victims, female MPs, have had their voices silenced by male political chauvinists. For example,

In December 2018, a male MP shouted “prostitute” in local language at a female MP from the opposition after she had asked a Minister a genuine question on why [medical] doctors [for state hospitals] were on strike. This

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<sup>350</sup> Elite Interview 2, Harare, 29 October, 2020.

<sup>351</sup> Elite Interview 11, Harare, 15 March, 2021.

<sup>352</sup> Elite Interview 4, Harare, 2 December, 2020.

did not go down well with the female MP who reported to the Speaker. The male MP later withdrew his statement – though without an apology - after the Speaker had given a directive. But the female MP had already been emotionally hurt. Her zeal for participating having been reduced... <sup>353</sup>

The small group of MPs that constitute PCs - and the sitting proximity Members have during their discussions - does not provide any freedom or hiding space for “someone to shout vulgar words or denigrate fellow MPs”<sup>354</sup>. As such, PPCs are safe spaces for female MPs to “articulate and effectively contribute their best” to “oversight and legislative processes without drawbacks from chauvinism, especially from male MPs, common in the House”<sup>355</sup>. In fact, “it will be embarrassing for a Member or Members to shout at fellow MP or brag about superiority of a political party in a PPC meeting where everyone should creatively think and assist with ideas and opinions to drive the relevant Ministry to produce results”<sup>356</sup>. This leads to the discussion on PPC composition.

#### **6.4. Composition and Chairing – political representation and gender as benchmarks**

It is given by the Constitution of Zimbabwe that PPC composition – or any other Committee established by Parliamentary rules – should reflect the ratios of political parties’ Parliamentary presence and gender trends. According to Section 139(4) “any committee established by or under [Parliamentary] Standing Orders must reflect, as closely as possible, the political and gender composition of Parliament or of the House to which the Standing Order apply”. The structure and composition of PPC emanate from several processes.

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<sup>353</sup> Elite Interview 2, Harare, 29 October, 2020.

<sup>354</sup> Ultra Elite Interview 13, Harare, 4 March, 2021.

<sup>355</sup> Ultra Elite Interview 13, Harare, 4 March, 2021.

<sup>356</sup> Ultra Elite Interview 6, Harare, 11 February, 2021.

#### ***6.4.1. The maths – PPC sharing amongst political parties in Parliament***

Responsibility over PPCs is proportionally shared among political parties in Parliament according to the proportion of MPs each has. A maths determines this. The actual number of Parliamentary seats each political party gets after a general election is divided by the total number of Parliamentary seats in Parliament and multiplied by the total number of PPCs available.

In the Ninth Parliament of Zimbabwe following 2018 Harmonised Elections, for example, there was a total of 270 Parliamentary Seats. MDC – Alliance, the main opposition, got eighty-eight and ZANU PF, the ruling party, 179. Other small political parties – MDC – Tsvangirai (MDC-T) and National Patriotic Front (NPF) got one Parliamentary Seat each. By dividing the actual number of Parliamentary seats each political party got (eighty eight for MDC-A and 179 for ZANU PF) by the total number of the Parliamentary seats in Parliament (270) multiplied by the number of PPCs available in the House (nineteen), the MDC-A ended up taking leadership of six PCs whilst ZANU PF took twelve. One PPC, which remained as a fraction of the maths, was negotiated by MDC – Alliance and ZANU PF to be chaired by the only Proportional Member of Parliament from MDC – Tsvangirai. After negotiating the number of PPCs, further negotiations are done for the allocation of each specific PPC to each political party.

There is politics - and different powers political parties in Parliament usually portray in sharing the PPCs. The general trend has been the ruling party takes the “populist, power and authority committees whilst the opposition takes charge of the service delivery Committees”<sup>357</sup>. PPCs shadowing Ministries of, for example, Lands, Agriculture, Water, Climate and Rural Resettlement; Foreign Affairs and International Development; Home Affairs and Cultural Heritage and Defence and War Veterans have been ruling party’s PPCs. The opposition has often found itself chairing less politically powerful but service delivery PPCs on, for example, Higher and Tertiary Education, Technology

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<sup>357</sup> Ultra Elite Interview 15, Harare, 2 November, 2020.

Development and Innovation; Primary and Secondary Education, Gender and Community Development or Environment and Tourism.

This trend of PPC sharing has not significantly changed since Zimbabwe's 2009 Government of National Unity (GNU). The intention of the ruling party then – and probably now – was to use the opposition coming into Parliament as broom to “clean its service delivery mess and disaster in, for example, municipalities, hospitals, schools, transport sector etc... resulting from ZANU PF's years of corruption, inefficiency and poor governance practices you [the researcher] may think of”<sup>358</sup>. This blame game is important in political capital. ZANU PF, could, for example, “expose the opposition to the voters by mentioning the PPCs and the challenges of the Ministries they shadow as evidence of their incapacity to lead a country”<sup>359</sup>. The sabotage could extend even to allocation of resources where relatively fewer resources allocated to service delivery Ministries makes PPCs' struggle to finance oversight and scrutiny activities.

Conflicts have been over leadership of money related PPCs. But this has often been settled by sharing the two similar Committees – the Public Accounts Committee (PAC) and Finance and Economic Development Committee. Due to an intention to control the national budget and space to allocate national resources to its priorities, the ruling party has been very possessive of the PPC on Finance and Economic Development whilst the opposition always retains leadership of the PPC on PAC to scrutinise allocation and use of resources across government Ministries and departments.

Sharing of PPCs among the political parties in Parliament does not make them more or less effective. It is also not easy to apportion blame to respective political parties chairing them because

The bureaucracy will be the same, the government policies will remain the same and the allocation of resources for each specific Ministry would remain

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<sup>358</sup> Ultra Elite Interview 4, Harare, 3 February, 2020.

<sup>359</sup> Ultra Elite Interview 15, Harare, 2 November, 2020.

the responsibility of the ruling party. The only difference has been that PPCs led by the opposition have been more vocal and persuasive than those led by the ruling party.<sup>360</sup>

Nevertheless, the proportionate sharing of PPC leadership among the political parties in Parliament enables apportionment of legislative and oversight power between the ruling party and the opposition although the final arbiter is always the ruling party because of its Parliamentary majority. The multi party PPC composition abrogate the traditional Westminster order of Parliament where parliamentary oversight was largely a responsibility of the opposition political party or parties in Parliament. MPs from the ruling parties are also part and parcel of PPCs enabling them to introspect and oversight, without fear of being reprimanded, policies of their own ruling political parties.

#### ***6.4.2. Parliamentary Portfolio Committee Membership – Chief Whip decides, not Parliament***

Only backbenchers or MPs not in government qualify to be PPC Members. They are seconded to respective PPCs' not by a voting process, but through political party nominations. There is no common formula political parties use to allocate PPCs to their Members. But some, through their Parliamentary Chief Whips<sup>361</sup>, request their MPs to submit resumes or to express interests to join a maximum of two PPCs. MPs resumes are then submitted to the Parliamentary Committee on Standing Rules and Orders<sup>362</sup> which deploys them to relevant PPCs according to their skills or interests - or the discretion

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<sup>360</sup> Elite Interview 5, Harare, 15 December, 2020.

<sup>361</sup> An MP chosen by a political party in Parliament to ensure that the MPs belonging to the political party attend parliament, vote and contribute according to the desires of the political party.

<sup>362</sup> A House Committee appointed according to Section 151 of the Constitution of Zimbabwe Amendment (No. 20) Act 2013 responsible for supervising the administration of Parliament, formulating Standing Orders; considering and deciding all matters concerning Parliament, among others. Its members include the Speaker of Parliament and the President of Senate, the Leader of the Opposition in each House, the chief whips of all political parties represented in each House...



of the Chief Whips. After this process, the Speaker announces MPs for each PPC in the House. But

This nomination process provides PPCs with MPs accountable, not largely to Parliament, but to their political party bosses who nominate them. This compromises their independent participation in PPCs because contributions and commitment are determined more by the interests of political party leadership than by the needs of the House or Ministries.<sup>363</sup>

PPC nominations strengthen the control of Members in PPCs by each specific political party especially through a dogmatic political party rule called the whipping system discussed in detail in Chapter 9. However, Members belonging to specific political party should abide to the directives and positions of their political party even in PPC meetings. Failure to follow political party rules and directives lead to Member expulsion also called recalling. Political parties “can tell their Members sitting in PPCs to do anything to score some political agendas such as deliberate absenteeism, sabotaging of PPC Chairpersons or even make some unnecessary irritants during PPC meetings to scuttle the discussions”<sup>364</sup>. We “have PPC meetings that could not be done, were stopped or did not come up with any useful recommendations because Members followed directives of those that nominated them to make sure certain PPCs do not fulfil their responsibilities”<sup>365</sup>.

Similarly, PPCs where MPs and therefore political parties do not have any strategic interest have tended to have fewer members. This has also included PPCs that are more technical but less political – Committees whose “discussions do not easily turn to questioning how the ruling party governs

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<sup>363</sup> Ultra Elite Interview 14, Harare, 8 May, 2021.

<sup>364</sup> Ultra Elite Interview 12, Harare, 20 May, 2021.

<sup>365</sup> One Ultra Elite reported that during several PPC discussion on the Electoral Bill, a strong political party sent some people (names provided) to disturb the discussions from coming up with necessary electoral reforms because the political party benefited from the election laws that existed.

and exercise its power and authority”<sup>366</sup>. PPCs on Higher and Tertiary Education, Innovation and Technology Development; Gender and Community Development, Environment and Tourism, for example, have often been less effective because of the quality and quantity of Members. But they have also been “the dumping grounds” of MPs seen as “inefficient because they come to Parliament without any relevant qualifications or skills matching any specific PPC”<sup>367</sup>.

The main victims [for dumping] have been “female MPs who are just thrown to any PPC with space for them”. Such PPCs like the “one on Gender and Community Development”<sup>368</sup> have been the weakest. The “poorly qualified Members constituting such PPCs” and indeed others as well, would not have “adequate commitment, knowledge or even skills to deliver for the PPCs” because they are “more accountable, not to the House, but to their Chief Whips that seconded them to the respective PPC”<sup>369</sup>. Despite their inefficiency, they “stay [in their PPCs] as long as they continue to support those that seconded them to PPCs in their political party meetings or caucuses”<sup>370</sup>.

Although it “may not always be followed by all political parties”, the general principle “is that MPs should be drafted to PPCs that are in line with their professional qualifications, or at least PPCs dealing with subjects of their interests”<sup>371</sup>. It is therefore common, for example, to see MPs who are lawyers – or those with passion in law - joining PPCs more biased towards law or justice. The same would apply for MPs with passion or expertise in education, health, banking and commerce or entrepreneurship. “We have seen former councillors who become MPs joining PPC on Local Government...” or “former

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<sup>366</sup> Elite Interview 5, Harare, 15 December, 2020.

<sup>367</sup> Elite Interview 2, Harare, 29 October, 2020.

<sup>368</sup> Elite Interview 2, Harare 29 October, 2020.

<sup>369</sup> Elite Interview 12, Harare, 16 March, 2021.

<sup>370</sup> Ultra Elite Interview 14, Harare, 8 May, 2021.

<sup>371</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

health personnel finding their place in the PPC on Health and Child Care” to, just like others, “have opportunities to utilise their skills and experiences”<sup>372</sup>.

Even without specific qualifications, PPCs are opportunities for MPs personal development and specialization. With a life span of five years, just like Parliament, MPs have reasonable time and opportunities to understand and appreciate the subjects of their PPCs. They benefit from participating in relevant skills training and capacity building processes organised for them. MPs seconded to PPCs based on their expertise, experience or choices give their maximum contribution. They are “also motivated by passion, interest and desire to bring their professionalism, experience or interests to fruition by producing best results in PPCs involved in what they chose to do in lives”<sup>373</sup>. This is perhaps one motivation why “sometimes PPCs do their work outside the official working hours or when Parliament is on recess” despite the “poor remuneration Parliament gives to its MPs”<sup>374</sup>.

#### **6.4.3. The PPC Chairpersons**

Unlike in Kenya and other Commonwealth countries, PPC Chairpersons from Zimbabwe are not subject to elections. Each political party in Parliament is given an opportunity for PPC Chairing. After the sharing of PPCs, each political party – just like in PPC Member nomination - submits nominations and profiles of MPs they want to lead PPC to the Parliamentary Committee on Standing Rules and Orders. A shortlist of prospective candidates is produced and sent back to the respective political parties to make final decisions. PPCs do not have vice-Chairpersons because they are assigned “to specific political parties in Parliament”<sup>375</sup>. In the absence of the Chairperson, the PPC Clerk leads a voting process to elect a Member of the PPC to chair the session.

Political parties consider several factors when seconding candidates for PPC Chairing. First, they look at the Members experience in PPCs thematic area.

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<sup>372</sup> Ultra Elite Interview 6, Harare, 11 February, 2021.

<sup>373</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>374</sup> Elite Interview 14, Harare, 10 May, 2021.

<sup>375</sup> Elite Interview 2, Harare, 20 November, 2020.

Second, they consider special skills and expertise. An MP who is a qualified geologist, for example, could be appointed to be the Chairperson of the PPC on Mines and Minerals. An MP whose is a qualified lawyer could be seconded to the PPC on Justice, Legal and Parliamentary Affairs. Finally, political parties look at other factors like MPs' Parliamentary experiences, natural leadership talents, commitment, energy and political party obedience. After the selection process, the Speaker announces the PPC in the House.

It is not in all cases that political parties have considered merit in appointing PPC Chairpersons. Due to intra party conflicts and differences, some political party leaders have chosen MPs who are more obedient and accountable to them as opposed to less obedient but more qualified and experienced MPs. This has often led to PPC inefficiencies because

They struggle to come up with a focused and implementable agenda for their PPCs. If they manage to facilitate something, they struggle to articulate PPC thematic jargon or reports. As a result, they fail to convince or persuade a Minister or Parliament to adopt and implement PPC recommendations. There are PP Cs led by inexperienced and zero qualified MPs that do almost nothing significant in their five year life – and just survive because they are protected by their political leaders.<sup>376</sup>

At the same time, common frustrations amongst the old and experienced Members of political parties not honoured to be seconded as PPC Chairpersons scuttle PPCs' efficiency. Part of "their passive resistance include absconding of or irregular participation in PPC meetings or open Parliament" thereby "depriving the institutions of their legislative experiences and familiarities important for effective government scrutiny and oversight"<sup>377</sup>.

Chairpersons with relevant professional qualifications, expertise and experience make PPCs more effective. They pose "excellent, informed oversight questions to responsible Ministers or government bureaucrats" that

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<sup>376</sup> Ultra Elite Interview 14, Harare, 8 May, 2021.

<sup>377</sup> Elite Interview 15, Harare, 2 November, 2020.

are usually “helpful not only in revealing hidden issues, but also provocative in pursuit of accountability and responsiveness”<sup>378</sup>. But they are sometimes overworked. They take the responsibility to “teach” ignorant fellow Members within the PPCs to enable them understand discussion topics and technical expressions for their effective participation.

Yet nominated PPC Chairpersons lack adequate legitimacy, confidence and clout to execute some of their responsibilities. A Chairperson of the PPC on Lands, Agriculture, Water, Climate and Rural Resettlement appointed by his political party in 2018 at the beginning of Zimbabwe’s Ninth Session prevailed only after the intervention of their political party leader who was also the President. He expressed some lack of influence and authority and fear of demanding accountability from bureaucracy without risking his given PPC chairpersonship. It is informative to state what he says in detail:

In the last Parliament [Eighth Session] I was reshuffled. I used to chair the Youth Committee then towards end of December after the new dispensation [November 2017] I was given the [PPC on] Lands, Agriculture... We didn’t do much because of how companies [that were commissioned to implement a national agriculture program called Command Agriculture where a lot of corruption was alleged<sup>379</sup>] tried to influence my removal from the committee as they were claiming that I was going hard on them but didn’t know that I was going hard... They wanted to influence my removal but I was saved by His Excellency (President...). He said I cannot go anywhere as he was happy with my appointment and even up to now, he is happy.<sup>380</sup>

It follows then that nominated PPC Chairpersons encounter authoritative challenges. They hesitate to assert their powers which ultimately affect the way they lead PPCs leading to serious oversight and scrutiny weaknesses. But

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<sup>378</sup> Elite Interview 1, Harare, 27 October, 2020.

<sup>379</sup> See for example, *Zimbabwe Situation* “Command Agriculture Scandal Explodes” at [Command Agriculture scandal explodes - Zimbabwe Situation](#) [Accessed on 26 March, 2022].

<sup>380</sup> See *The Herald* “Parly committees get down to business” at [Parly committees get down to business | The Herald](#) [Accessed on 26 March, 2022].

what power do PPCs have? The following subsection looks at the authority of PPCs and whether they are important in making them effective.

## **6.5. The derivative powers and the nuisance of separation of powers**

PPCs do not have any independent authority except that which they derive from the Parliament of Zimbabwe's Privileges Immunities and Powers of Parliament Act (PIPPA) [Chapter 2:08].<sup>381</sup> The Parliament Standing Orders and Rules, informed by PIPPA, state that PPCs, as it sees necessary or as mandated by the House

(i) ...consider and deal with all bills and statutory instruments... (ii) consider or deal with an appropriation or money bill...; and (iii) monitor, investigate, enquire into and make recommendations relating to any aspect of the legislative programme, budget, policy or any other matter it may consider relevant to the government department falling within the category of affairs assigned to it, and may for that purpose consult and liaise with such department; (iv) Consider or deal with all international treaties, conventions and agreements relevant to it, which are from time to time negotiated, entered into or agreed upon...<sup>382</sup>

The key word for the four PPC activities is “oversight” which means “informal and formal, watchful, strategic and structured scrutiny exercised by the legislature in respect of the implementation of the laws, the application of the budget...” Oversight also involves “strict observance of statutes and the constitution...” and “monitoring of the performance of government departments...”<sup>383</sup>

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<sup>381</sup> See for example <https://parlzim.gov.zw/portfolio-thematic-committees>; <https://parlzim.gov.zw/committie-system> [Accessed on 8 November, 2021].

<sup>382</sup> <https://parlzim.gov.zw/about-parliament/> [Accessed on 7 November, 2021].

<sup>383</sup> *Ibid.*

To execute these tasks, PPCs have some “powers” but with significant limitations that makes them rather weak. Although the “powers” are mutually co-existing, it is possible to discuss each one of them in turn.

#### ***6.5.1. Power to call for documents for scrutiny***

Zimbabwe’s Privileges Immunities and Powers of Parliament Act (PIPPA) [Chapter 2:08] empowers PPC to compel any state organisation or department to provide their documents or reports whenever they need them.<sup>384</sup> Though this process is intended to fulfil a parliamentary responsibility of government scrutiny, PPCs are only limited to studying them and providing recommendations or inputs. This is

One of their weaknesses because they monitor, but they don’t supervise; they advise or recommend, but they don’t dictate or enforce; they scrutinize and hold to “account”, but they don’t “initiate” or formulate government policies. Their role is to look at policies the government of the day formulated, critique them and provide their inputs or recommendations.<sup>385</sup>

A PPC recommendation of “whatever significance remains a recommendation. It does not necessarily mean the ruling party should adopt it or change its policy direction - unless if it wants to”<sup>386</sup>. The Cabinet has a lot of latitude to accept or reject any PPC recommendations though they are – and in any case – [constitutionally] mandated to justify, in the manner they wish, those recommendations they throw away. PPCs

...should engage in their activities fully aware of the separation of powers between the Legislature and the Executive that they should not govern - and should not seek to govern – because it is the role of the Executive. Their [PPCs] role is to scrutinize the policies and activities of the Executive; to ask the Executive to explain or account for its actions; to act as a forum for

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<sup>384</sup> Also See Zvoma (2010).

<sup>385</sup> Elite Interview 13, Harare, 22 April, 2021.

<sup>386</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

democratic participation by all members of society and to play a significant role checking the Executive to comply with its policies.<sup>387</sup>

However, the final discretion lies with the Minister or leader of a government department to adopt or ignore PPC reports or their recommendations though they are expected to justify their decision in Parliament. But even with the recommendations that they accept, they “are not compelled to come back to the PPC to inform them that they are now implementing their recommendations”<sup>388</sup>. The lack of government reporting on implementation of PPC recommendations adopted makes it difficult to determine the extent to which PPCs influence government policies and legislative reforms. But they also have powers to summon.

#### **6.5.2. Powers to summon**

Just like Parliament, PPCs have powers “to summon any person [except a sitting President] to appear before it to give evidence on oath or affirmation”<sup>389</sup> on any subject matter or matters PPCs may intend to investigate. There are legal provisions for “freedom of speech” for those summoned to appear as witnesses before PPCs to testify or give evidence. Just like Parliamentarians, witnesses are protected by Section 148 (1) of the Constitution of Zimbabwe. Whilst they “must obey the rules and orders of the House concerned” they are “not liable to civil or criminal proceedings, arrest or imprisonment... for anything said in, produced before or submitted to Parliament or any of its committees”<sup>390</sup>.

In principle, there are rules compelling anybody summoned by PPC to comply. Section 10 of PIPPA further states Parliament, and indeed, PPCs can take measures against corporate or individuals who, for example, disobey any summons:

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<sup>387</sup> Ultra Elite Interview 1, Harare, 6 October, 2020. Also see Parliament of Zimbabwe (1998: 8).

<sup>388</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>389</sup> Also see Zvoma (2010:2).

<sup>390</sup> See Section 148 (1) of the *Constitution of Zimbabwe Amendment (No. 20) Act 2013*.



It is a punishable offense for a witness before Parliament to wilfully fail or refuse to obey any rule, order or resolution of Parliament and its units like Parliamentary Portfolio Committees. This include refusing to be examined before or to answer any lawful and relevant question put by Parliament or a committee, wilfully obstructing or preventing a Committee of Parliament from conducting its work.<sup>391</sup>

But PPCs cannot easily reprimand those absconding or skipping summons because of meandering protocols and complex institutions. According to Section 21 of PIPPA, only a resolution of Parliament can request Prosecutor General to take necessary steps to bring to trial persons deemed to have committed offenses within the precincts of Parliament. The Speaker of Parliament is also empowered by Section 23 of PIPPA to issue warrants of arrest especially for those found by Parliament to be guilty of contempt. Though it does not have arresting powers - which can only be exercised by the Attorney General - the Parliament, empowered by Section 16 (4) of PIPPA, can sit as a court “and shall have all such rights and privileges of a court of record as may be necessary for the purposes of executing some punishment for any activity deemed as offense”. This is

...very difficult for PPCs because Ministers or government officials that refuse to be summoned are Members of or are aligned to the ruling party. The Speaker of Parliament, as a Member of the ruling party, does not hasten to issue warrants if the Parliamentary absconders are political party colleagues. The Attorney General, who is appointed by the President and leader of the ruling party or Executive, is not always in a hurry to prosecute those that commit parliamentary offenses. The pace of punishing those that ignore PPCs summons is too slow, or sometimes it does not happen at all especially as the majority of parliamentary contempt are reported by PPCs chaired by the opposition.<sup>392</sup>

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<sup>391</sup> See Zvoma (2010:3).

<sup>392</sup> Elite Interview 7, Harare, 13 January, 2021.

As a result, PCs have encountered challenges in exercising their summoning powers. The two most common are discussed below in detail.

#### *6.5.2.1. Confident bureaucrats against ignorant PPCs*

The summoning power is abundant on paper. However, it is very difficult for PPCs to take action against witnesses refusing to appear before them. The Constitution of Zimbabwe and the Parliamentary Orders and Rules are not very clear on the specific penalty for PPC defaulters. For some of the Ministers or powerful government officials

Skipping PPC summons is sometimes a political strategy. If they make themselves present before them and fail to convincingly answer questions, they would expose or even embarrass the ruling party – its policies and its leader, the President. As a result, summoned Ministers or government officials end up sending their juniors or assistants - as cover up of contempt – to PPC meetings. They avoid answering “sensitive” questions asked by PPCs by “taking note of them” for enquiries with their superiors.<sup>393</sup>

Even in circumstances of successful summoning, PPCs have not been able to effectively use their High Court equivalent powers to extract evidence from witnesses, especially powerful government bureaucrats. In the UK or Kenya, PPC Chairpersons are known to “grill” witnesses in their oversight and scrutiny processes for required accountability. But in Zimbabwe, it is the other way round. The powerful government officials are not as humble as those from Kenya or the UK. They are capable of turning the tables to “grill” PPC Chairpersons by refusing to answer questions. They make PPCs numb and unable to provoke their powers.

In 2018, for example, former Minister of Mines summoned by PPC on Mines and Energy refused to answer questions “regarding the claimed theft of \$15 billion in revenues due to government from diamond mining”<sup>394</sup>. The former

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<sup>393</sup> Elite Interview 13, Harare, 22 April, 2021.

<sup>394</sup> See also *The Zimbabwe Mail* “Obert Mpofu Refuses to Answer Questions on Missing \$15 billion in Parly, says He Will not be Presided Over By Temba Mliswa” at <https://www.thezimbabwemail.com/parliament-parliament/obert-mpofu-refuses-answer->

Minister refused to respond to PPC questions because “I am a former Minister and there is a new Minister...” and “I don’t know which precedence has been set where former Ministers are subjected to operations which they experienced when they were in those Ministries” meaning “I have no mandate to speak for the Ministry of Mines; I cannot speak for a Ministry that I was in five years ago and nothing [even PPCs] can force me to do that”<sup>395</sup>.

In addition, the powerful bureaucrat, who by then had become the Minister of Home Affairs, also took a swipe on the PPC Chairperson:

I have been attacked by this [PPC] Chairman in the press. I have never seen such a level of unprofessionalism, Hon Shumba [former PPC Chairperson] was professional, Hon Chindori-Chininga [former PPC Chairperson] was professional, [and] I have never seen this before. I will not cooperate as long as Mliswa is Chair.<sup>396</sup>

If it was in Kenya, the PPC Chairperson could have fined the Minister. Or asked to resign if such was said in the face of a PPC Chairperson from UK! PPCs from Zimbabwe are vulnerable to powerful bureaucrats partly because the use of their powers is not immediate and not exclusively determined and administered by PCs themselves, but by the House. PCs report their grievances to the House which would in turn take appropriate action, at its own time, guided by the Speaker.

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[questions-missing-15-billion-parly-says-will-not-presided-temba-mliswa/](https://www.somalitimes.co.uk/zimbabwe-parly-mpofu-refuse-answer-questions-missing-15-billion/); *Somali Times* “Zimbabwe: Parly – Mpofu Refuse to Answer Questions Over the Missing \$15 Billion” at <https://www.somalitimes.co.uk/zimbabwe-parly-mpofu-refuse-answer-questions-missing-15-billion/> [Accessed on 4 May, 2022].

<sup>395</sup> *Ibid.*

<sup>396</sup> Also see *The Zimbabwe Mail* “Obert Mpofu Refuses to Answer Questions on Missing \$15 billion in Parly, says He Will not be Presided Over By Temba Mliswa” at <https://www.thezimbabwemail.com/parliament-parliament/obert-mpofu-refuses-answer-questions-missing-15-billion-parly-says-will-not-presided-temba-mliswa/> [Accessed on 4 May, 2022].

But it is not only penalties for summon defaulters and contempt of PCs which is not displayed and ready for use as in Kenya. It is also failure of PCs themselves to understand and apply their summoning powers. They do “not do their homework before summoning” because “when a powerful individual, for example, refuses to respond to questions, some PCs become stark and do not know how to move forward”<sup>397</sup>. This is even worse for PCs when conversations with witnesses turn more legalistic.

When the PAC summoned a local company called Univern to explain its dealings with the Zimbabwe National Road Authority (ZINARA) after the General Auditor’s Report revealed some anomalies, the officials from the local company refused to give evidence citing “legal privilege”<sup>398</sup>. In this regard, PAC did not know how to proceed. Yet Section 12 of the Parliament’s Privileges, Immunities and Powers of Parliament Act states witnesses are bound to answer any question asked to them by Parliament though they are not bound to give “evidence or produce a document which is irrelevant to the subject being investigated or which would be privileged on the principle of public policy” or “public interest if it was presented before the High Court”<sup>399</sup>. In all circumstances, the Parliament or PPCs, with powers equivalent to High Court, should rule whether any evidence is indeed protected by the privilege. As shown in previous Chapters, witnesses appearing before PCs from other Commonwealth countries such as the UK and Kenya cannot rely on privilege to avoid answering questions.

Further, evidence from witnesses before PCs cannot be used elsewhere without the Speaker’s permission. Above all, witnesses enjoy the same

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<sup>397</sup> Ultra Elite Interview 14, Harare, 8 May, 2022.

<sup>398</sup> When witnesses give evidence in a court of law, they should answer truthfully all questions put to them. However, they have right to refuse to answer some questions. This right is called “privilege” and the evidence they do not give is called “privileged evidence”. See also *Veritaszim.net* “Question of Witnesses by Parliamentary Committees – Economic Governance Watch 7/21” at <https://www.veritaszim.net/node/5165> [Accessed on 4 May, 2022].

<sup>399</sup> See also *Veritaszim.net* “Question of Witnesses by Parliamentary Committees – Economic Governance Watch 7/21” at <https://www.veritaszim.net/node/5165> [Accessed on 4 May, 2022].

immunity as Parliamentarians when they give their evidence under oath. The “inefficiencies of PCs from Zimbabwe are not that the PC system is not efficient or effective enough”<sup>400</sup>. It is not because their powers are inadequate”. It is “largely because the PCs and their Chairpersons are not able to understand and utilise their powers, are easily confused with some legal jargons and interpretations” especially “when faced with well prepared witnesses... and can be easily frozen and defeated by these witnesses if found unprepared”<sup>401</sup>.

#### *6.5.2.2. Vertical power dynamics; imagining others to do the same*

Summoning and questioning witnesses, especially the powerful Ministers, has not been very common with PPCs. In the few circumstances that some government officials or Ministers followed summons, “They were not subjected to hard, revealing questioning”<sup>402</sup> because of several reasons.

Firstly, Zimbabwe’s Cabinet Ministers are politicians as they are also MPs. The hierarchical power dynamics makes MPs in PPCs hesitant to summon and question Ministers. They are their fellow MPs but also their seniors by virtue of having been fished out from Parliament and unilaterally declared Ministers by the President. The Parliament is not involved in recruitment and appointment of Cabinet Ministers as happens in Kenya. By sitting in the Cabinet, Ministers, who are also legislators, become both Members of the Legislature and the Executive. This creates an obscure separation of powers and hierarchical difficulty. This means that PPC Members, “who are just MPs, are supposed to demand accountability and responsiveness from their “bosses”, the Ministers”<sup>403</sup>.

It becomes even more difficult if the Minister is also part of the Presidium.<sup>404</sup> During the time of writing, for example, the Minister of Health and Child Care

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<sup>400</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>401</sup> Ultra Elite Interview 14, Harare, 8 May, 2021.

<sup>402</sup> Elite Interview 5, Harare, 15 December, 2020.

<sup>403</sup> Elite Interview 1, 27 October, 2020

<sup>404</sup> A Member of the ruling elite who assists the President in to lead and supervise Cabinet or Ministers to formulate, implement and monitor national policies. In Zimbabwe, the Presidium consists of the President and two Vice-Presidents.

was the Vice-President, both for the ruling party and the country. In such a case how “would a PPC exercise its freedom in summoning and questioning the second most powerful person in the country?” This obscure separation of powers makes it uneasy for MPs in PPCs, especially those led by Members from the ruling party, to invite their bosses for questioning without risking some reprimands in their next political party caucuses.

Finally, PPCs have not been very active in summoning and questioning, especially in situations involving accountability from the powerful elites because of conflation of roles. PPCs share this role with one of Zimbabwe’s Chapter 12 Commission, the Zimbabwe Anti-corruption Commission (ZACC), created, among, others, “to investigate and expose cases of corruption in the public and private sectors”<sup>405</sup>. Perhaps because of the existence of ZACC, which they expect to investigate the misnomers of the powerful elites or their lack of immediate power to punish Parliamentary evaders, most PPCs have avoided “summoning and hard grilling”. Instead, they “convene soft conversations with Ministers or their subordinates” largely “focusing on their work by listening to their plans and reports and providing their own inputs and feedback”<sup>406</sup>. However, PPCs have additional power to organise and conduct public consultations.

### **6.5.3. Power to make public consultations and enquiries**

By organising platforms where the public input into legislative and oversight processes, PPCs make citizen participation, an important tenant of democracy and good governance, a reality. If “existing, new or potential policies or laws have implications on day to day lives of ordinary men and women”, PPCs conduct “public inquiries or consultations to gather their views”<sup>407</sup>. For Parliament, citizens’ involvement in legislative processes is a constitutional obligation.

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<sup>405</sup> See Section 255 (1) (a) of the *Constitution of Zimbabwe Amendment (No. 20) Act 2013*.

<sup>406</sup> Elite Interview 13, Harare, 22 April, 2020.

<sup>407</sup> Elite Interview 2, Harare, December, 2020.

The Constitution of Zimbabwe speaks about citizens' central role in legislative processes. Section 117 gives Zimbabweans the legislative authority "vested in and exercised" by Parliament. Section 141 provides "Public access to and involvement in Parliament" where the Parliament "must facilitate public involvement in its legislative and other processes and in the processes of its committees"<sup>408</sup>. Even when citizens have oversight, policy or legislation questions, they are empowered to approach Parliament for responsiveness. Section 149(1) of the Constitution gives "Every citizen and permanent resident of Zimbabwe" the right "to petition Parliament to consider any matter within its authority, including the enactment, amendment or repeal of legislation".

It is this "power to consult citizens and to use their voices to advocate for policy reforms that make PPC more persuasive and legitimate"<sup>409</sup>. PPCs give citizens rare occasions to contribute to national policy and legislation making processes. As a result, PPCs become powerful information originators and hubs with profiles of government Ministries or Departments and citizens views and perceptions. They shape public and institutional opinions and infuse them into public policy formulation and implementation.

Though it is possible for PPCs to involve a significant number of citizens during public hearings to create a national narrative, the final decision to take up or reject their proposals or recommendations rests with the House. MPs are asked to vote for a position if there are stalemates on whether to adopt PPC reports in the House. In any case, the wishes of the ruling party always prevail because of the tyranny of majority:

PPCs may involve everyone 'public' in their enquiries, but everything will boil down to the House where the tyranny of majority takes effect. For example, if there are disagreements on PPC policy, legislative or oversight recommendations informed by public enquiries, the Speaker would ask MPs

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<sup>408</sup> See *Constitution of Zimbabwe Amendment (No. 20) Act 2013*.

<sup>409</sup> Elite Interview 10, Harare, 1 March, 2022.

to vote. The minority party will have their say and the majority party will always have their way.<sup>410</sup>

Due to uncertainties associated with the powers to summon, some PPCs have leveraged on the convenience of power of public consultations to also use the same platform to summon and question duty bearers together with citizens. When an organisation petitioned Parliament in May 2021 to investigate the use of devolution funds by a local authority, the PPC on Local Government, mandated by Parliament, did not invite the officials to PC rooms for questioning. Rather, they summoned the Town Clerk to some community hall to present a report to the PPC and the public that had also been invited. Both the PPC and the public took turns “to grill the city fathers”<sup>411</sup>. This strategy of combining the powers to summon and public consultations gave the PPC some protection as they would also point to the public in case of any accusations by political party caucuses. This is linked to yet another important power – the power to conduct researches and consult experts.

#### **6.5.4. Power to conduct researches and consult experts**

PPCs have rights to “site visit”<sup>412</sup> any government or quasi government corporation, organisation or department in order to accustom themselves to the real phenomena for informed discussions and evidence based policy advocacy and liaison with relevant Ministry or government department. The work of Parliament, and indeed, for PPCs

Is evidence based ...Anything they decide to speak about or present to Parliament or to a Minister should be supported by some tangible and convincing evidence in whatever form. The evidence is generated in various ways including visiting state corporations, companies and communities; inspecting national infrastructure and the working or operating environment

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<sup>410</sup> Ultra Elite Interview 2, Harare, 20 November, 2020.

<sup>411</sup> Also see *New Zimbabwe.com* “Parly Grills City Fathers Over Murky Use of Devolution Funds” at <https://www.newzimbabwe.com/parly-grills-city-fathers-over-murky-use-of-devolution-funds/> [Accessed on 9 April, 2022].

<sup>412</sup> Ultra Elite Interview 10, Harare, 1 March, 2020.



to appreciate the existing phenomena... They observe and or talk to people to get to the bottom of any situation.<sup>413</sup>

If PPCs recognise that the evidence they obtained or gathered in studying submitted documents, witness questioning, public consultation or site visits is not sufficient enough to convince and persuade the Executive; or if they realise they lack some important skills and knowledge to effectively execute their responsibilities, they have the power to consult and invite experts for support. The “consultation of experts to provide guidance and information that they cannot themselves generate is part of PPCs work which the House, in its enormous form, cannot easily do”<sup>414</sup>.

Whilst “heated debates and emotions exhibited in the House due to political polarization are counterproductive”, the bringing in of experts and citizens voices seen as “apolitical” and “neutral” enable decision making convergences in the House<sup>415</sup>. If there are grievances in the execution of government policies, PPCs have an “extended unifying and arbitration role of bringing parties or institutions together to listen to each other, and if necessary, use evidence from different sources to create some common understanding”<sup>416</sup>.

## **6.6. Conclusion**

The form, nature and character of PCs from former British colonies are the same. The Zimbabwean context showed that PCs are an asset to the House. They perform legislative, oversight and scrutiny activities on respective government Ministries in a more rigorous way than possible for the House. PPCs also increase per capita Member efficiency. They provide safe spaces of articulation and maximum contribution not only for the less articulate and recreant, protocol fearing Members. But also for the female Parliamentarians who cannot effectively contribute in the House due to volatile sexualisation tendencies common in the House. PPCs are also motivational to Members as

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<sup>413</sup> Ultra Elite Interview 6, Harare, 11 February, 2021.

<sup>414</sup> Elite Interview 1, Harare, 27 October, 2020.

<sup>415</sup> Elite Interview 13, Harare, 22 April, 2020.

<sup>416</sup> Elite Interview 4, Harare, 2 December, 2020.

they give them opportunities to explore their professional and academic qualifications or wishes by enabling them to associate with and learn from PPCs of their interest. The equitable sharing of PC leadership or Chairing amongst political parties in Parliament and the multi party composition minimise discrimination and exploitation and over dominance of the ruling, majority parties in legislative and scrutiny processes. The multi-party composition also ensures unified decision making amongst Parliamentarians which is an important factor compelling strong ruling parties to even listen - and sometimes comply - because their own Members are part of PPCs.

Nevertheless, whilst the powers for PCs and the penal system for PC summon defaulters are clearly stipulated in other Commonwealth countries like Kenya. Powers for PPCs from Zimbabwe are bureaucratic and are not immediately available for them to use. In addition, the PCs lack adequate understanding on how to use their powers, which makes them weak and incapable. They encounter real challenges to execute their mandates especially if witnesses manage to connect their unbecoming behaviours such as refusing to respond to PPC questions to sophisticated legal jargons or processes. This is made more difficult by the vertical power relations between MPs appointed to become Ministers and MPs who remain in PPCs. Hierarchically, it is not easy for some PPCs to break the command chains, summon and question their “bosses” especially Ministers who sit in both Parliament and Executive in an obscure separation of powers. But these challenges are largely associated with one power of the PPCs – summoning. The next Chapter discusses, in detail, other important PPCs’ power and consequences to their work and behaviours. It is power to consult citizens or carry out public consultations.

## **Chapter 7:**

### **The Enquiry Power: Parliamentary Portfolio Committees with Public**

#### **7.1. Introduction**

The power to conduct public consultations or enquiries whenever existing or proposed legislation has a bearing on the day to day lives of the ordinary men and women is one of the most important powers PPCs have. As discussed in the previous Chapter, the Parliament, as the trustee of citizens' sovereignty, is also mandated to consult citizens in its legislative and scrutiny processes. This Chapter discusses PPCs engagements with the citizenry and influence on their efficiency. It argues although PPCs have managed to gather citizens' views, opinions and evidence on critical, arising governance themes and effectively used them to back their recommendations and proposals to the House or Executive. There have been some technical and methodological challenges associated with initiating, organizing and facilitating public consultations making it difficult to determine whether what PPCs gather are independent public views or narratives of guided or created public opinions. By using two cases of public participation as analytical frameworks, the Chapter shows how public interest issues emerge, how communities are mobilised to engage with them and the processes employed to harvest their ideas. It ends by illustrating the extent to which some of the citizens' views have influenced legislative and oversight process noting the underlying significance of Parliament as the final authority regardless of public views eminence or magnitude. The Chapter question is: How significant are citizens' voices in PPCs work? The Chapter concludes views generated from the public give PPCs more legitimacy and bargaining power to advocate and negotiate for good governance though the successes differ from one issue to the other depending on the interest of the ruling party and its Parliamentary majority.

## 7.2. The expectant PPCs, the lay public and subsequent involvement

“Public” can be defined in various ways depending on the subject and context.<sup>417</sup> In the circumstances of their engagements with PPCs, “public” or “citizens” means “ordinary men and women who can be assembled together to speak, as individuals, on any policy or legislative issues affecting their everyday lives”<sup>418</sup>. Their individual contributions become “public” after being put together by combining their universal components. It is difficult to put “public” interest groups or organisations in the bracket of “public” because “they do not have any mandate from the people or the public. Their work is guided by divisional or regional interests sometimes universalised as everybody’s interests.”<sup>419</sup> By being “*interested* in certain policy or legislative themes”, the public interests groups “become specialised”<sup>420</sup> and therefore *experts*. A topic on how *experts* have influenced PPC work is discussed elsewhere in the dissertation. The public is very important in PPCs work.

Significant government scrutiny and oversight happens when a governance misnomer is identified, publicised and challenged. Although some PPCs “organise regular meetings with respective Ministeries, they rarely expose much because most of them [meetings] have become routine, friendly information sharing between PPCs and Ministers or other government bureaucrats”<sup>421</sup>. The documents shared “between Ministers or their representatives in their routine meetings are not easy for MPs sitting in PPCs to immediately identify mistakes... and so nothing significant is scrutinized”<sup>422</sup>.

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<sup>417</sup> See for example Hainz (2016), Cairney (2011), Wickson *et al.* (2010), Urbinati and Warren (2008).

<sup>418</sup> Focus Group Discussion, Harare, 12 June, 2021.

<sup>419</sup> *Ibid.*

<sup>420</sup> *Ibid.*

<sup>421</sup> Elite Interview 4, Harare, 2 December, 2020.

<sup>422</sup> Elite Interview 5, Harare, 15 December, 2020.

The public are at the centre of PPCs work because “really there can’t be significant oversight and legislative reforms if citizens do not come up and give PPCs the tasks”<sup>423</sup>. PPCs’ anticipation is that the public “is capable and can always identify crucial governance faults affecting their everyday life and bring them to us [PPCs] for attention”<sup>424</sup>. This expectation exists because of the assumption that all men and women are aware of their constitutional rights to mandate Parliament using Section 149 (1) of the *Constitution of Zimbabwe Amendment (No. 20) Act 2013* which gives every “citizen and permanent resident of Zimbabwe... the right to petition Parliament to consider any matter within its authority, including the enactment, amendment, or repeal of legislation”<sup>425</sup>.

This probability is a fallacy because even in mature democracies, “it is not likely that ordinary men and women would put down their daily personal survival tasks to approach Parliament to demand good governance on an issue that do not directly benefit them, but the generality of the population”<sup>426</sup>. Besides, the process of mandating PPCs is technical and laborious for ordinary persons to pursue without a second thought. It involves the submission of a petition or a concern to Parliament through the Clerk of Parliament’s office for onward transition to the Speaker for consideration. If satisfied the petition or the concern really needs the attention<sup>427</sup> of the Parliament, the Speaker forwards it to the relevant PPC for redress. Depending on the detail of the petition or concern raised, the PPC may decide to invite the petitioners to appear before its bench<sup>428</sup> to provide further information.

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<sup>423</sup> Elite Interview 1, Harare, 27 October, 2020.

<sup>424</sup> Elite Interview 2, Harare, 29 October, 2020.

<sup>425</sup> See *Constitution of Zimbabwe Amendment (No. 20) Act 2013*.

<sup>426</sup> Focus Group Discussion, Harare, 12 June, 2021.

<sup>427</sup> This is specifically important. One Ultra Elite interviewed said that some of the issues submitted to Parliament may not be necessarily legislative or policy related. There was an example given where an issue of criminal nature was submitted to Parliament instead of being submitted to the Attorney General or the Zimbabwe Anti-corruption Commission for prosecution.

<sup>428</sup> A Meeting of all or majority of Parliamentary Portfolio Committee Members.

No individuals within the realm of the public can easily petition Parliament “on their own volition and consequently wait for the incubation of the petitioning processes without some background financial and technical patronage”<sup>429</sup>. This means the public does not have adequate capacity to initiate petitions and mandate Parliament. As a result, the public has often been consulted “subsequently in the oversight and policy making processes on concerns and petitions submitted by the government, experts or specialised organisations working on various thematic areas they feel represent public interest”<sup>430</sup>.

It is when PPCs feel the outcome of a response to a petition or concern would affect the generality of men and women in society they would solicit public input. This is done in various ways. One way is through written submissions where public views are solicited through correspondences or letters to the Clerk of Parliament. Public participations by letters are very difficult to follow or trace to identify contributions submitted because they are rarely shared or disclosed.

The other way involves public hearings defined as “Community Hall meetings or platforms relatively easy and accessible to the public to make their contributions to arising legislative questions PPCs organise to hear and appreciate citizens’ thoughts on public interests issues”<sup>431</sup>. Below are two examples of public hearings where PPCs consulted the public. These will be followed by some analysis on the validity of citizens’ participation in influencing PPCs work.

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<sup>429</sup> Ultra Elite Interview 9, Harare, 17 March, 2021.

<sup>430</sup> Focus Group Discussion, Harare, 12 June, 2021.

<sup>431</sup> Elite Interview 4, Harare, 2 December, 2020. Public interest issues are goods and services that affect day to day lives of people and therefore need government regulation. These include health, education, infrastructure, civic rights etc.

### **7.3. Legitimacy from illusion - PPCs' authority and dominance of Parliamentary decisions**

The following two scenarios indicate that effective participation of the public is hindered by methodological challenges making it uneasy to accept that PPCs public hearings gather views from independent speakers. But Parliament and the Executive would accept whatever PPCs bring to them as “public views” for use in policy and legislative decisions. This includes views PPCs obtain from public consultations regardless of the methods used and the “public” that speaks. At the same time, what Parliament or Executive takes up from PPCs public hearing reports is not always what the majority would have said, but what the bigger number of MPs in Parliament wants. The two scenarios that will be used to explain this in detail are explained below.

#### ***Scenario A: Adolescents' Access to Reproductive Health***

*A public interest issue arose in September 2020 when an organisation called Advocacy Core Team (ACT) petitioned Parliament, and in particular, the PPC on Health and Child Care to remove age restrictions on consent to accessing reproductive health care services by adolescents and young persons from Zimbabwe. ACT demanded Parliament to amend the Public Health Act of 2018 so “there should be no age restrictions on accessing reproductive health care services by persons aged twelve years and above”<sup>432</sup>. Adolescents and young people should receive, without seeking consent to their parents, services such as “HIV testing, pre and post counselling, access to contraceptives and other pregnant prevention management services”<sup>433</sup>. Consequently, Parliament should ensure “... proper administrative measures to monitor and provide reproductive health rights for persons aged twelve years and above” <sup>434</sup>. ACT further submitted*

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<sup>432</sup> See “Parliament of Zimbabwe First Joint Report on the Portfolio Committee on Health and Child Care and Thematic Committee on HIV and AIDS on the Petition from the Advocacy Core Team (ACT) on the Age of Consent to Accessing Reproductive Health Care Services by Adolescents and Young Persons in Zimbabwe” at [Joint-Report-on-Age-of-Consent-to-Accessing-SRHR-by-Adolescents-and-Young-Persons-in-Zimbabwe446.pdf](https://healthtimes.co.zw/Portals/0/Reports/2021/01/2021-01-20-Parliament-First-Joint-Report-on-the-Portfolio-Committee-on-Health-and-Child-Care-and-Thematic-Committee-on-HIV-and-AIDS-on-the-Petition-from-the-Advocacy-Core-Team-(ACT)-on-the-Age-of-Consent-to-Accessing-Reproductive-Health-Care-Services-by-Adolescents-and-Young-Persons-in-Zimbabwe.pdf) ([healthtimes.co.zw](https://healthtimes.co.zw)) [Accessed on 10 December, 2021].

<sup>433</sup> *Ibid.*

<sup>434</sup> *Ibid.*

*the “Children Justice Bill is enacted to provide for access to reproductive health services for adolescents and young people aged twelve years and above” and Parliament “should realign all other appropriate legislation to ensure consistency among policies guaranteeing access to critical and often lifesaving health care services for adolescents and young people”<sup>435</sup>.*

After considering oral evidence from ACT and the Minister on the petition, the PPC on Health and Child Care combined with the Thematic Committee on HIV and AIDS from the Senate to create a joint Committee. As a public interest issue, the joint Committee organised public hearings in selected venues across Zimbabwe’s ten provinces “To get first hand experiences and feedback from the public on the access to reproductive health care services” and “...solicit for public views and recommendations for improved reproductive health care services”<sup>436</sup> for adolescents and young persons in Zimbabwe. The Public Hearings were advertised in both electronic and print media.

### ***Scenario B: Constitution of Zimbabwe Amendment No. 2***

*The Ministry of Justice, Legal and Parliamentary Affairs drafted a Constitutional Amendment No. 2 Bill and submitted it to Parliament in 2019. The Bill sought various amendments to the Constitution of Zimbabwe Amendment (No. 20) Act 2013. The most popular clauses intended to consolidate the power of the Executive. Clauses 2-8 sought to remove the running mate concept of the Vice-Presidency so that the President “will have pleasure to appoint Vice-Presidents of his or her choice”<sup>437</sup>. The original Constitution stipulates every candidate seeking to be an election candidate as President must nominate two persons to stand for an election jointly with him or her and designate one as his or her first Vice-President and the other as Second Vice-President. In this way, the President and his or her Vice-Presidents would be elected jointly.*

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<sup>435</sup> *Ibid.*

<sup>436</sup> *Ibid.*

<sup>437</sup> See Government of Zimbabwe (2021).



*Clause 10 of the suggested Bill gave the President power to appoint up to seven additional Ministers from outside Parliament instead of five mentioned in the original Constitution. Clause 11 sought to extend provisions for the political party list of female Parliamentarians for the National Assembly by another two extra Parliaments to four from the original two stipulated in the original Constitution. Clause 13 allowed the President, acting on the recommendations of the Judicial Service Commission, to appoint sitting judges of the High Court and the Supreme Court to vacancies in the higher courts without subjecting them to public interview procedures as stated in the original Constitution.<sup>438</sup>*

Following the presentation of the Bill in Parliament, the PPC on Justice, Legal and Parliamentary Affairs conducted public hearings across the country's provinces. Similarly, the Public Hearings were advertised using both print and electronic media. The following observations could be deduced from the two Scenarios in respect to the strength of the public voices in enhancing PPCs influence and consequently decisions of the House.

### **7.3.1. Laity public and ceremonial public participation**

Whilst both public hearings managed to cover significant areas, including rural based Community Halls<sup>439</sup>, the generality of the public that participated were inadequately informed about the public issues in question. The public hearing invitations were limited in enabling ordinary men and women to understand the purpose of the public hearings. They were not translated into all languages recognised and stated in Section 6 of the Constitution of Zimbabwe Amendment (No. 20) Act 2013. Messages in English, for *Scenario A* for example, contained some “difficult and ambiguous terminologies such as

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<sup>438</sup> *Ibid.*

<sup>439</sup> See a list of some of the places covered by the public hearings – *Veritaszim.net* Parliamentary Committee Series 14/2020 – Public Hearings on Const Andt No 2 Bill 16-19 June 2020” at <http://www.veritaszim.net/node/4235> and *Veritas.net* “Public Hearings This Week on Young Persons Access to Reproductive Health Care” at <http://www.veritaszim.net/node/4553> [Accessed on 18 April, 2022].

“sexual”, “reproductive health”, “adolescents” uneasy for the ordinary men and women to comprehend and relate to their own lives”<sup>440</sup>.

A group of eight women who gathered by the door of a public hearing venue in Chitungwiza Unit L Town Hall waiting for the start of the meeting on *Scenario A* speculated on its purpose and objectives. “I am here because when I saw the term ‘reproductive’ on the poster, I thought this was a workshop on family planning” and therefore “wanted to hear other alternative ways of family planning” because “I am experiencing side effects from what I am using now... and if I am not very careful, I will get an unwanted pregnancy since I am not using any contraceptives now...and my husband does not like to use a condom..” <sup>441</sup>, [other women laugh]. “I think it’s a public hearing on family planning for those aged twelve... perhaps those who have intimate relations or babies before they are mature” <sup>442</sup> said another. “Perhaps the public hearing is about sexually transmitted diseases amongst young girls who indulge in pre-marital sex”<sup>443</sup>, said yet another.

Elsewhere, outside a rural Community Hall in Chivi, Masvingo Province of Zimbabwe, a group of six people waiting to participate in public hearings for *Scenario B* indicated they were “not aware of the specific details of the Bill, except that there was an intention to amend the 2013 Constitution of Zimbabwe”<sup>444</sup>. Even when the Chairperson of the PPC explained the purpose of the public hearings, the participants were further “confused on whether “their ‘Yes’ or ‘No’ to the Constitutional Amendments were supposed to be made to specific constitutional items the amendments were being sought or the whole package of the clauses of the Bill bracketed as Constitutional Amendment No. 2”<sup>445</sup>.

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<sup>440</sup> Focus Group Discussion, Harare, 12 June, 2021.

<sup>441</sup> Field Notes / Researcher’s Observations, Chitungwiza, December 2020.

<sup>442</sup> Field Notes / Researcher’s Observations, Chitungwiza, December 2020.

<sup>443</sup> Field Notes / Researcher’s Observations, Masvingo, December 2020.

<sup>444</sup> Focus Group Discussion, Harare, 12 June, 2021.

<sup>445</sup> Focus Group Discussion, Harare, 12 June, 2021.

There were deliberate, political ambiguities in *Scenario B*. The government that drafted and therefore pushed for the Bill had inserted some clauses to attract public solidarity, especially marginalised sectors as the beneficiaries of the amendments. The Bill combined what could have been seen as *positive* - such as a youth quota or increasing number of women in Parliament and *negative* - such as the removal of the running mate clause or giving the President unilateral power over higher courts appointments. When some of the Chairpersons opened Community Hall meetings for *Scenario B*, “they emphasised on the *positives* of the Bill to entice the public, especially the youth and women, into supporting the amendment. It was not clearly stated, for example, that “the public views were being sought for Constitutional Amendment No. 2 as a package”<sup>446</sup>. As such, they were not advised that a verdict on one of the constituent clause of the Bill would spoil everything else on the amendment list.

In view of *Scenario A*, the inadequate communication of the purpose of the public hearing in this regard revealed and exposed other more relevant reproductive health questions ordinary women had in their communities other than what the petition itself demanded. Though the PPC Chairperson shared the background and the purpose of the public hearing and informed the public they were not soliciting views on “simple and exhausted issues like putting condoms in school toilets or age of sexual consent or majority”<sup>447</sup>. Several participants talked about them indicating communities’ sexual reproductive concerns beyond the scope of the petition.

The challenge with inadequate communication for the public hearing was that some of the participants attended with erroneous expectations thereby limiting their maximum possible contributions. The PPC Chairperson for the joint Committee for *Scenario A* recognised this and acknowledged it in their public hearing report tabled before the House that

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<sup>446</sup> Focus Group Discussion, Harare, 12 June , 2021.

<sup>447</sup> Field Notes / Researcher’s Observations, Chitungwiza, December 2020.

Considerable number of participants, especially those against the petition attested to lacking appreciation of the petition's contents. Consequently, they had misconceptions from social media and other lobby groups thus, the committee had to intervene to clarify its mission more often. As is the case with most parliament hearings, majority of people in the grassroots did not get a copy of the document under discussion ahead of the meetings. <sup>448</sup>

This observation is not surprising because the public were not part of the petitioning and Constitutional Amendment Bill No. 2 and were not even consulted when they were formulated. But those that appreciated the petition in advance, either through self awareness or with the help of others to speak for certain positions, dominated the public hearings. The following subsection looks at this.

### **7.3.2. Individual and fostered opinions as public opinions**

The public participated by way of raising hands. Contributions were submitted in two parts: a verdict and its substantiated justification. For either Scenarios, participants said “No” or “Yes” at the beginning or end of their substantive contributions. There was no specific quorum for the required number of the public to validate the meetings as “public” or justify adjournment if the “public” were not enough. Even if it was there, outcomes were not subjected to some way of balloting or counting the numbers of “No” or “Yes”. But such kinds of responses consequently enabled the PPCs to make their conclusions on the basis of two nouns – “majority of the public...” or “minority of the public...” supported by the reasons the public provided. This means any Community Hall contributions, regardless of their sources, were regarded as a public opinion.

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<sup>448</sup> See “Parliament of Zimbabwe First Joint Report on the Portfolio Committee on Health and Child Care and Thematic Committee on HIV and AIDS on the Petition from the Advocacy Core Team (ACT) on the Age of Consent to Accessing Reproductive Health Care Services by Adolescents and Young Persons in Zimbabwe” at [Joint-Report-on-Age-of-Consent-to-Accessing-SRHR-by-Adolescents-and-Young-Persons-in-Zimbabwe446.pdf](https://healthtimes.co.zw/Portals/0/Reports/Joint-Report-on-Age-of-Consent-to-Accessing-SRHR-by-Adolescents-and-Young-Persons-in-Zimbabwe446.pdf) ([healthtimes.co.zw](https://healthtimes.co.zw)) [Accessed on 10 December, 2021]

Speaking spaces of the largely ignorant public in both Scenarios were taken by “public interest groups”<sup>449</sup> not only because they were more informed of *Scenarios A and B*, “but also because the PPC Chairpersons gave them the first chances to speak”<sup>450</sup>. Having read *Scenarios A and B* in advance, “public interest groups” were very articulate. They read out their “position papers” in the public meetings supporting their organisational positions which they fostered on the public. Their bargaining power was enhanced by the narrative and statistical details and evidence they presented in the meetings outsmarting any participant hearing details of *Scenarios A and B* for the first time.<sup>451</sup>

The spaces created for the public also turned out to be platforms for competing elite narratives or presentations that ultimately elbowed out the ordinary targeted by the “public” consultations. In both *Scenarios*, it turned out some “public interest organisations” had seconded their members to several venues of the public hearings to speak out and saturate the public hearings with their “positions”. On different occasions and after some organisations had made their presentations, the PPC Chairpersons indicated hearing the same presentations or submissions elsewhere. After listening to several presentations by different organisations during one of the public hearing meetings, the PPC Chairperson for *Scenario A*, for example, said “Those that presented their views elsewhere and using other methods ought not to repeat them here because they are already captured”<sup>452</sup>. The public interest organisations

Should not be seen crowding out the ordinary men and women because the public hearings are spaces for the ordinary persons, men and women who are, unlike the so called public interest groups or faith based organisations do not have diversified opportunities to access Parliament. Public interest groups are well funded and have more access to Parliament. They have computers

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<sup>449</sup> Most of them were civil society or faith based organisations who claimed to speak on behalf of their own groups or the congregants.

<sup>450</sup> Focus Group Discussion, Harare, 12 June, 2021.

<sup>451</sup> Field Notes, Harare, December 2020.

<sup>452</sup> Focus Group Discussion, Harare, 12 June, 2021.

and internet to speak to Parliament. They have good cars they can drive to Parliament to submit their opinions. Giving them another special position in a community public hearing organised largely for ordinary men and women discriminate the public and dilute or even slaughter their [public] voices.<sup>453</sup>

Having obtained the details of the public hearings in the Community Hall after the PPC Chairpersons introduced the topics, and with some anxiety to match the articulation of the “public interests groups”, most of the public in both *Scenarios* “felt less confident to present their inadequately prepared contributions toning down those submitted by different organisations”<sup>454</sup>. One participant for *Scenario A*, already panicking an individual contribution to the public hearing would be accepted whispered to someone seated next “It is only the views of the organisations they [PPC] are interested in... perhaps our [public] views as well should be submitted through a local organisation”<sup>455</sup>. The same applied to most of the public who attended public hearings for *Scenario B*. They were either too timid or scared to speak out. They murmured their views amongst themselves which they were never confident to submit. The PPC Chairpersons, on many occasions, kept on reminding them to “keep quiet” when “someone is talking”<sup>456</sup>.

More than half of the few confident individuals, especially those seated in the front rows, who raised their hands and were given the opportunity did not entirely speak what they felt as part of the public. They, in both *Scenarios*, either recited some political party positions or the positions of some civil society organisation or interest groups. This demonstrates that confident and outspoken members of the public who eventually participate in public hearings as individuals receive some form of coaching or training from interested agencies. This is very

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<sup>453</sup> Focus Group Discussion, Harare 12 June, 2021.

<sup>454</sup> Focus Group Discussion, 12 June, 2021.

<sup>455</sup> Field Notes, Chitungwiza, December 2020.

<sup>456</sup> Field Notes, Harare, December 2020.

Easy to see because when we [focus group participants] attended some of the PPC meetings from one Community Hall to the other, we witnessed the similarities, and sometimes word for word, of submissions made by some of the participants that stood up to speak for “themselves”. We also realised that whatever they said as men and women from the communities during public hearings resonated to some political party or organisational positions published elsewhere. Perhaps there could be some convergences of positions to a Bill or petition between an agency and individual community members, but they cannot be as many as we witnessed. Public hearings are largely choreographed to assert the voices of the powerful spoken through the public as if it were public voices.<sup>457</sup>

An intriguing situation of agency interference in public spaces happened in one of Mashonaland Provinces of Zimbabwe during public hearings for *Scenario B* when one participant raised her hand and said “I am raising my hand to support what that man [pointing to a local political party activists the researcher later established] would say before he even says it...I know what he is going to say because we have our position as a [political] party which is a directive from the above [political party headquarters]”<sup>458</sup>.

It would not be possible for everyone who attends PPC public hearings to be picked by the PPC Chairperson to speak. Nevertheless, there are possibilities for all public consultations participants in their numbers to be heard even in the short space of two hour schedules for a specific Community Hall meeting.

The public has sometimes overwhelmingly responded to public hearings and attended in their numbers if there are really public interest issues. But the PPCs have failed to employ facilitation methods that harvest ideas from as many ordinary men and women in attendance as possible. The easiest way could be to emulate Parliament’s group work approach that led to the establishment of PPCs. They [PPC Members conducting public hearings] can as well split the public in attendance into small discussion groups led by the rest of PPC Members who usually spend their time in the public hearing

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<sup>457</sup> Focus Group Discussion, Harare, 12 June, 2021.

<sup>458</sup> *Ibid.*

meetings just seated, listening and sometimes dozing whilst the PPC Chairperson facilitates and engages with participants. Small group work during public hearings would stimulate everyone into speaking out and – through a chosen group speaker – subsequently share the group views with the larger group for any further inputs...<sup>459</sup>

Further challenges in collecting public views occurred also because MPs constituting the PPC teams, in both cases, did not move out of their official eminence as MPs to fit in the public domain as part of the community. The next sub-section looks at how this affected public participation.

### **7.3.3. Cultural fit - “them” and “us”; the expressive barriers**

The MPs constituting PPCs for both *Scenarios A* and *B* did not free themselves from the pride and arrogance associated with the elite commonly seen on television debating in the House. They were not ordinary like the ordinary people they interacted with in the public hearing meetings. Dressed in “shiny suits and designer clothing, they were too official in their appearance”. They filled the Community Halls “with an awe of exclusiveness that made participants uncomfortable and less confident to engage in an equal dialogue with them”<sup>460</sup>. This was reinforced by the Community Hall sitting plan.

Community Hall sitting arrangements for public hearings in both Scenarios were designed in a way that portrayed some power dynamics. PPC Members “seated in front on the high table, like teachers, and the rest seated in the gallery, like pupils”<sup>461</sup>. The arrangement relived and mimicked the power dynamics of a political rally – which some of the MPs in the PPCs organised and addressed to be elected MPs - where a political candidate stand firm in front of people to authoritatively and assertively impose their election manifestos on voters. The focus group discussion vividly explains this:

The sitting arrangement in a public PPC hearing immediately establishes some inequalities and knowledge power dynamics. It resembles a classroom

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<sup>459</sup> *Ibid.*

<sup>460</sup> Focus Group Discussion, Harare, 12 June, 2021.

<sup>461</sup> Focus Group Discussion, Harare, 12 June, 2021.



scenario where a ‘teacher’ [PPC Members] who is more knowledgeable sits on the high table in front and ‘pupils’ [the public] occupying the rest of the room ready to receive some education. Like teachers and pupils, the MPs and parliamentary staff sat [during the public hearings] on the high table in the front with the PPC Chairperson, as the lead ‘teacher’ in the middle. The ‘public’, like pupils, occupied the rest of the room facing the MPs, who, also like classroom teachers, were overly dressed in designer suits beyond simplicity for a reciprocated, conversational public hearing.<sup>462</sup>

Public hearing participants who did not feel confident in themselves largely because of the way they appeared or dressed as compared to MPs found it difficult to engage. During one of the public hearings for *Scenario A* for example, several men seated at the back of the Community Hall concurred to what one of them said in a lower voice: “I just heard about this meeting at the shopping centre where I was having one or two [beers] and I just followed others here”. But “I cannot put up my hand to speak because they [PPC Chairperson] will ask me to rise... and I will appear fool among these smart guys [PPC Members] because I am dressed like a herd boy...”<sup>463</sup> The other three men responded “us too...we are too informal... we will be embarrassed”.

A bi-polar relationship between the public and the Members established created a ‘them’ and ‘us’ situation. Describing “them as “smart guys” created some labels of superiority on the part of the PPC Members, not only as good dressers, but also as the best thinkers in the room – they are “smart” (in both dressing and intellect); we are “dirty” (in both dressing and intellect)”<sup>464</sup>. As the Members presented themselves in the front desk of the Community Hall – and as they mentioned the constituencies they represented in Parliament as part of their introductions - there was an impression that they [as *representers*] had come to “teach” the public about *Scenario A* or *Scenario B*.

The general perception of the poor and marginalised communities who participate in public hearings is that elected legislators are the best persons to

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<sup>462</sup> Field Notes, Harare, November, 2020.

<sup>463</sup> Field Notes, Chitungwiza, December 12, 2020.

<sup>464</sup> Focus Group Discussion, Harare, 12 June, 2021.

articulate their concerns to the duty bearers. For them, MPs are outstanding “because they have knowledge and skills to make laws and are able to use them to demand service delivery on behalf of citizens...”<sup>465</sup> They are seen as superior or bosses. Community members occasionally use their own scarf or cloaks to create “red” carpets for visiting MPs or political leaders”<sup>466</sup>. This was supported by one of the participants for *Scenario B* public hearing when she said “You are coming here to pretend to want our views...but we know that you know everything and what you want as MPs... and you are just conducting these public hearings for formality purposes”<sup>467</sup>.

As a result, some of the ‘public’ participated in the public hearing with a calculative approach. They had little confidence that their views, as ordinary people, would be fairly captured, respected and taken aboard by the House. The setting made some less confident participants timid, anxious, discouraged and unable to fully utilise the opportunity to input into the policy process. Nevertheless, the public hearings generated some important narratives from the consultation processes which strengthened PPC submissions to Parliament. The following section looks at what the PPCs generated from the two public hearings and the extent they influenced the final legislative decisions.

#### ***7.4. Public views as supplements rather than alternatives to the decisions of the House***

Public hearings provide PPCs with at least three kinds of responses the House chooses to make final decisions. For *Scenarios A* and *B* for example, some participants said “No”, others said “Yes”. Some sat on the fence – gave their reasons for both “Yes” and “No”. Whilst a detailed analysis of government response to PPC recommendations is presented elsewhere in this document, it would be important to state in brief how public consultations for *Scenarios A* and *B* influenced decision making.

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<sup>465</sup> Focus Group Discussion, Harare, 12 June, 2021.

<sup>466</sup> Focus Group Discussion, Harare, 12 June, 2021.

<sup>467</sup> Field Notes, Harare, December 12, 2020.

The public hearing report on *Scenario A* tabled by the responsible Minister before Parliament in June 2021 confirmed submissions made by the public during the public hearings. There were significance references to some messages PPCs gathered during the Community Hall meetings. For example, the Minister informed Parliament the public hearings had indicated that “... early sexual indulgence exposed minors to contacting cervical cancer and sexually transmitted infections, which could affect their future fertility”<sup>468</sup>.

The Minister indicated that the PPC for *Scenario A* had learnt from the public hearings that “contraception was not 100% effective; therefore, adolescents with access to reproductive health remained at a higher risk of complications in case of unwanted pregnancies.”<sup>469</sup> The Minister further shared a warning that the public hearings had made in view of *Scenario A* that

If age restrictions for accessing reproductive health care services were removed, the impression given was that everyone could decide to indulge in sexual activities and also as when they want to have babies. This will be a time bomb for immorality against the diverse cultural and religious communities in Zimbabwe and a potential increase on burden on the government’s social security nets where a lot of adolescents will have children outside marriages.<sup>470</sup>

The Parliament’s decision on *Scenario A* tried to balance the diverse interests of public hearing submissions conflicting between issues of morality and rights and at the same time taking up some reasonable demands of the petition. After hearing the report, the Parliament mandated the Ministry of Health and Child Care, as demanded by the petition, to amend Section 35 of the Public Health Act [currently limiting the age of accessing reproductive health care services to sixteen years] to provide reproductive health care

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<sup>468</sup> The researcher was a participant observer during public hearings for Scenario A. Most of what the PPC later presented to the House through the respective Minister reflected the ideas the researchers also heard from different people during the observation of Community Hall meetings. Also see Parliament of Zimbabwe (2021).

<sup>469</sup> *Ibid.*

<sup>470</sup> *Ibid.*

services for young people under the age of eighteen and provide the protection of [reproductive health care] service providers “by June 2022”<sup>471</sup>. There were additional instructions for the Minister of Health and Child Care built from the public hearings’ inputs observed by the researcher:

Ministry of Health and Child Care should ensure that adolescents and young persons friendly corners are established where it is convenient for them to access Sexual Reproductive Health Rights services by June 2022. The custodians of culture and religion should not tire in strengthening their systems in the upbringing of children and should continue to preach the message of abstinence... to instil moral values in children... The Ministry of Youth, Sport, Arts and Recreation should provide recreational facilities for adolescents and young persons in Zimbabwe in order to occupy themselves by December 2022. The Ministry of Finance and Economic Development should allocate substantial budget to the Ministry of Public Service, Labour and Social Welfare in the 2022 National Budget to enable it to provide the social protection measures for the vulnerable adolescents and young persons in Zimbabwe in meeting their financial needs.<sup>472</sup>

Whilst the Parliament considered a large portion of public views as presented by the PPC through the responsible Minister regarding *Scenario A*, it was not the same for *Scenario B*. The latter provides important lessons that public views do not determine final legislative outcomes. They can be totally disregarded. A proposed Bill could sail through Parliament by a majority vote without any changes even if there were opposing public views gathered by PPCs. Section 139(c) of the Constitution of Zimbabwe Amendment (No. 20) Act 2013 does not make it obligatory for Parliament to adopt and follow any public or private recommendations or views.

Following the public hearings for *Scenario B*, the PPC, through the responsible Minister, reported in Parliament some of what the public had rejected. The Minister told Parliament that “the majority of the [public hearing] submissions received pointed towards the desire to maintain the

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<sup>471</sup> *Ibid.*

<sup>472</sup> Parliament of Zimbabwe (2021).

system of the running mates”<sup>473</sup>. The “firm and considered view” was that the “running mates system that the proposed amendments seek to avoid certainty in presidential succession and are necessary to avoid the possibility of power vacuum...” However, other sentiments in “the minority, noted that the running mate system has a danger of creating multiple centres of power since the Vice Presidents can claim a popular mandate from the people as their source of authority...”<sup>474</sup>

The Minister also informed the House the majority of the public consulted by the PPC for *Scenario B* also rejected Clause 13 of the Bill which gave the President the powers, acting on the recommendations of the Judicial Service Commission, to appoint sitting judges of the High Court and Supreme Courts without subjecting them to interviews as instructed by the original constitution. The public opposed the amendment seeing it as a threat to the “central values of democracy”, the idea of “the separation of powers, checks and balances in a democracy”<sup>475</sup> because an “efficient and independent judiciary” is important “to sustain the separation of powers”<sup>476</sup>. But the “minority argued that the judges are already in court and there is no need to interview them again whilst others said that there could be a lot of good judges out there but they may not be forthcoming due to fear of the public interviews”<sup>477</sup>.

Further powers for the Presidency to co-opt the judiciary were provided by Clause 14 of the Bill. It gave the President the prerogative to extend the terms of office for higher courts upon reaching the age of seventy annually up to five years subject to favourable medical report. Again, as the Minister reported in the House, the public expressed reservations on the clause. The “public” had argued that Zimbabwe “has a large vibrant legal profession, with many young

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<sup>473</sup> See Government of Zimbabwe (2021).

<sup>474</sup> *Ibid.*

<sup>475</sup> *Ibid.*

<sup>476</sup> *Ibid.*

<sup>477</sup> *Ibid.*

Lawyers fit and willing to serve as judges”<sup>478</sup>. Increasing the age of retirement, on yearly basis from seventy to seventy-five, would deny young lawyers to serve as judges.

It was submitted, the Minister told Parliament, through public hearings that the “judges were subjected to rigorous medical examination when they seek extension; every year shows there “is no trust in the physical and mental capacity of the judge in question so why not allow the judge to rest”<sup>479</sup>. But the others, in the “minority, argued the proposed amendment created security of tenure for the judiciary”<sup>480</sup>.

Despite the overwhelming majority opposing *Scenario B* during the public hearings, with valid reasons, there were no significant changes made to the Bill. This followed a contestation of positions in the House, with the ruling party, together with some Members of the opposition insisting the Bill had to be passed whilst the minority wanted it to be dropped as recommended by the majority of the public. The Speaker provoked the process of voting in the House to settle the differences – and the ruling majority prevailed.

On 7 May, 2021 the President signed the Constitutional Amendment No. 2 Bill into law or Act despite the overwhelming majority of the public who, through PPC initiated public hearings, had rejected it. In a “democracy, everyone is allowed to have their say, including the public through public hearings”<sup>481</sup>. But the majority in Parliament “will always have their way”. It is the ideas that are “supported by the majority in Parliament, not in public hearings, that always triumph to become national law or government policy”<sup>482</sup>.

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<sup>478</sup> *Ibid.*

<sup>479</sup> *Ibid.*

<sup>480</sup> *Ibid.*

<sup>481</sup> Ultra Elite Interview 14, Harare, 8 May, 2021.

<sup>482</sup> Ultra Elite Interview 2, Harare, 20 November, 2020.

## **7.5. Conclusion**

The inclusion of ordinary men and women in legislative processes, though with methodological challenges, shows the importance of PPCs in fulfilling an important good governance tenet that of involving citizens in decision making processes. Citizens are usually excited to contribute and participate in democratic processes such as public hearings. But are limited by lack of prior adequate knowledge and information on issues in question to prepare themselves to effectively input and contribute to the governance processes. Interest groups and politicians have used this lack of information by citizens to occupy and dominate participation in the public hearings meetings. Some have coached community individuals to present their positions in Community Hall meetings as if they were public opinions. The public hearing facilitation methods used by PPCs do not help much as opinions from interest groups are prioritised in public hearings meetings despite other platforms the same groups have to submit their opinions.

As a result, the ordinary public is elbowed and outmanoeuvred. There are further dialogical and participation complications emanating from power relations occasioned not only by the Community Hall settings and the facilitation methods, but also PPC Members' challenges in cultural fit. In such circumstances, ordinary Members feel too ordinary to effectively contribute. But these challenges, some beyond control of PPCs themselves, have not prevented PPCs from salvaging ideas and opinions from communities acceptable to and recognized by Parliament as public opinion. Some of the views PPCs generate from public consultations influence and reform policies. Others fail not because of PPCs failure to generate information from the communities, but largely because of legal use of parliamentary majority by the strong ruling party to protect their interests against public opinions. What is important though, even if their influence has not been hundred percent, PPCs' community generated views and opinions are useful in informing key, evidence based legislative, scrutiny and oversight discussions and decision making processes. Perhaps PPCs' power to consult experts could complement this and close some inefficiency gaps. The next Chapter looks at how experts influence PPCs efforts and behaviours in the Zimbabwean context.

## **Chapter 8:**

### **Experts in Politics: The Eminence of Others in Parliamentary Portfolio Committees**

#### **8.1. Introduction**

An expert is an institution or individual with “broad and deep understanding and competence in terms of knowledge, skill and experience through practice and education in a particular field”<sup>483</sup>. Other words used to describe experts such as “resource persons”, “outstanding”, “professionals” or “proficient”<sup>484</sup> illustrate how experts exist in various brands. By illustrating various ways experts have made the work of PPCs different, this Chapter argues Parliament in general, and PPCs in particular, accomplish when they are provided with adequate resources and requisite technical knowledge and skills. It shows non state actors in the form of civil society organisations (CSOs) or development funding organisations called donors or funders have dominated not only in providing expertise in different ways including financial resources, knowledge, skills or advice. They have also managed to determine the agenda, especially for PPCs’ resonating with their thematic areas, and also indirectly demanded good governance, as CSOs, without direct state confrontation. The Chapter shows the relationship between experts and PPCs has been mutual. Experts have made PPCs repositories of some of their outputs such as primary data generated in communities whilst PPCs have used the same for evidence based legislative and oversight persuasions. The Chapter begins with a statement on the definition of CSOs followed by illustrations of different PPC-expert relationships and their justification. Several examples of the expertise are provided and their implications on PPCs are given. The Chapter question is: How have experts enabled PPCs to be more effective? It concludes that the

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<sup>483</sup> See <https://en.wikipedia.org/wiki/Expert> [Accessed on 22 April, 2022].

<sup>484</sup> See also [https://www.google.com/search?hl=en-GB&source=hp&biw=&bih=&q=expert+definition&iflsig=AHkkrS4AAAAAYmKOrZnaGwx76Je8BprjqCG2OHFqXOlF&gbv=2&oq=expert+defi&gs\\_l=heirloom-hp.1.0.oi512l10.5738.10438.0.13003.11.8.0.0.0.0.229.1079.1j6j1.8.0....0...1ac.1.34.heirloom-hp..4.7.937.6HwqaM2rQoA](https://www.google.com/search?hl=en-GB&source=hp&biw=&bih=&q=expert+definition&iflsig=AHkkrS4AAAAAYmKOrZnaGwx76Je8BprjqCG2OHFqXOlF&gbv=2&oq=expert+defi&gs_l=heirloom-hp.1.0.oi512l10.5738.10438.0.13003.11.8.0.0.0.0.229.1079.1j6j1.8.0....0...1ac.1.34.heirloom-hp..4.7.937.6HwqaM2rQoA) [Accessed on April 22, 2022].



work of Parliament in general, and PPCs in particular, is not only technical, but is also very expensive. Circumstances of poorly financed and technically shy Parliaments invite external resource institutions for support that does not only make it relatively easier and possible for PPCs to make impacts, but also shape the way they operate and the issues they prioritise.

## **8.2. Contextualising CSOs definition**

Though there is a considerable scholarship on the definition of CSOs, which are also known as non-governmental organisations (NGOs), there are a lot of similarities and insignificant conflicts in saying what they are and what they do. The United Nations defines CSOs as non-profit, voluntary citizens' groups organised at local, national or international level.<sup>485</sup> CSOs are “NGOs” that include “people and professional organisations, trade unions, consumer and human rights groups, women associations, youth clubs, independent radio, neighbourhood or community based coalitions, religious groups, academic and research institutions, grassroots movements and organisations of indigenous people” operating in “public sphere outside the market and the state”<sup>486</sup>.

Others similarly define CSOs as “voluntary expression of the interests and aspirations of citizens organised and united by common interests, goals, values or traditions, and mobilised into collective action either as beneficiaries or stakeholders of the development process”<sup>487</sup>. CSOs have also been seen as an ecosystem of “organised and organic and cultural relations existing in the space between the state, business, and family”, which builds on “indigenous and external knowledge, values, traditions and principles to foster collaboration and the achievement of specific goals by and among citizens and stakeholders”<sup>488</sup>.

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<sup>485</sup> See *UN and Civil Society* at <https://www.un.org/en/get-involved/un-and-civil-society> [Accessed on 21 December, 2021].

<sup>486</sup> Also see Cooper (2018: 2); World Economic Forum (2013).

<sup>487</sup> See <https://www.afdb.org/en/consultations/closed-consultations/afdb-civil-society-engagement-framework> [Accessed on 22 December, 2021].

<sup>488</sup> Also see VanDyke (2007: 1).

CSOs providing capacity needs and financial resources for PPCs in Zimbabwe, together with religious organisations, also known as faith based organisations (FBOs) can be defined in these frameworks with some additions though. CSOs interviewed in Zimbabwe further described themselves as “‘watchdogs’” because “our role is to ‘bark’, raise alarm to and through PPCs when they fail to challenge the Executive, especially on thematic areas, we [CSOs and FBOs] have expertise in - and which we want the government to reform for the good of the society”<sup>489</sup>.

Religious or faith based organisations (FBOs) also “raise the ‘red flag’, to speak out publicly on bad laws and governance practices guided and mandated by the gospel values known as Social Teachings of the Church (STCs), the mother of all human rights laws”<sup>490</sup>. In their engagement with PPCs, FBOs seek to indirectly “persuade the state to promote and protect STCs - universalised religious principles circularly called human rights” <sup>491</sup>. STCs call for respect of human life, rights and dignity, option for the poor and care of the environment among others.<sup>492</sup> The Church can “confidently claim it is the most experienced expert in human rights because they all started in the Church and nations borrowed and adapted...”<sup>493</sup>

To provide some analytical demarcations during this discussion, both CSOs and FBOs largely providing PPCs with non-monetary expertise will collectively be referred to as CSOs. Those whose support for PPCs has been largely biased towards provision of funding will be referred to as Development Funding Organisations (DFOs). Nevertheless, it is admitted there have been some overlaps in the provision of the two expertises with occasional conflicts.

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<sup>489</sup> Elite Interview 14, Harare, 10 May, 2021.

<sup>490</sup> Elite Interview 10, Harare, 2 February, 2021.

<sup>491</sup> Elite Interview 10, Harare, 2 February, 2021.

<sup>492</sup> Also see ‘Key Principles of Catholic Social Teaching’ at [https://www.cctwincities.org/wp-content/uploads/2015/12/Key-10-Principles-of-CST\\_1-pager.pdf](https://www.cctwincities.org/wp-content/uploads/2015/12/Key-10-Principles-of-CST_1-pager.pdf) [Accessed 22 December, 2021].

<sup>493</sup> Elite Interview 10, Harare, 2 February, 2021.

There are situations where CSOs also provided some funding to support the work of PPCs whilst some DFOs also provided PPCs with some technical expertise. The next sub-section looks at why PPCs require expert support.

### **8.3. The Problem: Inadequate Capacity and Financial Resources**

PPCs meet two main challenges in their work. First are naïve, incompetent MPs without adequate knowledge and skills to effectively contribute to PPC work. Second, PPCs lack financial resources, especially needed to generate information and interact with citizens to gather requisite and adequate evidence for policy, legislative and oversight persuasions. These problems are discussed in turn below not only to show that they really exist, but to indicate how CSOs and DFOs have been, to some extent, positive features in making PPCs more effective.

#### ***8.3.1. Naïve, Incompetent Parliamentarians – Basis and Background***

The recruitment of MPs in Zimbabwe is not based on any academic or professional qualification. According to Section 125 of the Constitution of Zimbabwe, anyone qualifies for election as a Member of the National Assembly if “he or she (a) is registered as a voter, and (b) is at least twenty-one years of age”. The two simple rules have led to the election of some illiterate MPs.

Being an MP in Zimbabwe is the only elite job where one can instantly become a professional - a maker of national laws even without basic education. We have seen school dropouts and even former convicts winning Parliamentary Elections and becoming Members of the National Assembly automatically becoming PPC Members. Such MPs obviously need some serious assistance and orientation... otherwise they would spend the whole Parliamentary session seated, without having said anything... but receiving allowances, including the luxurious MPs car paid by the tax payers who will be expecting the MP to contribute something in PPCs to improve their lives.<sup>494</sup>

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<sup>494</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

PPCs' main work is scientific. Part of it involves understanding and appreciating existing laws and policies in order to ask useful questions to implementers. It also involves creating new laws important for the establishment of order and development. The "election of MPs does not make them automatic specialists of and experts in their respective PPCs' thematic areas"<sup>495</sup>. The "challenges MPs face when they are drafted to PPCs is to be more useful by demonstrating significant understanding and interpretation of the laws and policies of their respective PPCs"<sup>496</sup>. Though elected MPs are not expected to be legal practitioners, they should have a legal and analytical mindset to be more functional in both Parliament and PPCs as "law makers"<sup>497</sup>.

Capacity gaps in the House exist after every five years when new MPs are elected into office. It is a cycle in which CSOs help in sensitising the new MPs to understand the role of PPCs together with legislative and policy gaps they would be expected to fill.<sup>498</sup> Many, especially newly elected MPs, have capacity challenges in oversight and legislative processes. It is in this regard that

As a mechanism for bringing local issues to the national debate and therefore national attention – and also as a conduit that takes national policy issues to public - PPCs should be adequately supported to raise very specific questions on pertinent governance issues the Executive should address.<sup>499</sup>

Experienced MPs are not always available or guaranteed in every Parliamentary Session. The Parliamentary Chamber is not a permanent working place for MPs. Zimbabwean MPs have five years contracts – or even less when they are recalled<sup>500</sup> in the course of the Session. Thus every five

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<sup>495</sup> Elite Interview 14, Harare, 10 May, 2021.

<sup>496</sup> Ultra Elite Interview 14, Harare, 8 May, 2021.

<sup>497</sup> Focus Group Discussion, Harare, 12 June, 2021.

<sup>498</sup> Elite Interview 14, Harare, 10 May, 2021.

<sup>499</sup> Elite Interview 8, Harare, 13 January, 2021.

<sup>500</sup> Section 129(k) of the *Constitution of Zimbabwe Amendment (No. 20) Act 2013* for example, states that if a "Member has ceased to belong to the political party of which he or she was a member when elected to Parliament and the political party concerned, by written notice

years, some MPs come and others - even with the best experience – leave if they fail to convince voters to vote them again. This makes the need of provision of capacity and skills for PPCs a continuous process.<sup>501</sup> The intervention of experts in building the capacity of MPs raises questions on whether it is really necessary for MPs to have some technical or professional skills or even some form of basic education before they are elected. The next sub-section looks at this question before analysing experts’ methodologies in providing for PPCs.

#### *8.3.1.1. Should MPs be educated and professional?*

Whilst it may not be possible for all MPs to have some professional or academic qualifications under the existing rules, questions have been raised on whether MPs who automatically become PPC Members should have some form of post secondary education qualifications. There have not been any recent studies evaluating capacities of educated and uneducated MPs though popular narratives point towards supporting that MPs should have some basic education and or professional qualifications to be more effective.

Those that see education and professionalism as unnecessary for MPs argue that what is important for MPs “are not academic or professional certificates, but MPs ability in PPCs or House to articulate the needs of the people and confidence and persistence in demanding responsiveness from the Executive”<sup>502</sup>. Examples are given of one or two vocal, but uneducated MPs in the Ninth Parliament that “were very vocal and managed to bring to attention their local problems provoking national policy questions on issues like service

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to the Speaker or the President of the Senate, as the case may be, has declared that the Member has ceased to belong to it”. In 2020, for example, one the Movement for Democratic Party – Tsvangirai (MDC-T) recalled more than twenty of its members from Parliament guided by this provision. See also *Newsday* “Khupe recalls 10 more MPs, 81 councillors” at <https://www.newsday.co.zw/2020/10/khupe-recalls-10-more-mps-81-councillors/> [Accessed 5 January, 2022].

<sup>501</sup> Elite Interview 4, Harare, 2 December, 2020.

<sup>502</sup> Elite Interview 13, Harare, 22 April, 2021.

delivery.” One such MP<sup>503</sup> raised a motion in the House on his constituents’ problems and conflicts with nocturnal animals such as hyenas attacking constituents in the middle of the night or early morning when passengers waited for public transport to travel to different places. The MP “was uneducated and unprofessional, but raised an issue that roused two important national policy questions for PPCs – one on transport and associated logistics and the other on human animal conflicts –”. At the same time, “you [the researcher] may be aware there are other educated and professional MPs that have not been confident to contribute anything in Parliament or in their PPC meetings”<sup>504</sup>.

But those in support argue that some form of formal education or professional background is more useful for PPCs, especially if they become Chairpersons. This would “enable them [educated and professional MPs] to conceptualize, understand and unpack laws and policies in their respective PPCs – and also to assist the rest of the group to understand and appreciate the same”<sup>505</sup>. Chairpersons with relevant professional qualifications, expertise and experience make PPCs more effective. They are able to

Consolidate the various thoughts of the PPCs after their discussions. They pose excellent, informed oversight questions to responsible Ministers that are usually helpful not only in revealing hidden issues, but also provocative in pursuit of accountability and responsiveness. But they are sometimes over worked. They also take responsibility to “teach” ignorant fellow Members

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<sup>503</sup> Also see *Insiderzim* “Chinotimba says hyena’s in Buhera are a national disaster just like cholera in Harare” at [https://lm.facebook.com/l.php?u=http%3A%2F%2Fwww.insiderzim.com%2Fchinotimba-says-hyenas-in-buhera-are-a-national-disaster-just-like-cholera-in-harare%2F%3Ffbclid%3DIwAR3JaZClGSsEzwFoGMv1GyohESf1YMCWQZ6t8ElSjFDOjNQcSOceQk947Uc&h=AT3p1n-jC21uCUVIMKwoYkRsazdjJN\\_X4mv7pOhYXzxtAGiLU8LY-ZEFyp3OoKVc\\_rXaZM2ejZVNTQZafZ9BTWXUg\\_u6MnA1WkrW5gqMATksS8Pv4XGoK-EXqWZyfRJK8hMc7so-AQ3n4XontKaimVxQ](https://lm.facebook.com/l.php?u=http%3A%2F%2Fwww.insiderzim.com%2Fchinotimba-says-hyenas-in-buhera-are-a-national-disaster-just-like-cholera-in-harare%2F%3Ffbclid%3DIwAR3JaZClGSsEzwFoGMv1GyohESf1YMCWQZ6t8ElSjFDOjNQcSOceQk947Uc&h=AT3p1n-jC21uCUVIMKwoYkRsazdjJN_X4mv7pOhYXzxtAGiLU8LY-ZEFyp3OoKVc_rXaZM2ejZVNTQZafZ9BTWXUg_u6MnA1WkrW5gqMATksS8Pv4XGoK-EXqWZyfRJK8hMc7so-AQ3n4XontKaimVxQ) [Accessed on 24 April, 2022].

<sup>504</sup> Elite Interview 13, Harare, 22 April, 2022.

<sup>505</sup> Ultra Elite Interview 14, Harare, 8 May, 2022.

within the PPCs to enable them understand the discussion topics and technical expressions for their effective participation.<sup>506</sup>

Education or some form of professionalism is also important for the rest of the PPC Members because “Parliamentary business is complex... there are Bills to be scrutinised, Executive policies and decisions to be examined” and “PPCs have to go through technical and legal reports, some of which are beyond the comprehension of many, especially the illiterate Members”<sup>507</sup>. In this regard,

MPs should have minimum literacy to read and pick relevant laws and policies and critically analyse them for informed advocacy with the duty bearers. At the same time, they should be able to come up with some options or recommendations for sections they want repealed or improved. It does not necessarily need someone to be a lawyer, but some advanced form of minimum literacy and qualifications other than just being a registered citizen voter aged more than twenty one.<sup>508</sup>

Educated and professional MPs enable PPCs to produce significant oversight and legislative feedback of relatively higher standards. Even Speakers of Parliaments do not have confidence in instinctive MPs. Quality of PPC debates “are suffering because some of the MPs are uneducated” and “they cannot rise to the occasion given complex Bills and policy issues”<sup>509</sup>. Speaking at a function at one of the state universities in March 2017, the Speaker of Zimbabwe’s Eighth and Ninth Parliaments proposed an amendment to the Constitution of Zimbabwe to make it compulsory for anyone aspiring to be an MP to have some basic education to follow practices in other neighbouring countries such as Zambia. In the Eighth Parliamentary Session, for example, fifty three percent of female Members and twenty percent of male Members only had primary and secondary education as their highest qualifications though it was not determined whether they had made through these levels

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<sup>506</sup> Ultra Elite Interview 12, Harare, 20 May, 2021.

<sup>507</sup> Elite Interview 14, Harare, 10 May, 2021.

<sup>508</sup> Ultra Elite Interview 14, Harare, 8 May, 2021.

<sup>509</sup> Also see “Letter from Africa: Should MPs be sent back to school?” at <https://bbc.co.uk/news/world-africa-47468104> [Accessed 23 December, 2021].

with passes.<sup>510</sup> Without at least five General Certificate of Education (GCE)<sup>511</sup> subjects “MPs *vanotatarika*”, which in English means “they struggle”<sup>512</sup> to express themselves in PPCs and “some do not speak at all”<sup>513</sup>.

The weakest PPCs in Zimbabwe, “which are difficult to mention because of ethical reasons - historically or contemporarily – have or are chaired by MPs who did not or do not have advanced basic education and or relevant professional qualifications or experiences”<sup>514</sup>. But if “a Professor is in charge of a Portfolio Committee, his academic or professional background makes it easy for us in Parliament”<sup>515</sup>.

The question on whether MPs should be educated to be more effective is very old. The Speaker of the Eighth and Ninth Parliaments of Zimbabwe is not the first to be concerned about the inefficiencies of uneducated MPs. Speaker of the Third Parliament, complains Parliamentary debates have become “meaningless”. “I do not think the calibre of Members is very good” because “some MPs are un-witty”. “I wonder if some MPs read newspapers and books, or even discuss with friends before coming to Parliament”<sup>516</sup>. The leader of the government business in the First Parliament of Zimbabwe adds that Parliamentary debates “gradually became sterile, bereft of research or reason”

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<sup>510</sup> See also UNDP (2020).

<sup>511</sup> GCE is a school qualification taken at around the age of sixteen after seven years of primary school and four or six years of secondary school. .

<sup>512</sup> Also see “Letter from Africa: Should MPs be sent back to school?” at <https://bbc.co.uk/news/world-africa-47468104> [Accessed 23 December, 2021].

<sup>513</sup> *Ibid.*

<sup>514</sup> Elite Interview 6, Harare, 19 February, 2022.

<sup>515</sup> See *Chronicle* “Speaker on MPs qualifications” at <https://www.chronicle.co.zw/speaker-on-mps-qualifications/> ; *NewZimbabwe.com* “Lack of capacity among MPs, haunts Parliament” at <https://www.newzimbabwe.com/lack-of-capacity-among-mps-hounds-parliament/> [Accessed 26 November, 2021].

<sup>516</sup> Also see “ Letter from Africa: Should MPs be sent back to school?” at <https://bbc.co.uk/news/world-africa-47468104> [Accessed 23 December, 2021].



which is a matter of concern because “democratic systems are not guests of convenience”<sup>517</sup>.

Reports produced by the Parliament of Zimbabwe such as the Parliamentary Consultative Report of 2001 raise concerns on “incapacity of incoming and inexperienced Members” that need some “capacity strengthening and accompaniment in their legislative, representative and oversight journeys with the Parliament”<sup>518</sup>. What it signifies, “which still applies today, is that almost all first time MPs and councillors elected in Parliament or local authorities” in each election year “do not have much helpful technical capacities, skills and knowledge on their roles and responsibilities”<sup>519</sup>. It is from this basis CSOs have chipped in as experts to assist PPCs to be more efficient. The following sub-section looks at this by analysing the ways CSOs have established their relationship with the House and the character of expertise provided to PPCs.

#### **8.4. Scramble for partnership with Parliament – the character of CSOs’ expertise**

Zimbabwe does not have a formal school for politicians or MPs before or after being elected to Parliament. The House does not have adequate capacity and resources to provide sufficient formal training or initiation process on Parliamentary practices and procedures for MPs though occasional procedural orientation and familiarizations processes could be provided.<sup>520</sup> Even when there is evidence of lack of adequate legislative and oversight capacity amongst Members, especially those coming to Parliament for the first time after an election, the Parliament has not explicitly gone out to outsource the requisite knowledge and skills for the new and illiterate Members. It is the CSOs that have offered themselves to the House and PPCs and volunteered to fill the capacity gaps without “necessarily and entirely imposing themselves and their programmes”<sup>521</sup>. The process involves CSOs liaising with the Parliamentary Program Unit (PPU) to identify PPC projects resonating with

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<sup>517</sup> *Ibid.*

<sup>518</sup> Ultra Elite Interview 15, Harare, 2 November, 2020.

<sup>519</sup> Elite Interview 14, Harare, 10 May, 2021.

<sup>520</sup> Elite Interview 16, Harare, 15 January, 2021.

<sup>521</sup> Elite Interview 4, Harare, 2 December, 2020.

their own plans and strategies. Nevertheless, the PPU also looks for Parliamentary development funds from the CSOs and DFOs using the Parliament's strategic documents "not largely for capacity building of MPs but for implementation of the activities of the House or PPCs"<sup>522</sup>.

There are uncertainties on whether the government is comfortable with the CSOs / DFOs presence in Parliament or their influence in the wider society. As the CSOs and DFOs offer themselves to assist Parliament, the government accuses some of them, especially those supporting good governance and participation, of intending to promote regime change.<sup>523</sup> At the time of writing, the government of Zimbabwe had retrieved, from the legislative dumpsite, the 2004 Private Voluntary Organisation Amendment Bill (PVO Bill), a statutory instrument to regulate the activities of organisations like CSOs and DFOs. The government argues the PVO Bill is primarily intended "to curb financial terrorism and money laundering by some non-profit organisations" as identified by an "inter-governmental organisation, Financial Action Taskforce" which "unearthed [CSOs, DFIs and other PVOs] as conduits of criminal activities in the country"<sup>524</sup>. But the PVO Bill also intends to restrict the work of CSOs and DFOs. It purports to prohibit NGOs from "receiving any foreign funding to carry out activities involving or including good governance" broadly defined as "promotion and protection of human rights and political governance issues"<sup>525</sup>.

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<sup>522</sup> Elite Interview 16, Harare, 15 January, 2021.

<sup>523</sup> It a broad term that means, in this context, the influence of Western governments, through local civil societies in Zimbabwe, to change political laws, institutions or practices in order to make the strong ruling party vulnerable to be changed and replaced by other political parties especially those that subscribe to the same values advocated by the civil societies. Also see Chigora and Ziso (2011).

<sup>524</sup> See also *The Herald* "Zimbabwe: PVO Bill to Curb Terrorism – Govt" at <https://allafrica.com/stories/20220428300.html> [Accessed on 28 April, 2022].

<sup>525</sup> See *Human Rights Watch* "The NGO Bill" at <https://www.hrw.org/legacy/background/africa/zimbabwe/2004/12/3.htm> [Accessed on 28 April, 2022].

Nevertheless, the availability of opportunities for CSOs to fulfil their aims and objectives and at the same time filling capacity gaps in Parliament has seen many jostle to work with the Parliament. In January 2020, about thirteen<sup>526</sup> CSOs approached Parliament and signed a memorandum of understanding (MOU) to “establish an authenticated and lasting relationship with...Parliament”<sup>527</sup>. There could have been some differences amongst the CSOs, but all had similar goals or intentions “to achieve good governance and democracy through Parliament strengthening and inclusive public engagement”<sup>528</sup> even when “our CSOs are differentiated by their thematic focus or areas of interest”<sup>529</sup>. In this regard, the outcomes and impacts of CSOs support for PPCs is not easily attributable to one single CSO though the characteristics of the expertise they provide could be identified and structured as discussed below.

#### ***8.4.1. MPs’ “beginners class” – CSOs orienting new MPs as bedrocks of PPC efficacy***

PPCs capacity needs have influenced ways some CSOs have structured their mandates and objectives to promote good governance. Activities have been programmed and scheduled around PPCs capacity needs taking or complementing government’s role of making Parliament more effective.<sup>530</sup> This view, applying to several CSOs working with PPCs, was clearly articulated during one of the interviews as follows:

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<sup>526</sup>The thirteen CSOs were Women in Politics Support Unit, Advocacy Core Team, Gender and Media Connect, Law Society of Zimbabwe, Zimbabwe Women Lawyers Association, Southern Africa Parliamentary Trust, Zimbabwe Environmental Law Association, Women’s Action Group, Legal Resources Foundation, Friedrich Ebert Stiftung, and Zimbabwe Women’s Resource Centre Network. and Zimbabwe Evaluation Association. Also see “Parl, CSOs in partnership deal” at <https://businesstimes.co.zw/parly-csos-in-partnership-deal/> [Accessed on 23 December, 2021].

<sup>527</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>528</sup> Elite Interview 16, Harare, 15 January, 2021.

<sup>529</sup> Elite Interview 13, Harare, 22 April, 2021.

<sup>530</sup> Focus Group Discussion, Harare, 15 May, 2021.

Several CSOs' programs involving Parliamentary engagement were designed to respond to the Parliament of Zimbabwe's technical and financial challenges as mentioned in the 2001 Parliamentary Consultative Report and elsewhere. The Parliamentary capacity building programs provided by the CSOs educate MPs and the Parliament Secretariat with requisite Parliamentary technical knowledge and skills on basic Parliament subject matters such as legislative interpretation, budget formulation, analysis and oversight.<sup>531</sup>

The capacity needs for PPCs have similarly evolved the work of CSOs. Capacity building of PPCs has crowded out what is normally expected of CSOs in respect of the work with governance institutions such as Parliaments: "to engage the Parliament of Zimbabwe by way of directly demanding constitutional legislation, effective oversight and citizen representation"<sup>532</sup>. Their rights based<sup>533</sup> work with PPCs is a transition from the expectations of the older political generation that CSOs "should be charity organisations to also do what any government should do for its people" such as "taking over government institutions like schools or hospitals and improve them". Traditionally, CSOs are "expected to 'partner' with the government to repair or rehabilitate national infrastructure such as roads and bridges"<sup>534</sup>.

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<sup>531</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>532</sup> Elite Interview 5, Harare, 15 December, 2020.

<sup>533</sup> A rights based approach is a wide concept that, among others, sees development not as charity, but as part of efforts to fulfil rights. Under a human rights based approach, civil society organisations capacitate duty bearers to fulfil their efforts in fulfilling human rights obligations. This initiative has not been a big challenge with the strong ruling parties. The problem and therefore labelling of civil society organisations arise when they apply a consequent tenant of the human rights approach namely supporting and empowering the rights holders to claim their rights from the political duty bearers – and when civil society organisations transform rights holders from being passive recipients of alms to active rights holders capable of demanding their rights from the duty holders. Active communities, groups or individuals that demand human rights in countries ruled by powerful political parties are regarded as proponents of regime change. In fact, a human rights based approach has been seen as a regime change agenda because it exposes government failures thereby awakening citizens to rise against governments not able to fulfil their obligations of providing human rights. Also see Broberg and Sano (2018).

<sup>534</sup> Elite Interview 13, Harare, 22 April, 2021.

Members that participated in orientation workshops provided by CSOs at the beginning of both Eighth and Ninth Parliamentary Sessions brought increased knowledge and skills to their PPCs. One Member provided the following message resonating to what several other MPs also said:

The orientation training [for incoming MPs] removed Parliamentary anxiety from me [and also other Members, especially those coming to Parliament for the first time]. When we were elected to be MPs, most of us were unaware of our roles as Parliamentarians and PPC Members. But capacity building workshops provided by different organisations provided us with basics of PPC operations. They [knowledge and skills gained] enabled us to comfortably start off our oversight, legislative and representative careers. For example, the workshops elaborated the definition of a [Parliamentary] Motion, Bill, Act [of Parliament], Statutory Instrument and many others. They [capacity building workshops] provided knowledge and skills on how to debate in Parliament and PPCs; how to identify constitutional gaps in draft Bills, policies, Acts of Parliament and international conventions - and even how to clothe as a Parliamentarian.<sup>535</sup>

In view of PPCs capacity needs to effectively inform and persuade stakeholders to take up their recommendations, CSOs

Provided us with specific skills on... unpacking and analysis of Bills before they are debated in Parliament, advocacy and lobbying, report writing and presentation... in order to increase Members' skills to engage with the solution holders, especially the Ministers and the other Members of the Executive. This prepared us well for discussions, especially in PPCs where there are relatively more opportunities for Members to speak and contribute.<sup>536</sup>

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<sup>535</sup> Ultra Interview 9, Harare, 17 March, 2021.

<sup>536</sup> Ultra Elite Interview 4, Harare, 3 February, 2021.

The orientation of MPs has also been inclusive of the PPCs support staff such as Clerks so that “they also start on the same frame with the PPCs they serve”<sup>537</sup>. During MPs beginner “classes”, some CSOs provided resources to cover themes on monitoring and evaluation. This “was very important for us as PPCs and PPC Clerks because one of our roles is monitoring policy implementation and budget spending of the Ministries that we shadow”<sup>538</sup>.

Orientation of MPs and providing them with knowledge and skills to appreciate their work is very significant for the House as shown by the time committed and the tradeoffs made. At the beginning of a Parliamentary Session “beginner ‘classes’ for incoming MPs detract time for Parliament and PPCs’ main businesses”<sup>539</sup>. Usually the “first half of a Parliamentary Session – and sometimes the first whole year - is generally devoted to capacitating MPs and councillors to be aware of their responsibilities and citizens’ expectations” and this entails “temporarily shelving of real PPC main business”<sup>540</sup>.

Capacity building is one way of transforming and influencing PPCs – as legitimate and convenient institutions closest to the Executive - to be more charismatic in demanding good governance from the strong ruling party on behalf of citizens perhaps in the same way CSOs could have if they had similar authority and proximity. CSOs’ specific expertise have shaped and steered PPCs efforts to respond to specific narratives and agenda’s of the sponsoring CSOs – and the broader good governance agendas - but also seen as relevant legislative or oversight issues contributing to the national vision. As a result, CSOs support has not been evenly distributed. Not all PPCs have benefited significantly from the expertise except those sharing thematic areas with resourceful and cooperating CSOs. The following subsections show some of the thematic areas CSOs expertise has been significantly availed and how the PPCs sharing similar themes benefited and therefore made more effective.

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<sup>537</sup> Ultra Elite Interview 7, Harare, 18 February, 2021.

<sup>538</sup> Ultra Elite Interview 5, Harare, 11 February, 2021.

<sup>539</sup> Elite Interview 9, Harare, 26 January, 2021.

<sup>540</sup> Elite Interview 9, Harare, 26 January, 2021.

### ***8.4.2. Skills to advocate for the rights of special interests and marginalised groups***

Some CSOs have supported PPCs focusing on what sponsoring institutions see as interests of the poor, disadvantaged and or marginalised groups in society. The following sub-sections analyse how CSOs have provided expertise to PPCs or even individual MPs to advocate for the rights of special interest groups particularly for people living with disabilities (PWDs) and women.

#### ***8.4.2.1. Creating disability champions – MPs and PPCs for PWDs***

One approach used by CSOs has been choosing individual, level headed MPs within PPCs not easily swayed by partisan interest to train them on some special skills and knowledge so as to influence the rest of PPC Members to discuss and pursue policy questions related to the CSOs interests.<sup>541</sup> In this regard, CSOs working on the rights for PWDs selected a few articulate PPC Members from relevant PPCs to train them to become “disability champions”<sup>542</sup>. The CSOs provided them with skills and knowledge to articulate the rights of PWDs and to demand for inclusive disability policy in both plenary Parliament and PPCs. This worked well because by “speaking assertively about PWDs unequal access to health, education, employment and well being in PPCs” - and by “committing some technical and financial support” the relevant Ministry “was touched by the plight of the PWDs”<sup>543</sup>.

After also being “motivated by the availability of technical and financial resources, the relevant Ministry responded to the PWDs concerns by formulating a National Disability Policy launched in June 2021”<sup>544</sup>. This shows that CSOs have been important in alerting and capacitating PPCs on special groups’ rights and interests not easy to articulate – “and more so to be

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<sup>541</sup> Ultra Elite Interview 5, Harare, 11 February, 2021.

<sup>542</sup> Ultra Elite Interview 4, Harare, 3 February, 2021.

<sup>543</sup> Elite Interview 12, Harare, 16 March, 2021.

<sup>544</sup> Elite Interview 3, Harare, 15 December, 2020. Also see also Government of Zimbabwe (2021: 8).

considered or taken up for discussion by PPCs as most MPs are able bodied and not directly affected by PWDs' marginalisation"<sup>545</sup>.

#### *8.4.2.2. Skills for female MPs to circumvent male parliamentary bigotry for maximum PPC contributions*

Given the "patriarchal system that follows women even in Parliament" some CSOs, - "recognising female Parliamentarians as marginalised groups" - provided female MPs with knowledge and skills to "confidently articulate and at the same time resist sexual marginalisation in the House and in PPCs to maximise their potentials in oversight and legislative contributions"<sup>546</sup>. Increased were their abilities to counter some of the clumsy mortifications female Parliamentarian is subjected to by the male counterpart.<sup>547</sup> Female PPC Chairpersons - and fellow female MPs - "are dehumanised before they speak" - and in the process, "their PPC leadership or presentations are dehumanised too"<sup>548</sup>. Common were "hisses, whistles and psssy psssys made as female Parliamentarians stood up to walk to the podium to make their contributions"<sup>549</sup>. Male MPs' gratification of female MPs' body parts such as "face, breasts, buttocks, legs, hips or "curves" is very common in Parliament". Other randomly shouted heckles or jeers on female MPs abound: "prostitute, whore sit down, you cannot tell us anything"; "you are a husband snatcher - you take other people's husbands...sit down"; "pull up your falling skirts before you start talking to us..." "You 'make up' is funny... you look like a witch"<sup>550</sup>.

To be more effective and assertive in a male dominated legislature where gender based violence is covered by Parliamentary Privileges and Immunities, CSOs trained female PPC Chairpersons to resist being pulled down by male Members' chauvinism, especially when leading PPC discussions, presenting

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<sup>545</sup> Focus Group Discussion, Harare, 12 June, 2021.

<sup>546</sup> Ultra Elite Interview 13, Harare, 4 March, 2021.

<sup>547</sup> Elite Interview 13, Harare, 14 March, 2021.

<sup>548</sup> Ultra Elite Interview 15, Harare, 2 November, 2021.

<sup>549</sup> Ultra Elite Interview 10, Harare, 1 March, 2021.

<sup>550</sup> Elite Interview 13, Harare, 14 March, 2021.



reports or submitting questions to the House. Their interactions with CSOs produced strategies to insulate and defend themselves from Parliamentary bullying. One “is to dress well like a female Parliamentarian to generate more confidence to offset stage and discrimination anxieties”<sup>551</sup>. The other has been creation of “male gender champions<sup>552</sup> in Parliament” to “reprimand and restrain female Parliamentary abusers”; to encourage “some positivity to female contributions such as appreciating PPC reports led by female Chairpersons”; to “encourage female MPs to take up leadership in Parliamentary processes” and to “give female Members constructive criticism or feedback”<sup>553</sup>.

Interactions of female Parliamentarians with CSOs also suggested some form of “Parliamentary retributive justice” involving “shouting back to abusive comments in order to regain some confidence, especially if something really bad is shouted at you [female Chairperson of a PPC] as you rise to make an important report in Parliament or PPCs”<sup>554</sup>. The Parliamentary retribution became sophisticated because “some of what was ‘shouted back’ to some known perennial female MP abusers made them a bit more composed and respectful because it was something they had done or committed in real life and exposed to the public by the media”<sup>555</sup>. The following ‘truths’ for example, were ‘shouted back’ to some known Parliamentary bullies by capacitated female MPs: “give me time to speak, you don’t deserve to silence me because you were recently caught committing adultery”; “you are a male prostitute and you don’t have dignity to stop me from speaking in this Parliament”; “you do not have any justification to shout at me like that because you are corrupt, you have stolen state resources”<sup>556</sup>. These strategies where female PPC Chairpersons and other ordinary female MPs have used to overcome male

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<sup>551</sup> Ultra Elite Interview 8, Harare, 20 February, 2021.

<sup>552</sup> Groups of male MPs committed to restore and protect the dignity of female MPs and giving them all the support they need in the House to utilise and fulfil their potentials as female MPs.

<sup>553</sup> Ultra Elite Interview 13, Harare, 4 March, 2021.

<sup>554</sup> Ultra Elite Interview 12, Harare, 21 May, 2021.

<sup>555</sup> Ultra Elite Interview 13, Harare, 14 March, 2021.

<sup>556</sup> Ultra Elite Interview 10, Harare, 1 March, 2021.

MPs egos to create comfortable spaces for effective and persuasive eloquence in both PPCs and the House could not have been possible without some facilitation from gender based CSOs.

#### ***8.4.3. Increasing PPCs understanding and awareness on pertinent oversight and scrutiny issues***

MPs capacity to contribute, debate or raise motion in the House or PPCs is often limited by lack of understanding of pertinent issues to oversight and the narratives, words or phrases used not only in legislative and oversight processes, but also commonly used in the Ministries they shadow. CSOs have assisted PPCs with technical capacities to understand content, substance, concepts and vocabularies relating to specific critical themes within the precepts of their focus areas. Some CSOs collaborated with the relevant PPCs for example, to unpack important themes associated with national development such as “corruption, debt and development, budget monitoring, illicit mineral flows and mining taxation” so that “they [PPC Members] are able to ask the Ministers and government bureaucrats informed questions”<sup>557</sup>.

Such interaction and information sharing processes with CSOs provide PPCs with some leads to identify critical policy, legislative and oversight questions and the necessary government accountability. An example is given of the benefits a PPC obtained after participating in several workshops organised by CSOs focusing on good governance of mineral resources which

Enabled the PPCs to have a critical reflection on how the nation is benefiting from the abundant national resources that we [Zimbabweans] have. The main workshop themes included mines and mining development, extractive resources and national resources transparency and accountability. In addition, words such as “accountability”, “transparency” “good governance” were unpacked and explained. This gave the PPC some confidence to search for some clarities and accountabilities from the government on how big organisations were being awarded mining tenders and paying their taxes. This [capacity building workshop] also empowered us [the PPC] to search on

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<sup>557</sup> Elite Interview 14, Harare, 10 May, 2021.

whether the mining companies involved in extracting Zimbabwe's minerals were conforming to their corporate social responsibilities and environmental management laws.<sup>558</sup>

Similarly, PPCs have been enabled to improve their persuasive power through an increased understanding of the connection between policies and the real life situations. CSOs have provided PPCs with learning and observational experiences involving, for example, appreciation and educational tours to relevant places to obtain some visual and experiential evidence.

The CSOs took us to some of the mines and mining areas to experience realities not only by meeting with the mine owners, workers and communities, but also to witness the extent of environmental degradation caused by the extractive industries. The workshop and the field visits gave our PPC some operational basis. They informed the context of our consequent engagement with the stakeholders and some form of courage and bravery to summon high profile bureaucrats from the government and mines and mineral sector<sup>559</sup>. It has been an iterative process because when we get stuck in the technicalities, we invite again the specialised CSOs to assist us move forward.<sup>560</sup>

CSOs facilitation of site learning visits to mining areas, for example, did not only provide PPCs with a picture of what really happens on the ground for extrapolation with what is written in law. They also motivated them to ask questions on how the nation was benefiting from its mineral endowments as matters of accountability and transparency. This further challenged the PPC to

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<sup>558</sup> Ultra Elite Interview 3, Harare, 18 February, 2021.

<sup>559</sup> One PPC for example summoned former President to appear before it on 9 May 2018 to give more information on how the US\$15 billion of money obtained from mining diamonds was looted out of the country as he said in 2016 during his birthday celebration as the President of Zimbabwe. The same PPC also summoned former Vice-President to also appear before it to explain her links with diamond mining in Zimbabwe. Though both never appeared before the PPC because of PPCs' inadequate summoning power, its courage and enthusiasm to summon such high profile figures [no one is above the law] partly came from the capacities they obtained from CSOs.

<sup>560</sup> Ultra Elite Interview 14, Harare, 8 May, 2021.

also demand mining contracts the Executive signed with the local and international companies mining in Zimbabwe.

The opportunities to experience the real life situation provided by the CSOs also helped PPCs to develop an understanding of how government policies and their budgets co-relates to realities. They helped PPCs unpack, demystify and analyse high level, sometimes idealistic government policies, legislative statements and budgetary allocations and their impact on policy implementers and beneficiaries. Put differently, CSOs assist PPCs to reflect on possible outcomes of government actions during and after policy implementation before the Parliament or respective Ministries make final decisions.<sup>561</sup> A PPC Chairperson shared an experience applicable to others:

Our hearts and minds were opened and our understanding was deepened when a CSO helped our PPC to understand the Marriage Bill [of 2019]. The most controversial part of the Bill beyond adequate comprehension of the PPC was Section 40 that introduced “civil partnerships”. This was explained as a relationship between a man and woman above eighteen years who are not related in a relationship as a couple and living together on a genuine domestic basis. Explanations were needed on whether civil partnerships were different from cohabiting and implications on moral values; how civil partnerships were going to co-exist with already existing recognised marriages and the anxiety of those already in such marriages who feared civil partnerships would disturb or destabilise their marriages...and a whole lot of other questions. The CSO did not only help in unpacking the legal intricacies of the Bill, but also helped to inform on how best the PPC could handle the eminent controversies and potential conflicts the Bill posed. The CSO expertise empowered the PPC to be able to explain the contents of the Bill to the public hearings which enabled participants to speak out and contribute from an informed perspective.<sup>562</sup>

Further than enabling PPCs to connect policies to reality to financing, the experiences and interactions facilitated by CSOs enable PPCs to also

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<sup>561</sup> Elite Interview 13, Harare, 22 April, 2021.

<sup>562</sup> Ultra Elite Interview 13, Harare, 4 March, 2021.

empathise with realities on the ground giving them some positive emotions and inspiration for faithful and sincere advocacy. A PPC Chairperson explained how interactions with relevant sectors empowered their Committee to speak with confidence during a discussion on draft annual budget for the Ministry shadowed:

Following a stakeholder engagement and information sharing meeting organised by some CSOs in 2020, we [PPC] got a detailed understanding of the concerns and challenges faced by the teaching and administrative staff from Zimbabwe's institutions of higher education. Lecturers shared their appalling conditions of service, including poor remunerations. Students complained about absconding teaching staff despite having paid their high university fees. The effects were discussed: poor 'experts' as undereducated students produced by the universities would not be very useful to the nation's labour market demands; flight of experienced lecturers to neighbouring countries for greener pastures<sup>563</sup>. When the Ministry [shadowed by the PPC] tabled their draft annual budget before the PPC for scrutiny, the Members - motivated by the experience - advocated for a lecturers' remuneration and benefits budget line resonating to regional standards. As a result, the responsible Minister raised the budget<sup>564</sup> to cater for competitive remunerations and conditions for Zimbabwe's lecturers and tutors. If it was not for the physical, interactive engagement with the sector as a result of the initiatives of the two CSOs, the PPC could not have obtained the spirit, antagonism and tangible evidence to persuade the Minister.<sup>565</sup>

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<sup>563</sup> For example, about fifteen senior lecturers left the University of Zimbabwe for greener pastures in the second quarter of 2021. In the last quarter of 2021, some twenty-one senior lecturers, most of them being Professors and PhD holders also left Chinhoyi University Technology for greener pastures. See "Senior Lecturers leave UZ over poor salaries"; "New wave of brain drain as 21 Professors leave CUT" at <https://www.zimetro.co.zw/senior-lecturers-quit-uz-over-poor-salaries/>; <https://mbaretimes.com/2021/10/new-wave-of-brain> [Accessed on 1 January 2022].

<sup>564</sup> The salaries were indeed raised. During a graduation ceremony held at one of the state universities, the Vice-Chancellor said the university was "grateful to the government for salary adjustments effected during the course of the year [2021] though "several academic and support staff had already bolted away". See "New wave of brain drain as 21 Professors leave CUT" at <https://mbaretimes.com/2021/10/new-wave-of-brain> [Accessed on 1 January, 2022]

<sup>565</sup> Elite Interview 1, Harare, 27 October, 2020.

CSOs' expertise in providing advice and accompaniment for PPCs to advocate on the basis of real life experiences of the beneficiaries of government policies have extended to community mobilisation for participation in legislative and oversight processes. The following sub-section illustrates how the CSOs have been very useful experts in this regard.

#### *8.4.3.5. Building bridges between PPCs and citizens*

PPCs' power to consult the public has largely been made successful by CSOs that have performed a bridging role between participating communities and PPCs. Largely based in urban areas - and consisting of different MPs representing different constituencies across the country changing after every five years - PPCs are too remote to and hardly known by the communities they are supposed to consult. Yet CSOs have a more permanent community presence with significant understanding of societal dynamics. PPCs have relied on CSOs to mobilize communities for public hearing processes also because they have established community networks breaking communication barriers and stigma. This is "interesting because as a matter of trust" some communities "have confided to their local CSOs and only participate in public hearing meetings organised by PPCs if they are persuaded to do so by the CSOs"<sup>566</sup>.

Some Zimbabwean citizens have actively engaged with the PPCs' public hearings from a factual and evidence based position because of prior CSOs accompaniment. Before PPCs take Bills or draft policies to communities for public hearings, CSOs "provide communities with more information on the Bills and policies the PPCs would bring to the communities". They "organise pre-public hearing community discussions" not only to help communities have some understanding on what the PPCs would be bringing. But to also "assist participating communities have consensus or agreements to some common position usually the same position of the CSOs" and "the main speakers or presenters for the public hearings [also trained to be] articulate

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<sup>566</sup> Focus Group Discussion, Harare, 15 May, 2021.

enough to convince and persuade”<sup>567</sup>. In this process, PPCs have managed to strategically enter communities to engage informed citizens that speak out with confidence during public hearing processes. This connection has been helpful because

PPCs do not have community structures. Citizens’ mobilisation for participating in PPCs’ public hearings is usually done by CSOs because they stay in the communities. What PPCs do is to write public hearing invitations some of which they give to CSOs for community mobilisation. This has quite helped the work of PPCs as CSOs have been very cooperating in providing their expertise in community mobilisation.<sup>568</sup>

With ongoing community presence, CSOs are primary data banks. They have been able to generate primary information PPCs have used as evidence in their policy and legislative advocacy. Due to their lack of community presence, PPCs do not have adequate capacity to generate primary data to support their legislative and oversight arguments. Yet PPCs successes also depend highly on their ability to identify, articulate and submit policy and legislative issues to the responsible authorities supported by tangible evidence.<sup>569</sup> Being community residence has enabled CSOs to establish rapport with community members because “they live with the people”<sup>570</sup>. They have managed to “empathise with them [communities], listened to and documented their stories, carried out more researches and generated original information which also captures community feelings and imaginations for oversight and legislative liaisons”<sup>571</sup>.

As a result – and also in line with their programming requirements - CSOs carry regular community researches in their thematic areas on pertinent issues and present their findings not only to their funders, but also to PPCs.

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<sup>567</sup> Focus Group Discussion, Harare, 15 May, 2021.

<sup>568</sup> Elite Interview 4, Harare, 2 December, 2020.

<sup>569</sup> Elite Interview 2, Harare, 29 October, 2020.

<sup>570</sup> Focus Group Discussion, Harare, 15 May, 2021.

<sup>571</sup> Elite Interview 6, Harare, 19 February, 2021.

For CSOs, PPCs “have also become the repositories and consumers of their field work outcomes”<sup>572</sup>. The

...richness of knowledge, information and evidence presented by CSOs to the Parliament and PPCs to assert the situation on the ground compel us as PPCs and even the plenary Parliamentarians to humble ourselves and warm up to the support from CSOs. With them [CSOs], our submissions to the Executive and our oversight roles become evidence based and therefore stronger.<sup>573</sup>

It can be further stated the involvement of CSOs in “politics”, and in particular, by providing PPCs with some expertise skills, knowledge and information has been important in stabilising political polarisation in governance processes. Their influence on PPCs’ work has been important in establishing some diversity in both the House and PPCs. In the course of Parliamentary Sessions, MPs gradually become more casual. When this happens, the opposition and the ruling party would begin to think almost along the same lines ultimately leading to occasional ideological convergence to pass motions, even if unpopular.

A historical situation occurred when both the opposition and ruling political party MPs overwhelmingly voted for two momentous amendments to the Constitution of Zimbabwe discussed in the previous Chapter even when citizens had rejected the amendments during the public hearings.<sup>574</sup> This means there is sometimes “little diversity in Parliament which compromises oversight”.<sup>575</sup> CSOs involved with both the House and PPCs bring the alternative and diversity lacking in African Parliaments especially after opposition Parliamentary fatigue to objectively oversight and scrutinise. More fundamentally, CSOs have provided some capacities to PPCs to study

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<sup>572</sup> Elite Interview 14, Harare, 10 May, 2021.

<sup>573</sup> Elite Interview 7, Harare, 13 January, 2020.

<sup>574</sup> For example seventy Senators voted ‘Yes’ to the Constitutional Amendment Bill No. 2 and only one voted ‘No’ whilst 191 Parliamentarians voted ‘Yes’. Also see <http://www.veritas.net> [Accessed on 7 January, 2022].

<sup>575</sup> Elite Interview 13, Harare, 22 April, 2021.



and analyse Bills and policies before they are tabled in the House. The following sub-section looks at how CSOs have enabled PPCs to question existing and potential laws and policies undermining citizens' constitutional rights.

#### *8.4.3.4. PPCs expertise to use evidence to formulate and analyse Bills or policies*

PPCs and CSO engagements and experiences have revealed, to both, some legislative gaps they have cooperated to address to enforce more accountability. This has included “the need of a Whistle Blower Protection Bill to encourage people to come up with information on corruption and exploitation of national resources” - an initiative [of drafting Whistle Blower Protection Bill] that “has already been taken by the responsible PPC”<sup>576</sup>. Further, these experiences have provoked alternative ways of holding the state and its bureaucracy to account. One initiative involved tracing national booty where CSOs empowered PPCs to push for “real wealth audit amongst high profile figures such as MPs and Cabinet Ministers through assets declaration as demanded by Section 198 of the Constitution of Zimbabwe<sup>577</sup>”<sup>578</sup>. As a result, an Asset Declaration Register indicating the assets MPs should declare was approved by the House in 2016 and by March 2020,

244 members of the National Assembly which represents 90.3% have declared their assets and 26 Members have not declared their assets. In the

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<sup>576</sup> Elite Interview 11, Harare, 15 March, 2021.

<sup>577</sup> The MPs, among others, should declare assets such as land in and outside Zimbabwe, buildings, movable assets, financial assets and jewellery worth more than US\$25000. But only some of the information submitted will be accessible, some of it is “confidential and can only be made public with the Speaker of the National Assembly and the President of the Senate. So those who want that information will have to apply”. See also *The Herald* “MPs to declare assets” at <https://www.herald.co.zw/mps-to-declare-assets/> [Accessed on 6 January, 2022].

<sup>578</sup> Elite Interview 11, Harare, 15 March, 2021.

Senate, 73 Senators representing 91.25% have declared their assets. The figures are inclusive of Honourable Ministers and all back benchers.<sup>579</sup>

Beyond CSOs, PPCs have also benefited from expert advice, ideas and experiences from individuals or institutions which they have been able to put together to create laws and policies. “In fact, citizens, especially experts’ views, are indispensable in PPCs work ... I mean; they cannot function without methodological ideas from the specialised public.”<sup>580</sup> This is why, for example, the Centre for Education, Innovation, Research and Development Bill which became an Act in 2021, PPCs sought ideas and input from “universities, teachers’ colleges, polytechnics, industrial training colleges, vocational training centres and research and innovation institutions in the country.”<sup>581</sup> The “expert responses were noted and we [PPC] included them in our report of public hearing tabled before Parliament”<sup>582</sup>.

Bills formulated with most of its information obtained from experts do not find difficulties in passing through Parliament because they do not usually focus on political power dynamics. A PPC was successful in bringing about the Centre for Education, Innovation, Research and Development Act largely because it lacked explicit interference with the powers of the ruling party and resonated more to the intentions of Zimbabwe’s 2030 National Vision:

The Bill [Centre for Education, Innovation, Research and Development] promotes the national vision for Zimbabwe to become

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<sup>579</sup> See *New Zimbabwe.com* “90% Zim Mps, Ministers Declare Assets – Speaker” at <https://www.newzimbabwe.com/90-ministers-mps-have-declared-personal-assets/> [Accessed on 6 January, 2022].

<sup>580</sup> Ultra Elite Interview 1, Harare, 6 October 2, 2020.

<sup>581</sup> Also see “Innovation Bill aims to coordinate research efforts” at <https://www.universityworldnews.com/post.php?story=20210606201932697> [Accessed on 7 November, 2021].

<sup>582</sup> Parliamentary Portfolio Committee Chairperson quoted in “Innovation Bill aims to coordinate research efforts” at <https://www.universityworldnews.com/post.php?story=20210606201932697> [Accessed 7 November, 2021].

an upper middle income economy by 2030. The Bill also seeks to ensure that Zimbabwe's education, Innovation, Research and Development is translated into industry that provides jobs and opportunities through the exploitation of natural resources. To achieve this, the Bill establishes the administrative framework for the promotion of Innovation and Industrialization.<sup>583</sup>

"There were no arguments in Parliament and even the President did not hesitate to sign because the information that made up the Bill", and consequently "the Act, was produced and seconded by highly qualified, *apolitical* men and women – skills many do not possess."<sup>584</sup> Without the views from such "dedicated and qualified experts, I want to tell you it could not have been possible for the PPC and even the Parliament and the Ministry to produce a Bill and therefore an Act harmonising almost all the technological and scientific interests of the nation."<sup>585</sup>

Some of CSOs' engagements with PPCs have been influenced by external thrust to focus on certain governance narratives. The "consistent, but polite push for better governance partly through advocacy and partly through empowering PPCs has had more traction and authority because of resonance to regional and continental governance narratives" also challenging Parliaments and PPCs to promote good governance - and "to take action against adverse governance practices such as corruption and abuse of state resources"<sup>586</sup>. Several CSOs initiatives with the House and PPCs "are part of regional Parliamentary advocacy against corruption"<sup>587</sup>.

As such, CSOs good governance intentions are also executed by and hinged on the aims and objectives of the continental institution called The African

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<sup>583</sup> See Parliament of Zimbabwe on <https://parlzim.gov.zw/23-feb-centre-for-education-innovation-research-and-development-bill-2020/> [Accessed on 4 December, 2021]

<sup>584</sup> Elite Interview 1, Harare, 27 October, 2022.

<sup>585</sup> Ultra Elite Interview 15, Harare, 2 November, 2022.

<sup>586</sup> Elite Interview 11, Harare, 15 March, 2021.

<sup>587</sup> Elite Interview 14, Harare, 10 May, 2021.

Parliamentarians' Network Against Corruption (APNAC)"<sup>588</sup> that exist to, among others, "build the commitment and capacity of Parliaments to play an accountability and transparency role particularly pertaining to matters of government spending"<sup>589</sup>. These are not exclusively foreign ideas or intentions though there could be differences in determining pertinent PPCs priority issues or the strategies CSOs use in providing their expertise. In this regard, CSOs' pursuit of good governance through PPCs should not be seen as out of context or as indirectly promoting regime change or foreign ideas. "Good Governance" is a national priority justified by Section 9 of the Constitution of Zimbabwe where

The State must adopt and implement policies and legislation to develop efficiency, competence, accountability, transparency, personal integrity and financial probity in all institutions and agencies of government at every level and in every public institution...<sup>590</sup>

Perhaps it is also the same intentions to pursue the national and universal good governance agenda that have also motivated some organisations to provide financial support to the Parliament in general and PPCs and CSOs in particular. A detailed discussion on this follows below.

### **8.5. From rubber stamping to decisive repudiation: Donors in Parliamentary Portfolio Committees**

Unlike the Parliament of Kenya, the Parliament of Zimbabwe is inadequately funded. In a period of five years, Zimbabwe treasury cumulatively reduced Parliament's allocation. In 2017 and 2018, treasury allocated the Parliament of Zimbabwe US\$240 million.<sup>591</sup> In 2019, treasury reduced the budget by

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<sup>588</sup> Elite Interview 14, Harare, 10 May, 2021.

<sup>589</sup> [https://apnacafrika.org/en\\_US/](https://apnacafrika.org/en_US/) [Accessed on 7 February, 2022].

<sup>590</sup> See Section 9 of the *Constitution of Zimbabwe Amendment (No. 20) Act 2013*.

<sup>591</sup> See *Zimbabwe Ministry of Finance and Economic Development* at [www.zimtreasury.gov.zw](http://www.zimtreasury.gov.zw)  
[file:///C:/Users/Guest/Downloads/2017\\_Estimates\\_of\\_Expenditure.pdf](file:///C:/Users/Guest/Downloads/2017_Estimates_of_Expenditure.pdf);  
[file:///C:/Users/Guest/Downloads/2018\\_Estimates%20of%20Expenditures.pdf](file:///C:/Users/Guest/Downloads/2018_Estimates%20of%20Expenditures.pdf) [Accessed on 27 December, 2021].

more than half to above US\$101 million.<sup>592</sup> In 2020, the allocation slightly increased to US\$120 million before being reduced by 20% in 2021 to US\$89 million.<sup>593</sup> The inadequate funding of the Parliament of Zimbabwe largely compromise the work of PPCs as the scarce resources are largely spent on essential needs, especially current expenditure – salaries or allowances - and few outreach activities seen as very critical. PPCs are left

With little or no resources not only to capacitate themselves, but also to carry out activities that enhance their work such as evidence gathering, conducting researches, fact finding missions and public consultations, among others. Such PPCs' activities are important in generating information to substantiate their legislative and oversight submissions.<sup>594</sup>

Donors, also known as development funding organisations (DFOs) or development cooperating partners (DCPs)<sup>595</sup> have provided financial resources for PPCs' strengthening. However, they have occasionally clashed with CSOs as some have combined the provision of funds with some technical capacities for PPCs. The House itself has lauded DFOs for their role because

Given the well documented budgetary constraints that our country is currently saddled with, it is trite to mention that a strong Parliament, which is a palpable sign of a healthy democracy, will require all the financial and

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<sup>592</sup> See *Zimbabwe Ministry of Finance and Economic Development* at [www.zimtreasury.gov.zw](http://www.zimtreasury.gov.zw) [file:///C:/Users/Guest/Downloads/2019\\_National\\_Budget\\_Highlights.pdf](file:///C:/Users/Guest/Downloads/2019_National_Budget_Highlights.pdf) [Accessed 28 December, 2021]

<sup>593</sup> *Ibid.*

<sup>594</sup> Elite Interview 16, 15 January, 2021.

<sup>595</sup> Though being used, the term has become unpopular because it connotes some form of generous, unaccounted giving without due care of the credibility and suitability of organisations or institutions that receive and use the funds given. Though it has not yet been popular and documented in literature, the most “appropriate” term, as “donors” themselves suggested is development / cooperating funding partners or organisations.

technical support that it can muster to effectively fulfil its legislative, representative and oversight roles.<sup>596</sup>

DFOs have been funding “almost sixty percent of the work of Zimbabwe’s PPCs to enable them to effectively execute their activities”<sup>597</sup>. Some of the biggest DFOs provided US\$5.3 million between 2015 and 2019 to enable the Parliament of Zimbabwe [and the Auditor General<sup>598</sup>] to “improve their oversight, legislative and representative roles that encourage public involvement and gender equality”<sup>599</sup>. The funding made PPCs more effective in several ways.

#### **8.5.1. Resourcing PPCs to go out to consult and gather evidence**

PPCs’ work cannot be easily fulfilled without some tangible evidence to use to convince policy makers or government bureaucrats to reflect on their decisions and actions. Several oversight and legislative achievements by the Parliament through PPCs “between 2015 and 2020 could not have been possible without financial support from the DFOs”. In particular, “it is difficult to understand how the Parliament of Zimbabwe and its Committees could have managed to engage in evidence based oversight and legislative work without the support of the DFOs”<sup>600</sup>. DFOs support became sophisticated as

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<sup>596</sup> See also *Business Times* “Parl, CSOs in partnership deal” at <https://businesstimes.co.zw/parly-csos-in-partnership-deal/> [Accessed on 23 December, 2021].

<sup>597</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>598</sup> The support to also increase the capacity of the Auditor General was strategic in that after auditing accounts, financial systems, institutions and agencies of government as stated on Section 309 of the Constitution of Zimbabwe, the report would be submitted to an equally capacitated Parliament and its PPCs to raise an accountability issues that the Auditor General’s report would raise.

<sup>599</sup> Also see

<https://www.zw.undp.org/content/zimbabwe/en/home/presscenter/pressreleases/2015/05/08/new-capacity-building-programme-for-parliament-and-office-of-the-auditor-general-launched.html>;  
<https://info.undp.org/docs/pdc/Documents/ZWE/PSP%20Donor%20Narrative%20Report%202015%20-2019.pdf> [Accessed 27 December, 2021].

<sup>600</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

they provided both funding and assisted the Parliament – in a way of duplicating what CSOs also do - to outsource technical expertise to help capacitate PPCs.

DFOs strengthen PPCs evidence based oversight roles. They enabled them “to travel outside the Parliament building to carry out fact finding and investigation missions in government institutions, public hearings in different communities and assessment of government institutions such as hospitals, primary and secondary school premises”<sup>601</sup>. As a result, “debates and reports in PPCs were made from informed perspectives with factual and tangible evidence in pursuit of oversight concerns”<sup>602</sup>.

The budgetary support for the Parliament of Zimbabwe also resonated largely with the intentions of the Constitution of Zimbabwe to involve citizens in legislative, oversight and policy making processes. Part of the resources enabled PPCs to conduct public hearings on a significant number of Bills in all the provinces of Zimbabwe. This made citizens more significant in law making processes. In 2016 and 2017, DFOs supported PPCs to travel to different parts of the country to conduct, for the first time in Zimbabwe’s legislative history, seventy-nine and twenty seven public hearings respectively giving citizens some opportunities to participate.<sup>603</sup>

DFOs support for PPCs has been consistent, especially in supporting public participation in budget processes. Since 2015, and through PPCs, all national budget drafts “were subjected to pre-budget public consultations and hearings throughout Zimbabwe”<sup>604</sup>. Inputs from the public consultations toughened PPCs’ reports and recommendations on what citizens wanted prioritised in the national budget for considerations in the House. As a way of following to these

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<sup>601</sup> Elite Interview 16, Harare, 15 January, 2021.

<sup>602</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>603</sup> Ultra Elite Interview 1, Harare, 6 October, 2020. Also see UNDP (2019).

<sup>604</sup> Elite Interview 16, Harare, 15 January, 2020.

processes, DFOs “also assisted PPCs to gain skills to monitor budgets of the Ministers they shadow as discussed in the following sub-section”<sup>605</sup>.

### **8.5.2. PPCs support to monitor budget implementation**

Further to enabling citizens to participate in national budget consultations in order to provide PPCs with some evidence based budget bargaining power for the Ministries they shadow, DFOs have provided PPCs with consequent knowledge and skills to monitor and evaluate national and Ministerial budgets. Through some discussions circles or workshops, DFOs’ technical departments

Provided us [PPCs] with the technical and analytical skills to ask critical budgetary questions: Are budget allocations fine? What should be prioritised? Why are some budget allocations bigger than others? Where is the money going? Why are services and goods provided by foreign investors more expensive than those made by local companies? What would be the implications on jobs or expansion?<sup>606</sup>

DFOs workshops have helped PPCs to continuously monitor respective Ministers making sure they present and share the ‘right’ financial information - and whether national budgets respond to expected budget priorities. Members were often reminded, through engagements with DFOs, to “ask Ministers to allocate resources to national priorities such as water, health or education which national budgets usually undermine in favour of huge defence and state security budgets”<sup>607</sup>. Consequently, “39 Statutory [budget implementation] reports<sup>608</sup> were received by the Executive in 2017 from a baseline of zero in 2014”<sup>609</sup>. There has not been any consistency though since the figure of statutory reports presented by PPCs to the House fell to only five

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<sup>605</sup> Elite Interview 4, Harare, 2 December, 2020.

<sup>606</sup> Ultra Elite Interview 3, Harare, 18 February, 2021.

<sup>607</sup> Elite Interview 13, Harare, 22 April, 2021.

<sup>608</sup> These are budgetary or government policy implementation reports produced by respective ministries, scrutinised by relevant PPCs and tabled before the House by the responsible Minister.

<sup>609</sup> Also see UNDP (2019:16).



out of a possible eighty four reports in 2018. This happened partly because of clandestine resistance by the extreme ruling party Members:

There is a feeling amongst the conservative [strong] ruling party Members that perhaps donors [DFOs] want to use their financial advantages to promote regime change by exposing abuse of funds in different Ministries. There is also a feeling amongst the ruling party members that DFOs are advocating for more prosecuting Parliamentary reforms and transformation to control and detect the oversight and legislative pace of Parliament. They [DFOs] are accused of trying to limit and shrink [the ruling] Executive space to really do what it wants with the national resources without necessarily facing tough questions from Parliament. It seems to be an old argument of sovereignty and self determination the Executive uses, though covertly, to sabotage such important governance processes supported by DFOs.<sup>610</sup>

A particular point of reference in monitoring allocation and use of national budget has been the support DFOs give PPCs “to analyse and understanding post audit reports, especially those produced by the Auditor General”<sup>611</sup>. The DFOs – and also other CSOs – have provided PPCs with expertise to analyse and understand Auditor General’s reports. This “included tracing the amount of funds a government institution received from treasury, how the funds were used as evidenced by the receipts or documentation and whether constitutional tender procedures were followed in procurement”<sup>612</sup>. The increased understanding of the Auditor General’s Report has enabled PPCs to pick up instances where government institutions misappropriated state funds and resources. PPCs “produced reports on misappropriation of state funds as informed by Auditor General’s reports and submitted them to the House for considerations and action”<sup>613</sup>. At the same time, the DFOs have assisted PPCs to develop and improve Bills and laws safeguarding good governance and democracy - and capacity to reject those that undermine good governance. Discussed below are DFOs roles in this regard.

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<sup>610</sup> Elite Interview 16, Harare, 15 January, 2021.

<sup>611</sup> Elite Interview 5, Harare, 15 December, 2020.

<sup>612</sup> Elite Interview 5, Harare, 15 December, 2020.

<sup>613</sup> Ultra Elite Interview 11, Harare, 26 January, 2021.

### **8.5.3. Increased PPC capacities to scrutinise policies and Bills**

Demand for good governance from the responsible authorities also depends on available frameworks; tools or instruments oversight institutions like Parliaments use to hold the state to account. DFOs have assisted PPCs with “important knowledge and skills to analyse Bills not only within the context of the Constitution of Zimbabwe” but also in “the political, social and economic context to determine whether they are really necessary”. If “you [the researcher] look at the trend of Bills, especially number of adverse reports produced for the Bills that were not in conformity with the Constitution” in the Eighth and Ninth Parliament, “you [the researcher] will be satisfied to conclude there is no longer a rubber stamping approach to Bills” partly because of the “increased Bill analysis skills and knowledge which we constantly receive from DFOs and CSOs”<sup>614</sup>.

The availability of monetary resources from DFOs has enabled PPCs to participate in short courses facilitated by DFOs technical experts to gain knowledge and skills to analyse and scrutinise Bills. With citizens’ input as “ammunition” PPCs increased their capacity to identify weaknesses and gaps in Bills; determine their constitutionality and to make some consequential recommendations. PPCs worked together for example, to produce “more adverse reports condemning unconstitutional sections in some of the Bills tabled by the Executive – and sometimes condemning them entirely”<sup>615</sup>.

In 2016, a Criminal Procedure and Evidence Bill was rejected by the House. This followed analysis of the Bill and consequent submission of the adverse report by the respective PPCs using “skills and knowledge gained through the DFOs financial and technical support”<sup>616</sup>. The PPCs raised questions on the Bill’s lawfulness and constitutionality as its provisions violated, for example, declaration of rights preserved by the Constitution of Zimbabwe. The same happened to the National Peace and Reconciliation Bill of 2015 which was initially rejected by a more capacitated relevant PPC. With citizens’ input

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<sup>614</sup> Ultra Elite Interview 12, Harare, 20 May, 2021.

<sup>615</sup> Ultra Elite 1, Harare, 6 October, 2020.

<sup>616</sup> Elite Interview 10, Harare, 2 February, 2022.

provided after public hearings, the PPCs involved “unanimously resolved an adverse report be issued in respect of the [National Peace and Reconciliation] Bill gazetted in the month of January 2015”<sup>617</sup>. As a result of the adverse report, the responsible Minister withdrew the National Peace and Reconciliation Bill from Parliament for further scrutiny on the 10<sup>th</sup> of May 2016.<sup>618</sup>

In general, all the Bills passed by the House between 2016 and 2019 were subjected to public consultations or scrutiny owing to DFOs’ financial support. They include already mentioned National Peace and Reconciliation Bill; the Zimbabwe Investment Bill of 2017; the Local Government Bill of 2017 and the Electoral Amendment Bill of 2018.<sup>619</sup> Until 2014, Bills were not often subjected to public hearings partly because Parliament of Zimbabwe did not have adequate financial resources and partly because there was no constitutional provision making public hearings obligatory.<sup>620</sup>

For the first time in the history of the Parliament of Zimbabwe - and with acknowledgement to DFOs that provided financial resources to make more public hearings possible through our PPCs - more than ninety percent of public suggestions on different topics discussed during public hearings conducted in the last five years [2015-2019] were noted and recorded by PPCs and thirty five percent of them were enacted into law.<sup>621</sup>

PPCs achievements made possible by financial and technical support from others have raised questions on whether the Parliament would be able to keep up the momentum, sustain the achievements and retain its independence. The following sub-section looks at this question.

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<sup>617</sup> Also see *Veritaszim.net* “PLC Adverse Report – National Peace and Reconciliation Bill” at <https://www.veritas.net/node/1641> [Accessed on 30 December, 2021].

<sup>618</sup> Elite Interview 10, Harare, 2 February, 2021.

<sup>619</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>620</sup> Also see UNDP (2019).

<sup>621</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

## **8.6. Implications of CSOs and DFOs interventions in PPCs' work**

The effectiveness of PPCs supported and capacitated by CSOs and DFOs is not continuous and sustainable because of the nature of Parliament. MPs are elected for five years without a guarantee of re-election for the next Parliamentary Session. This means at the beginning of each Parliamentary Session, a lot of resources should be invested in training and capacitating Members. This is largely the responsibility of the Parliament itself, but has not been able because of resource constraints. Almost all the capacity building support for Parliament and PPCs in five years until 2020 for example, was provided by CSOs and DFOs. This means PPCs' effectiveness is not always consistent. It would differ from one Parliamentary Session to the other depending on availability of funds from external sources.

CSOs and DFOs have established very high standards in administering engagements with the PPCs making it difficult to sustain if they pull out. Workshops and capacity building activities have been organised in expensive venues such as five star hotels with MPs, as participants, being paid abundant allowances and per diems.<sup>622</sup> It could even be “speculated that PPCs worked extremely hard in the period they were generously funded by DFOs (2015-2019 for example) – and achieved historic milestones because they were motivated by generous allowances and per diems offered”<sup>623</sup>. One DFO, for example, admits the “cost of capacity building of MPs is also considerably higher as most MPs' trainings are held at venues outside Harare, which entails daily subsistence allowance and per diem costs”<sup>624</sup>. This means without adequate resources and continuous support from DFOs, the work of PPCs would be compromised and may not be able to produce similar results in future.

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<sup>622</sup> Money given to workshop participants daily as they attend capacity building activities to cover for example, food, accommodation, incidentals (such as communication) and sometimes includes “sitting” or “out of station” allowances to monetarily compensate for the time participants spend outside of their usual working environments.

<sup>623</sup> Elite Interview 16, Harare, 15 January, 2021.

<sup>624</sup> Also see UNDP (2019: 22).

Within some PPCs, conflicts also arise when MPs compete to participate in activities organised by CSOs or DFOs in anticipation of getting attractive allowances and per diems. This has been common especially when only a few MPs from a PPC are invited for a DFO funded capacity building event or activity. A challenge when “few PPC Members are invited to participate in activities organised by CSOs or DFOs well known for generous allowances and per diems is to select participants from the different political parties represented in PPCs because every Member would be expecting to go and also receive per diems and allowances”<sup>625</sup>. A PPC Chairperson shared a typical scenario:

There was an invitation for few PPC Members to participate, together with the [PPC] Chairperson, in a capacity building workshop organised by a donor. The PPC Chairperson was not very transparent in choosing the few Members needed. When they came back from the workshop, they reported back to the PPC what they had learnt. They shared the recommendations they had agreed during the workshop that their PPC would take up for implementation. But the rest of the PPC Members refused to accept the workshop feedback report. They argued the workshop feedback report had nothing to do with the PPC and it belonged to them [Members that had participated in the workshop and the donor that had invited them] because they had personally and individually benefited ‘alone’. Though the recommendations were empowering to the PPC, they were not taken up because the rest of the Members rejected the workshop feedback report citing lack of transparency in participants’ selection.<sup>626</sup>

There have been conflicts - with effects on PPCs - between CSOs and DFOs caused by duplications and lack of complementary coordination. In 2019, for example, DFOs provided Euro 5.4 million for CSOs working on governance to

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<sup>625</sup> Ultra Elite Interview 10, Harare, 1 March, 2021.

<sup>626</sup> Ultra Elite Interview 15, Harare, 2 November, 2020.

strengthen the work of Parliament and PPCs.<sup>627</sup> Clashes arose in participant mobilization when CSOs and DFOs organised separate events in the same period targeting the same PPCs and MPs. However, such conflicts have been settled by some form of activity auctioning with DFOs being the highest bidders because of their resource endowments.

As a result, MPs “have been forthcoming in attending activities organised by the DFOs” than “similar activities organised by CSOs because DFOs provide more attendance allowances and per diems for the participating Members than CSOs”<sup>628</sup>. Though “duplication is power” there is little efficiency when CSOs and DFOs target the same “institutions with a similar package of interventions” that “receive different responses according to different generosities serving little more than unsustainable financial contests”<sup>629</sup>.

Nevertheless, partnership between the Parliament, DFOs and CSOs has some mutual benefits. Whilst the PPCs benefit from financial and technical support, DFOs and CSOs fulfil their organisations’ aims and objectives. They indirectly demand good governance and responsiveness from the state without direct confrontation. At the same time, and with challenges in proving their legitimacy and public mandate, there is “some form of dignity and legitimacy Parliament gives to the work of DFOs and CSOs in the collaboration which makes it easier for donors to fundraise and continue their support”<sup>630</sup>. Those that manage some legislative and policy advocacy scores through working with PPCs have sustained and diversified their programs leaning on their connections with Parliament for state sympathy to continue their activities.

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<sup>627</sup> See *Fundsforngos.org* “EU seeking Proposals for Supporting to Civil Society Organizations in Zimbabwe” at <https://www2.fundsforngos.org/latest-funds-for-ngos/eu-seeking-proposals-for-supporting-to-civil-society-organizations-in-zimbabwe/;https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?ADSSChck=1553573398071&do=publi.detPUB&searchtype=QS&orderby=upd&orderbyad=Desc&PubliList=15&page=2&aoref=163273> [Accessed on 27 December, 2021].

<sup>628</sup> Ultra Elite Interview 11, Harare, 26 January, 2021.

<sup>629</sup> Elite Interview 13, Harare, 22 April, 2021.

<sup>630</sup> Elite Interview 4, Harare, 2 December, 2020.

## **8.7. Conclusion**

PPCs could have all powers possible, but without technical and financial capacities, their oversight, scrutiny and legislative responsibilities cannot easily materialise. This is true for poorly capacitated and funded Parliaments and therefore PPCs from Zimbabwe surviving on technical and balance of payment support from other stakeholders. The burden for the under resourced Parliament is increased by the need to capacitate MPs for each Parliamentary Session to enable them understand and appreciate Parliamentary business from the basic legislative principles. The majority come to Parliament without adequate academic and professional qualifications because of simple MP qualification requirements of twenty one years and registered to vote. The capacity building is important because illiterate MPs take long to socialise with Parliamentary work and are not very helpful in PPCs. This has often stopped major Parliamentary business for at least a year to give incoming MPs reasonable time to be acquainted with Parliamentary syllabi. It is in this regard MPs entry qualifications have been strongly debated. The louder school of thought proposes educational and professional qualifications as MPs' additional requirements. This would minimise capacity costs and time needed for minimum accomplishments though there is little evidence recognising academic or professional qualifications as best for increased PPCs' efficacy.

CSOs and DFOs exploiting this context have not only voluntarily committed to provide technical and financial assistance, especially for PPCs. They have also seen it as opportunity to expand and diversify their typical mandates of demanding good governance easily done through PPCs to avoid direct confrontation with the government. Whilst this involvement enable them to influence PPCs agenda to fulfil their objectives, sometimes externally influenced and seen by the strong ruling parties as purported to promote change of government. The Constitution of Zimbabwe stipulates the state's commitment to good governance under Section 9 with the title "Good

Governance”. The CSOs and DFOs involved with PPCs are therefore contributing to fulfilment of this national pledge.

Support for PPCs from experts has even enlarged opportunities for citizens to effectively participate in critical decision making processes such as budget consultations. At the same time, PPCs have benefited from communities prepared by CSOs to actively participate and contribute to legislative and oversight processes. PPCs have also benefited from empirical information generated by CSOs in communities they operate and successfully used it as ammunition to persuade both the House and the Parliament. As a result, PPCs have been able to produce recommendations with adequate significance to inform and shape at least thirty percent of government policies.

Increased PPCs’ knowledge and skills to distinguish between good and bad policies - with abilities to write adverse reports on government Bills undermining Constitutional values - means with adequate technical capacity and funding, PPCs are effective legislative, oversight and scrutiny instruments even in countries ruled by strong political parties. This is a positive picture though there could be challenges in their smooth development as good governance tool. The highly pitched support CSOs and FDOs have been providing PPCs as MPs allowances, perdiems or meeting accommodation in expensive five star hotels may not be sustainable. As this has manifested both as practice and motivation for PPCs to work harder and produce results, the recipient Parliament would not be able to take up the expenses after CSOs and DFOs exit. Consequently, MPs could be demotivated unless Parliament is allocated adequate resources by national treasury. But what remains to be seen is whether the ruling parties listen to PPCs and implement their recommendations. The following Chapter looks at this in detail.



## **Chapter 9:**

### **PPCs' and Oversight: Establishing Policy Congruencies**

Executive does not completely erase important PPCs' recommendations completely off the government policy agenda. It takes its time partly because of resources constraints, bureaucracy inefficiencies, policy incongruousness and partly because of political vindictiveness... but it will eventually implement them.<sup>631</sup>

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#### **9.1. Introduction**

It is important to recall PCs or PPCs legislate, oversight and scrutinise. They do not initiate, implement or supervise policy. Their work arise from the policies of the ruling party which has governance responsibility - the mandate given by citizens through a general election – to initiate, implement supervise including use of legitimate force whenever necessary to ensure compliance. Broadly, PPCs have two main responsibilities: to raise questions and make suggestions and recommendations to the ruling party, or the Executive. Even without power to force the House or the Executive to comply, PPCs recommendations carry a lot of weight. They are largely informed and legitimised by abundant evidence PPCs generate using their powers to, for example, call for documents, summon witnesses, make researches and enquiries, and consult experts and the public. Arising questions this Chapter tries to address are: To what extent is the Executive compliant or responsive to PPCs questions and recommendations? At what level could PPCs' efficacy be recognised? The Chapter argues the Executive uptake or rejection of PPCs recommendations, which is difficult to trace due to inadequate or unavailability of tools for policy implementation tracking, has not been systematic and uniform. By taking a case by case scenario, the Chapter provides a discussion on oversight followed by analysis of rationalities surrounding Executive responsiveness and assessment of circumstances of PPCs inefficacy. It shows that Executive responsiveness is influenced by several factors such as the connection of the questions or recommendations to Constitutional values, political capital, ruling party's policies, economic

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<sup>631</sup> Ultra Elite Interview 10, Harare, 1 March, 2021.

development and availability of resources. The Chapter closes by suggesting a tool for measuring PPCs' efficacy. It identifies levels of assessing PPCs efficacy. It concludes that PPCs have made successes in redefining policy directions and holding the strong ruling parties to account though the latter has been choosy and selective in their responsiveness and implementation.

## **9.2. Defining Executive and Oversight**

### **9.2.1. Executive**

The Executive, comprising Members from the ruling party, is one of the three arms of the state or government responsible for law enforcement, formulation and implementation of national policies. As the technical arm of the state, the Executive configures the national vision and develop pathways to drive the state to the desired destination. In general, the Executive comprises the Presidium (the President and his or her deputies) and the Cabinet.<sup>632</sup> The President is the Head of state – the national sovereign, including all the people, institutions and organisations within the countries' territorial boundaries.

The President is also the head of government, a combination of the Presidium and Cabinet Ministers responsible for formulating and implementing national policies. It is the Cabinet Ministers responsible for national policy and legislative implementation in different government entities that represent the Executive in their appearances and responsiveness to PPCs' questions, recommendations and proposals. In this document, "Executive" may refer to a Minister in charge of a Ministry, Deputy Minister or Chief Executive officer of state entities, or their representatives, with authority to implement or reject PPC recommendations or proposals.

### **9.2.2. Oversight**

The working definition of oversight as informed by this study is a process in which PPCs review, monitor and evaluate government and public agencies'

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<sup>632</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

implementation of national policy and legislation.<sup>633</sup> As units of Parliament, PPCs have a big oversight shareholding specialization. They permeate citizens' requirements in the national vision and demand fulfilment by the Executive's secretariat namely Cabinet. PPCs are therefore monitors of government policy implementation from a more inquiring, independent perspective of political parties in Parliament.

There are at least three ways already elaborated in detail in previous Chapters oversight by PPCs has often been done. First is oversight of actions of government administration and state entities. Second is PPCs' oversight on budget development and formulation. Third, and linked to the above, is oversight and evaluation of budget implementation and spending.<sup>634</sup> But in all circumstances, the principle of parliamentary democracy apply because

PPCs do not have any independent enforcement authority except they derive from the Parliament which appoints them. They monitor, but they don't supervise; they advise or recommend, but they don't dictate or enforce implementation; they scrutinize and hold to "account", but they don't "plan" or formulate government policies neither do they have enforcement powers for those [Ministers] that do not comply. Their main role is therefore to recommend oversight. A recommendation would remain a recommendation and does not necessarily mean the ruling party should adopt them. The Cabinet [Ministers] has a lot of latitude to accept or reject PPC recommendations or proposals. However – and in any case – the Cabinet [Ministers] is [constitutionally] mandated to justify, in the manner they so wish, PPC recommendations they throw away within a period of ten days after receiving PPC reports.<sup>635</sup>

There are several tools, as discussed earlier, PPCs use in their oversight responsibilities. One is questioning. PPC invite Ministers or Chief Executive

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<sup>633</sup> Ultra Elite Interview 1, Harare, 6 October, 2020. Also see Inter-Parliamentary Union (2007).

<sup>634</sup> Ultra Elite Interview 1, Harare, 6 October 2, 2020. Also see *Inter-Parliamentary Union* "Zimbabwe National Assembly" at [http://archive.ipu.org/parline-e/reports/2361\\_A.htm](http://archive.ipu.org/parline-e/reports/2361_A.htm) [Accessed 17 January, 2022].

<sup>635</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

Officers of government institutions to appear before them for questioning or to provide oral evidence on arising issues. The other is document review. They use their power to call for any documents for review and extraction of evidence. For example, at the end of a particular period of time, say after six months or a year, PPCs exercise oversight by reviewing Ministerial and public enterprises' activity reports. The other tool is fact finding. This is based on PPCs' power to research and make enquiries. For example, PPCs conduct visits to government departments to appraise themselves with the obtaining situation. In all oversight processes, PPCs produce reports with proposals or recommendations for the Executive to implement. But has the Executive been moved by PPCs questions, proposals or recommendations? The following sections try to respond to this question.

### **9.3. Rationalities Surrounding Executive Responsiveness**

The “difficult question” perhaps well known by “the Executive is why some PPC recommendations are accepted and others rejected”<sup>636</sup>. PPCs do not have a log linear strategy or universal formula they use to persuade the Executive to implement their recommendations. The common ‘strategy’ is to “push... and push... using any possible but polite strategy”<sup>637</sup> because situations are contextual. They depend on a variety of factors

Ranging from the ability of PPCs to use the law to make Ministers comply. It is also personal, involving characteristics, attitudes and behaviours of PPCs' Members, especially Chairpersons. Optimism, calmness and humility in approaching the Executive to take up recommendations counts. But it also depends on the personal characteristics of the Ministers as well: their objectivity, efficiency, cooperation, approachability and reception.<sup>638</sup>

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<sup>636</sup> Elite Interview 5, Harare, 15 December, 2020.

<sup>637</sup> Ultra Elite interview 12, Harare, 20 May, 2021. When the respondent was asked to mention some of the ways in which they push the Minister to be responsive, she could not find a word or expression to describe the “push”. But she showed the emphasis facially by biting the lower lip and clicking fingers swaying the hand and head simultaneously back and forth whilst repeating the word “push...push...push...” This shows it needs a lot of unstructured efforts to convince a Minister to take up and implement a PPC resolution.

<sup>638</sup> Ultra Elite interview 14, Harare, 8 May, 2021.

Even when the Executive starts implementing a PPC's proposals "at whatever time and in whatever year", it does not "climb on top of a mountain to shout 'we are now implementing such... such a proposal made by such...such a PPC in such... such a year'" because "it is not necessary when running a government"<sup>639</sup>. It is in this regard that "it is difficult to connect the dots – to see the course and links in government policy" forcing some "to see PPCs as less significant!"<sup>640</sup>

Nevertheless there have been some "positive changes in policies and practices after some issues have been discussed and raised by PPCs"<sup>641</sup>. The challenge, in some circumstances, is "to determine the extent to which the PPCs would have made some influence"<sup>642</sup>. There "are no rules or regulations compelling Executive to report back to a PPCs or Parliament on implemented recommendations or suggestions made by PPCs"<sup>643</sup>. Though not practically impossible to implement all the oversight recommendations and proposal PPCs make, there are also other important factors, related and sometimes couched, the Executive would consider before implementing or rejecting. The following are several circumstances PPCs were successful in persuading the Executive to take up their recommendations and proposals.

### ***9.3.1. Effective use of oversight legal instruments to back up proposals and recommendations***

One way making PPCs more successful in convincing the Executive to implement recommendations is their ability to understand, appreciate and utilise the legal instruments empowering them. PPCs, especially Chairpersons, that "are not aware of the oversight opportunities provided to them by the available legal instruments sometimes develop a negative mentality and cannot drive PPCs to tangible results"<sup>644</sup>. Responsible Ministers usually cooperate when PPCs' submissions are supported by legal instruments,

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<sup>639</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>640</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>641</sup> Ultra Elite Interview 12, Harare, 20 May, 2021.

<sup>642</sup> Ultra Elite Interview 2, Harare, 20 November, 2020.

<sup>643</sup> Ultra Elite Interview 10, Harare, 1 March, 2021.

<sup>644</sup> Ultra Elite interview 1, Harare, 6 October, 2020.

including Sections of the Constitution. In addition, PPCs could lean on Parliamentary Rules giving them power to summon for questioning though they do not give them “power to enforce their recommendations”.<sup>645</sup> There are several actions undertaken by respective PPCs that could be counted as efficacy.

#### *9.3.1.1. Parliament and Executive convinced to put important Constitutional provisions into practice*

Some of the initial tests of Executive responsiveness and PPCs tasks revolved around engagements and actions related to faithful implementation of some important Sections of the Constitution. “As a law making chamber, the Parliament was challenged to implement some of the laws they had made [in Constitution Amendment...2013]”<sup>646</sup>. One opportunity came during the Eighth Session of the Parliament of Zimbabwe when a CSO petitioned the respective PPC to implement electoral reforms. This occurred soon after the first reading of the Electoral Bill. For the first time, the PPC asked the Executive and Parliament to implement Section 141 of the Constitution – Public Access to and Involvement in Parliament. The PPC demanded the “recently drafted Electoral Bill be subjected to public scrutiny through public hearings and consultations as stipulated in the Constitution”<sup>647</sup>.

It was not only the knowledge of law - particularly by the Chairperson - that enabled the PPC to push Parliament and the Executive to start implementing Section 141 of the Constitution. But also some forceful but careful and visionary coordination to wriggle around the common Executive and Parliament excuse: “the government does not have money... Parliament does not have the funds”<sup>648</sup>. Engagements with CSOs and DFOs enabled the PPC to obtain resources for all planned public hearing on the Electoral Bill. Held in April / May 2014, the Electoral Bill Public Hearings were Zimbabwe’s first public hearings after the enactment of the new Constitution in 2013. It was

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<sup>645</sup>Elite interview 11, Harare, 16 March, 2021.

<sup>646</sup> Ultra Elite Interview 12, Harare, 20 May, 2021.

<sup>647</sup> Ultra Elite Interview 12, Harare, 20 May, 2021.

<sup>648</sup> Ultra Elite Interview 12, 20 May, 2021.

not a “normal kind of a push as a lot of energy and some extra urging”<sup>649</sup> was needed because

It[s] [implementation of Section 141] came as a result of the PPCs continuous push of both the Executive and the Parliament to implement the most important provisions of the Constitution. The PPCs persistence and perseverance also implied continuous and vigorous face to face engagements with the Speaker of Parliament to insist the Constitution should be followed.<sup>650</sup>

This Parliament and Executive responsiveness was the beginning of the necessity and popularity of public hearings in Zimbabwe. To some extent, the PPC successfully persuaded the Executive and the House to fulfil important constitutional and good governance principle namely citizen participation in decision making processes. There were further persuasions made to the House and the Executive regarding implementing important Constitutional provisions.

#### *9.3.1.2. Executive persuaded to adhere to funding modalities of Chapter 12 Constitutional Commissions as stipulated in the Constitution*

Legal instruments were also utilised to convince the Executive to implement some public budgetary reforms. Zimbabwe’s independent institutions or Commissions<sup>651</sup> namely the National Prosecuting Authority (NPA), the National Peace and Reconciliation Commission (NPRC), the Human Rights Commission (HRC) and the Gender Commission had - except the Judicial Service Commission (JSC) - continued to receive funding from the treasury as sub-lots under a Ministerial budget. This continued to happen during the Eighth Session of Parliament of Zimbabwe despite provisions for separate

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<sup>649</sup> Elite Interview 10, Harare, 2 February, 2021. The respondent was not able to describe the difficulties they encountered with words, but placed the front teeth on the bottom lip, closed eyes and clicked her fingers, and for every click, saying, with a lot of emphasis, “pressure...pressure...pressure”.

<sup>650</sup> Ultra Elite Interview 8, Harare, 20 February, 2021.

<sup>651</sup> These are also known as Constitutional Commissions or Chapter 12 Commissions because they are under Section 12 of the *Constitution of Zimbabwe Amendment (No. 20) Act 2013*.

budgets under Section 305(3) of the Constitution. This practice was not only unconstitutional, but also inefficient.

The respective PPC used its legal authority to summon Chairpersons or representatives of each Commission to present their narrative and financial reports - and to explain their relationships with the relevant Ministry. During the meetings, all summoned Commissions reported “incapacity and inefficiency caused by the delays in the disbursement of their financial allocations by the parent Ministry”<sup>652</sup>. Some of the Commissions, for example, reported not receiving their disbursements on time – and sometimes not at all. This affected their operations. As a result

The PPC drafted a report on issues and concerns raised by the Constitutional Commissions and tabled it before Parliament. Almost all Parliamentarians supported the idea each of the Constitutional Commission should receive its own funds directly from the treasury as stipulated in the Constitution. Respective Ministers were consequently directed to make independent and direct budgetary allocations to the independent Commissions.<sup>653</sup>

The PPC achievement was that each Commission began to receive its own separate share of the budget allocations from the treasury the year that followed as demanded by the law. The Executive was also responsive to yet another Constitutional issue.

#### *9.3.1.3. Executive persuaded to make necessary adjustments to transit office of the Attorney General to Prosecutor General as required by the Constitution*

The use of Constitutional provisions to convince the Executive to abide was also successful when a PPC demanded speedy transition from the office of Attorney General to the office of Prosecutor General in the Eighth Session of the Parliament of Zimbabwe. The state had continued to recognise the office of the Attorney General for some time though the new Constitution had

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<sup>652</sup> Elite Interview 7, Harare, 13 January, 2021.

<sup>653</sup> Ultra Elite interview 8, Harare, 20 February, 2021.



replaced it with the office of the Prosecutor General. The PPC summoned the incumbent Prosecutor General the state continued to address as Attorney General to provide some explanation of the situation. The PPC wrote a report of the meeting and submitted it to Parliament. A directive for transition from Attorney General to Prosecutor General was consequently announced with the first Attorney cum Prosecutor General appointed in November 2013. This shows PPCs' capability to win over the Executive, including some successes in "clipping its wings" to "counteract absolute decision making"<sup>654</sup> as also discussed below.

#### *9.3.1.4. Executive restrained from making ambitious international commitments*

The ability to use legal instruments in holding the state accountable also enabled a PPC to restrain the Executive's ambitious decisions of signing international instruments without Parliament or PPCs oversight and approval. The respective PPC drafted some additional rules regarding international conventions, treaties and agreements in line with Section 327 of the Constitution and persuaded the Executive and the House to accept them as part of Parliamentary Standing Rules and Orders. This was important because the

Executive had developed a tendency of signing international treaties and agreements before they were scrutinised by Parliament. For example, the terms of agreements the government signed with foreign banks and other financial entities were difficult to find out. Examples were loans government, through the Reserve Bank of Zimbabwe, was approving without Parliamentary scrutiny. This included a US\$985 million RBZ had borrowed from African banks without Parliamentary approval, to buy fuel and other critical inputs because the country's reserves had almost dwindled.<sup>655</sup>

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<sup>654</sup> Ultra Elite Interview 12, Harare, 20 May, 2021.

<sup>655</sup> Ultra elite interview 8, Harare, 20 February, 2021. Also see *Zimlive* "Zim overshoots RBZ overdraft, borrows \$985m without parliament approval" at [Zim overshoots RBZ overdraft, borrows \\$985m without parliament approval | Zimbabwe News Now \(zimlive.com\)](https://zimlive.com/news/zim-overshoots-rbz-overdraft-borrows-985m-without-parliament-approval/) [Accesses on 18 January, 2021].

Apparently, it was not easy even for Parliament to find out international treaties binding Zimbabwe as there was no much disclosure from the Executive. The procedures by which the government of Zimbabwe became a party to treaties were not clear. The list of treaties Zimbabwe was bound was not readily available. The respective PPC suggested a clause, which was accepted by both the Executive and Parliament and added to Parliamentary Standing Rules and Orders demanding agreements binding Section 327 (3) of the Constitution should be assessed by the relevant PPC which

Would look at the treaty, analyse it and make a report for presentation and debate in Parliament before the Executive makes decisions on whether to ratify. This was immediately useful because the PPC managed to stop at least two treaties the Executive intended to unanimously ratify because they did not serve any significant national interests.<sup>656</sup>

The importance of treaties' scrutiny became more important in the long run. By 2020, the Parliament of Zimbabwe had drafted an International Treaties Bill<sup>657</sup> to provide, in detail, the procedures Zimbabwe government should follow for international treaties to become binding. Executive compliance to PPCs has also been evident in some practical situations as discussed below.

#### *9.3.1.5. Executive persuaded to consider both gender recruitment and budgeting in government departments*

One other PPC made allusion to local and international gender inclusion instruments and “compelled the Executive”, especially “Cabinet Ministers from almost all government Ministries and departments” not only to “consider gender in recruitment”, but also to “have gender mainstreamed budgets”<sup>658</sup>.

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<sup>656</sup>Ultra Elite Interview 8, Harare, February 20, 2021.

<sup>657</sup> Also see *The Zimbabwean* “International Treaties Bill” at [International Treaties Bill - The Zimbabwean](#) [Accessed on 18 January, 2022].

<sup>658</sup> Ultra Elite Interview 7, 18 February, 2021.

You [the Researcher] may have come across a government employment advert with a caption saying something on equal employment opportunities for men and women and at the same time encouraging female applications to apply for the advertised post to equally compete on the job market with men. This is a difference because the female candidate was not motivated and encouraged to compete and apply for jobs usually dominated by man. We [the PPC] are happy most Ministries have complied and have always put such captions on their job vacancy posters.<sup>659</sup>

Based on experiences from other countries and the Constitution of Zimbabwe's call for equal access to development, the PPC successfully challenged the Executive during the Ninth Session of the Parliament of Zimbabwe to also open up male dominated economic spheres for women. The largely male dominated Ministry of Mines, for example, was persuaded to "establish gender focal points in line with the PPC's recommendations"<sup>660</sup>. This was intended to "break inequalities in the mining sector" where "most women have been involved in providing domestic services for male miners – cooking, washing and even prostitution"<sup>661</sup>. The gender focal points "will provide women with all the support needed to become miners as well"<sup>662</sup>. To help with logistics, the PPCs was able to persuade the Executive to "revisit – which they did – mining claim forms not having a female identification term under the personal identification section"<sup>663</sup>.

As PPCs' actions influence Executive and Parliament behaviours, it is not easy to determine or distinguish between what could be regarded as most significant and the most important achievement. This question will be revisited below. The following sub-section looks at how strategic political positioning has influenced Executive responsiveness.

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<sup>659</sup> Elite Interview 2, Harare, 29 October, 2020.

<sup>660</sup> Elite Interview 2, Harare, 29 October, 2020.

<sup>661</sup> Ultra Elite Interview 13, Harare, 4 March, 2021.

<sup>662</sup> Ultra Elite Interview 13, Harare, 4 March, 2021.

<sup>663</sup> Elite Interview 2, Harare, 29 October, 2020.

### ***9.3.2. Strategic political and economic benefits – oiling the patronage system***

Though each PPC would be glad to see its recommendations accepted and implemented, justification of some Executive responsiveness – considering other various PPCs' recommendations are thrown away - can be easily linked to political reasons. Even as they try to demand good governance for national development, PPCs could be used to escalate, and legalise, political patronage systems. This is possible if the Executive accepts and implements PPCs' recommendations favouring a specific but politically consequential section of society with a history of driving some political manipulation and mechanisations on behalf of the strong ruling party.

Besley and Burges (2000) argue that political competition and timing of elections exerts some influences on Executive responsiveness.<sup>664</sup> Public prominence of policy or legislative issues PPCs raise - and the extent to which their implementation would enable the ruling party to accrue some political capital matter. Strong ruling parties always in an election mood use every opportunity in the post election period<sup>665</sup>, to appeal to voters. In other words, the Executive would respect PPC recommendations largely on their potential to increase or decrease votes for the ruling party in the next elections. The following are some examples where Executive responsiveness could also be justified on political expediency without necessarily undermining the PPCs efforts and the commitment of the Executive to good governance.

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<sup>664</sup> Besley and Burges (2000).

<sup>665</sup> Usually the period between the announcement of the last election results and proclamation of new election dates.

### 9.3.2.1. Executive persuaded to increase allowances for Traditional Leaders<sup>666</sup>

For some time, and especially since 1999 when the MDC - an opposition political party that posed significant electoral challenges since independence in 1980 – was formed, the ruling party has depended significantly on Traditional Leaders for political party mobilisation, especially in the rural areas. Yet national statute<sup>667</sup> forbids them to be politically partisan in the exercise of their duties. Though there

Could have been some modicum of sincerity on reforms of Traditional Leaders' packages as the PPC demanded because they [Chiefs] also need them to execute their mandates, it is easy to see a continuation of patronage politics. The ruling party has always been good in rewarding and spoiling mass recruiters of its political support.<sup>668</sup>

Perhaps it was because of the intentions to retain and increase future voters for the ruling political party that made it little difficult for the Executive to implement PPC recommendations during the Ninth Session of Parliament to

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<sup>666</sup> A traditional leader is responsible for performing the cultural, customary and traditional functions of a Chief, headperson or village head, as the case may be, for his or her community. They are very powerful in rural communities because, as given by Section 282 of the *Constitution of Zimbabwe Amendment (No. 20) Act 2013*, they “have authority, jurisdiction and control over the Communal Land and other areas for which they have been appointed, and over persons within those communal lands...” and “are not subject to the direction or control of any person or authority, except as may be prescribed in an Act of Parliament”.

<sup>667</sup> Section 281 of the *Constitution of Zimbabwe Amendment (No. 20) Act 2013*, “Traditional leaders must not a. be members of any political party or in any way participate in partisan politics; b. act in a partisan manner; c. further the interest of any political party or cause; or d. violate the fundamental rights and freedoms of any person”.

<sup>668</sup> Ultra Elite Interview 10, Harare, 1 March, 2021. The link of Chiefs vehicle packages and other privileges to electioneering was also hinted by the Executive President in August 2018 when he was handing cars to Chiefs in January 2018 ahead of July 2018 Harmonised Elections when he said: “There are 52 cars here today. 26 more will arrive next week and so on. All of you [Chiefs] will get their cars before elections but today we will distribute 42 cars, 6 cars per province”. Also see *Bulawayo 24* “Mnangagwa gives chiefs 52 cars, promises to build them courts” at <https://bulawayo24.com/index-id-news-sc-national-byo-125711.html> [Accessed on 21 January, 2022].

extend some government privileges to Traditional Leaders. The PPC requested the Executive to let the Chiefs take home their official vehicles and the treasury to provide a separate fund for Traditional Leaders because

Initially, the Traditional Leaders' institution was seen as an extension of the relevant Ministry. When Executive gave Chiefs official vehicles, they remained the property of the Ministry. Chiefs collected the vehicles at the offices of the Ministry and brought them for parking after use. But lobby from the PPC led to the decentralisation of some of the Traditional Leaders' affairs. Chiefs allocated official vehicle were given the privileges to take and keep them at home with unlimited mileage as it was no longer monitored by the Ministry. In addition, the PPC lobbied the Executive to provide Traditional Leaders with own separate and independent funding rather than putting them under the armpits of the parent Ministry. The Executive complied, without any reservations. The office of Traditional Leaders now has its own separate funding direct from the treasury.<sup>669</sup>

Whilst it is admitted that Traditional Leaders are important in serving communities, there are questions why, given scarce resources, their lavish needs would be prioritized ahead of other more critical challenges like health. For the past “ten years [ 2010 – 2020] our health staff – nurses, doctors, surgeons, midwives – has been on protracted industrial action because they are not being paid well”<sup>670</sup>. This

...has left patients using public hospital in very desperate and precarious situation. Public confidence in state hospitals has deteriorated. Some patients prefer to remain and die at home rather than being admitted in public hospitals. In spite of the several occasions these challenges have been raised by the PPC, nothing significant has been done for almost over five years now [2015 – 2020]. Nothing much has been done in practical terms to improve the situation of the health personnel to motivate them to come back to work.<sup>671</sup>

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<sup>669</sup>Ultra Elite Interview 10, Harare, 1 March, 2021.

<sup>670</sup> Ultra Elite Interview 6, Harare, 11 February, 2021.

<sup>671</sup> Elite Interview 4, Harare, 4 December, 2020.

It is not too farfetched to think outside ruling party's patronage system if recommendations for increasing Traditional Leaders' opulence submitted by a PPC, with all the expenses required, could be considered by the Executive when

[Another] PPC's Ministerial recommendation for an upward review of Zimbabwe's health staff establishment and unfreezing of health personal recruitment, especially after immense health staff turnover, has not been fully considered. Zimbabwe is still adhering to the 1983 health staff establishment which no longer makes much sense because Zimbabwe population has increased. The ratio of a doctor or nurse to patients has become unbearable, especially with chronic diseases such as HIV and AIDS, hypertension or diabetes which were not very common in 1983.<sup>672</sup>

As shall be seen later, such important PPC recommendations accruing universal benefits are usually elbowed, in occasions of scarce resources, by those seen as more substantive, physical and visible to the expectant political patronage beneficiaries.<sup>673</sup> This is even eminent when it is realised the Executive ignored other PPC's recommendations to assist victims of a natural disaster amidst pampering of Traditional Leaders.

In 2018, a PPC got zero response from the Executive after presenting a report on needs for communities from eastern parts of Zimbabwe left homeless following a Tropical Cyclone Idai<sup>674</sup>. As an "emergency, the PPC, after carrying out a fact finding mission, recommended the Executive to immediately build houses and provide livelihoods to scores of Cyclone Idai victims"<sup>675</sup>. But there was no immediate positive response from the Executive. No recommendation

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<sup>672</sup> Elite Interview 4, Harare, 4 December, 2020.

<sup>673</sup> Elite interview 4, Harare, 29 October, 2020.

<sup>674</sup> The Cyclone was one of the worst tropical cyclones on record to affect Africa and the Southern Hemisphere in 2019. The cyclone caused widespread damage and a humanitarian crisis in Mozambique, Zimbabwe and Malawi. Also see *IFRC* <https://reliefweb.int/report/zimbabwe/zimbabwe-tropical-cyclone-idai-final-report-dref-operation-n-mdrzw014> [Accessed June 11, 2022].

<sup>675</sup> Ultra Elite Interview 10, Harare, 1 March, 2021.

was adopted and implemented. The Cyclone Idai victims continued to live in the open and in makeshift houses “until now [2022] as the government provided almost nothing significant to assist”<sup>676</sup>.

If the Executive delays or pays no heed to implementing “life serving recommendations and proposals” it brings, to the PPCs, especially to the Chairperson, “frustrations and disappointments reducing their energy to continue their duties and responsibilities”<sup>677</sup>. This is even “worse when the needs of others such as Traditional Leaders are prioritised by the Executive” ahead “of victims of natural disasters”. This “makes it easier to view the relationship between the Executive and the Traditional Leaders as patron client” as they do more to serve partisan than national interests. It is from this background a PPC had to pursue the Executive to put some reserve funds for natural disaster management as shown below.

#### *9.3.2.2. Executive persuaded to create specific funds for timely disaster management*

Whilst understanding the importance of national disaster preparedness, it is also allowed to view Executive responsiveness to a PPC recommendation made in the Ninth Parliament for a specific fund for disaster management in political context. More “than ninety five percent of Zimbabwe’s natural disasters in the last decade [2010-2020] such as floods worth intervention by the national Civil Protection Unit (CPU)<sup>678</sup> occurred in the rural areas”<sup>679</sup>. But when they happened “the government was not readily enabled to respond because of lack of resources”<sup>680</sup>. This forced government to “crowd fund, to shout out for help from willing organisations and institutions” in the “country

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<sup>676</sup> Ultra Elite Interview 10, Harare, 1 March, 2021.

<sup>677</sup> Ultra Elite Interview 9, Harare, 17 March, 2021.

<sup>678</sup> It is a government department under a Ministry which is responsible for coordinating disaster risk management institutions drawn from the public and private sectors including UNDP, International Organisation for Migration, Zimbabwe Red Cross Society. See also <https://drmzim.org/about-us/> [Accessed on 21 January, 2022].

<sup>679</sup> Elite Interview 7, Harare, 13 January, 2021.

<sup>680</sup> Ultra Elite Interview 10, Harare, 1 March, 2021.



and outside whilst the disaster and the humanitarian crises continued”<sup>681</sup>. It was in this regard a PPC asked the Executive to provide specific funds for the Civil Protection Unit to prepare it in advance to respond to “any natural disaster as soon as possible to avoid preventable human casualties and catastrophes”<sup>682</sup>.

There “is a patronage link in this Executive responsiveness because it is in such rural areas where Traditional Leaders such as Chiefs preside over the disaster response commodities”<sup>683</sup>. In disaster and poverty prone communities, power over distribution of humanitarian merchandises is sanctified. Chiefs, using their access to humanitarian distribution [and other rights over land and the people within their chieftaincy...] “are able to capture the vulnerable and make them obedient to their directives, including voting for specific political parties during elections”<sup>684</sup>.

These observations should not give an assumption that it was too easy for the PPC to get positive responsiveness from the Executive. Similarly, it does not mean nobody within the parent Ministry had realised treasury always left out CPU in resource allocation. Question on definite CPU resourcing were common amongst the policy implementers who had “tried to raise the issue with the Executive for some time without success”<sup>685</sup>. But it was the pushing power of the PPC that subsequently prevailed: “the constant nagging for responses, including demanding convincing explanations for rejecting our [PPC’s] recommendation if they had chosen to do so”<sup>686</sup>. The PPC’s legitimacy and privilege to compel the Executive to pay heed – which it did - by allocating a separate fund for the national CPU indicates the value of PC system in a democracy. But Executive responsiveness is also obligated by economic interests as discussed below.

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<sup>681</sup> Ultra Elite Interview 10, Harare, 1 March, 2021.

<sup>682</sup> Elite Interview 3, Harare, 15 December, 2021.

<sup>683</sup> Elite Interview 13, Harare, 22 April, 2021.

<sup>684</sup> Ultra Elite interview 2, Harare, 20 November, 2020.

<sup>685</sup> Elite Interview 4, Harare, 29 October, 2020.

<sup>686</sup> Ultra Elite Interview 10, 1 March, 2021.

### ***9.3.3. Executive persuaded to comply because of economic reasons***

Every government, even strong ruling parties, wish to improve people's lives to maximize their popularity and minimize risk of losing the next election. PPCs' recommendations and advice seen to resonate with the ruling parties' economic vision have often been accepted and implemented by the Executive. They are considered significant because they make the public happy with possibilities of voting them in future. Examples could be given as discussed below.

#### ***9.3.3.1. Executive persuaded to resolve operational viability challenges of a critical government department***

The government response to the operational and viability challenges faced by one of the biggest government owned engineering companies - Verify Engineering<sup>687</sup> - as raised by the respective PPC during the Ninth Session of Parliament was immediate because it resonated to its 2030 national vision. Since 2009, Verify Engineering could not expand its work as government only provided funds for recurrent expenditure. The PPC used its enquiry power and embarked on fact finding mission. It "toured Verify Engineering, wrote a report, made recommendations and submitted to Parliament"<sup>688</sup>. The PPC established that "the engineering company was almost collapsing of neglect because the state was no longer providing capital financing"<sup>689</sup>. The Executive was pushed to start providing the engineering company "with resources for capital expenditure starting 2019"<sup>690</sup>.

It was not easy for the Executive to ignore Verify Engineering call for national funding. The country desperately needed the "oxygen, nitrogen, acetylene gas produced by the engineering company" not only for local, but also for export

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<sup>687</sup> Verify Engineering (Pvt) Ltd is a wholly government owned company formed in 2005 "lived in the innovation, development and provision of petrochemicals and corresponding engineering support for the nation to help Zimbabwe become an upper middle income economy by 2030". Also see <https://verify.co.zw/> [Accessed on 22 January, 2022].

<sup>688</sup> Ultra Elite Interview 15, Harare, 2 November, 2020.

<sup>689</sup> Elite Interview 7, Harare, 13 January, 2021.

<sup>690</sup> Elite Interview 1, Harare, 27 October, 2020.

to earn the country the much needed foreign currency”<sup>691</sup>. The PPC report on Verify Engineering helped the Executive to realise the potential of a largely “forgotten economic enterprise”<sup>692</sup>. The “discovery” motivated the Executive to make a commitment, through treasury, to provide Verify Engineering with annual funding support to even “finance new engineering plants from other parts of the country under Verify Engineering” shown by the “recent opening of a similar plant in Mutare, a town on the eastern part of the country”<sup>693</sup>. As much as they legislate, oversight and scrutinise, PPCs also provide governments with important economic advice. This is also true for investment reforms the Executive adopted after PPC recommendations as indicated below.

#### *9.3.3.2. Executive persuaded to adopt some investment reforms*

Through a legislative framework, a PPC recommended, in “the 2019 Zimbabwe Investment and Development Bill that paper work for business and investor licensing be done under one roof”<sup>694</sup>. Initially, prospective investors spent a lot of time and resources processing their papers in different offices dotted around the country. This did not only “delayed investment, but also frustrated investors sometimes referred back and forth to different investment licensing offices some not even in the same neighbourhood”<sup>695</sup>.

The Executive response to issues raised by PPCs and priorities for national financing for struggling but critical government departments have been largely motivated by potential gains and immediate benefits anticipated.<sup>696</sup> Due to scarce resources, the Executive responsiveness has been biased towards proposals, Bills or recommendations biased towards productivity, promotion of investment and generation of foreign currency in order to anchor its economic policies. The case of the energy sector discussed below provides further justification.

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<sup>691</sup> Ultra Elite Interview 13, Harare, 4 March, 2021.

<sup>692</sup> Ultra Elite Interview 15, Harare, 2 November, 2021.

<sup>693</sup> Ultra Elite Interview 13, Harare, 4 March, 2021.

<sup>694</sup> Elite Interview 11, Harare, 26 January, 2021.

<sup>695</sup> Elite Interview 15, 2 November, 2020.

<sup>696</sup> Ultra Elite Interview 3, Harare, 18 February, 2021.

### *9.3.3.3. Executive pushed to accept energy sector reforms*

The push for the Executive to provide adequate electricity in Zimbabwe to minimise regular load shedding has been an ongoing PPC initiative. During the Ninth Parliamentary Session, it was successful largely because of two reasons. Evidence of “repercussions caused by electricity shortages were everywhere and visible to everyone”<sup>697</sup>. In some of the PPCs’ Committee meeting rooms, “there was no electricity. Parliament itself could not function well”<sup>698</sup>. Industries and commerce “were now operating below capacity reducing the export receipts. Yet the government was desperate for foreign currency”<sup>699</sup>. Even when electricity challenges and their effects were visible to many and extensively reported in media almost every day, “the respective PPC was still expected - which it did - to make an enquiry, produce a detailed report and submit it to the Minister for presentation to Parliament”<sup>700</sup>.

It was also push from different angles and more critically, the visible and universal effects of load shedding obliging the Executive to adopt some of the PPC proposals and recommendations. The Executive agreed, for example, “to allocate resources for the expansion of Hwange Power Station and capacitating the Zimbabwe Electricity Supply Authority (ZESA), a quasi government entity responsible for the national generation of power”<sup>701</sup>. But the “responsiveness” did not last as, at the time of writing, Zimbabwe’s electricity supply situation was still dire though not as bad as it used to be before the PPC’s intervention.

Likewise, the Executive accepted a PPC recommendation for fuel retailers to sale fuel in foreign currency following a submission of an enquiry report to the Executive through Parliament. At one time during Ninth Session of Parliament, the country’s fuel supply situation deteriorated and several

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<sup>697</sup> Ultra Elite Interview 3, Harare, 18 February, 2021.

<sup>698</sup> Ultra Elite Interview 3, Harare, 18 February, 2021.

<sup>699</sup> Elite Interview 2, Harare, October 29, 2020.

<sup>700</sup> Ultra Elite Interview 3, Harare, 18 February, 2021.

<sup>701</sup> Elite Interview 2, Harare, 29 October, 2020.

people, including MPs, witnessed and also experienced long winding fuel queues. Some “MPs even failed to come to Parliament on time after being delayed in fuel queues or even failing to get fuel” <sup>702</sup>.

The challenge within the fuel sector, which the PPC identified through enquiries, was that fuel suppliers imported fuel using foreign currency accessed through the Reserve Bank of Zimbabwe (RBZ).<sup>703</sup> But they retailed the fuel in local currency they in turn sold to the RBZ to get foreign currency for subsequent fuel imports. This normal business transaction became a bit abnormal because the foreign currency was not always readily available at RBZ to majority of fuel importers. Several fuel stations became empty as importers waited for their foreign currency allotments from the RBZ.

But fuel importers not willing to wait for too long started to buy foreign currency from the black market to import fuel. Speculators, including high ranking public officials from both Parliament and the Executive, or their associates, exploited the gap between the formal and black market exchange rates. It became very easy to get rich. Bureaucrats, posing as fuel importers, got cheap foreign currency from the RBZ and sold it at higher price on the black market. It was a situation in which the fuel problem benefited the few policy implementers with access to cheap foreign currency from the RBZ they exploited on the black market – and they wanted to maintain the status quo. Whilst others bought the fuel in local currency through the RBZ, they sold it at inflated prices on the black market, draining almost all available fuel on the formal market.

The relevant PPC, after carrying out its research on the state of fuel situation recommended the Executive to allow fuel retailers to sell fuel to consumers in the (foreign) currency used to import it. The Executive agreed. Fuel began to be sold in foreign currency and the long fuel queues disappeared though some

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<sup>702</sup> Ultra Elite Interview 3, Harare, 18 February, 2021.

<sup>703</sup> There were occasions Zimbabwe experienced serious fuel shortages between 2017 and 2019.

of the motorists could not afford it.<sup>704</sup> The Executive, without the intervention of the PPC, had failed to pick up the root causes of the fuel crisis. This included unaddressed structural and administrative challenges in Ministries obstructing consistent policy implementation and service delivery. Fuel, just like electricity challenges, was symptomatic of broader and indicative questions on the overall state of the national economy. But sometimes the Executive is compelled to react positively on highly publicised issues becoming viral and prominent in the public arena. The following sub-section discusses this in detail.

#### ***9.3.4. Matters of public and media prominence***

There has been some Executive responsiveness when policy failures are made public and seen as likely to cause “public despondency, anarchy and state insecurity”<sup>705</sup>. If the “media, print or digital, exposes governance challenges”, the Executive becomes “exposed and vulnerable”<sup>706</sup>. They “would try to make every possible attempt” to restore some normalcy “by listening to recommendations PPCs could provide to win back and restore public confidence and trust”<sup>707</sup>. The positive responsiveness by the Executive has also been common on pertinent issues effecting citizens’ day to day life experiences. For example, shortage of basic commodities on supermarkets shelves or militia activities in one or several parts of the country could be major issues of government concern. Need for Executive responsiveness, as advised by PPCs, would become more imminent if amplified by the media. Some examples could be provided.

##### *9.3.4.1. Uncovering saboteurs: Government departments persuaded to provide the basics*

In the past, especially in 2005, 2008, part of 2009 and 2018, Zimbabwe has experienced artificial and real shortage of basic commodities. Real shortages were of commodities not produced locally requiring foreign currency, which

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<sup>704</sup> Ultra elite interview 3, Harare, 18 February, 2021.

<sup>705</sup> Ultra Elite Interview 13, Harare, 4 March, 2021.

<sup>706</sup> Elite Interview 10, Harare, 2 February, 2021.

<sup>707</sup> Elite Interview 10, Harare, 2 February, 2021.

was in short supply, to import from other countries. But there were some artificial shortages particularly in 2018 in respect of, for example, availability of an important household commodity – sugar – “which suddenly disappeared from supermarket shelves”<sup>708</sup>. When this happened, the relevant PPC did some fact finding missions. It discovered some anomalies helping the Executive to be aware of economic saboteurs. Sugar producers were indeed supplying to local wholesalers, but the latter stocked it in their warehouses for illegal export to neighbouring countries. The PPC’s revelation was broadcast in both print and digital media and

Really interesting after this discovery was that the following day after PPC fact finding missions to sugar producers and wholesalers, sugar ‘returned’ back and was plentiful in the local shops and supermarkets. The realisation by the wholesalers that “we have been caught and exposed” forced them to stop the export of sugar in order to supply the local market.<sup>709</sup>

A similar situation occurred during the Ninth Session of Parliament when the media revealed high level government officials sneaking outside the country<sup>710</sup> to seek medical attention in the region or overseas “running away from own hospitals they administered as the ruling party”<sup>711</sup>. The literal conclusions were “the Executive deliberately underfunded local health system remaining in dilapidated state for the poor voters whilst they [Executive] received their medical attention from overseas”<sup>712</sup>. At the same time, extreme shortage of drugs and medications in public hospitals and pharmacies during the Ninth

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<sup>708</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>709</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>710</sup> See for example *CGTN* “Zimbabwe VP heads to China for medical check up” at <https://newsaf.cgtn.com/news/2020-03-18/Zimbabwe-VP-heads-to-China-for-medical-checkup-OWyGAINBQs/index.html>; *The Zimbabwe Mail* “VP Mohadi falls ill, whisked away to SA for treatment” at <https://www.thezimbabwemail.com/zimbabwe/vp-mohadi-falls-ill-whisked-away-to-sa-for-treatment/> [Accessed on 27 January, 2022].

<sup>711</sup> Elite Interview 4, Harare, 2 December, 2020.

<sup>712</sup> Ultra Elite Interview 6, Harare, 11 February, 2021.

Session of Parliament “was visible to everyone who needed drugs, including MPs themselves”<sup>713</sup>.

Moreover, Covid - 19 travel restrictions prevented many, especially MPs and the Executive, who had overlooked the national health crises and travelled outside the country to get medical attention. When a PPC’s fact finding mission “on the availability of drugs and medication in public health institutions proposed and recommended” the Executive to “resource local pharmaceutical companies to produce drugs and medications locally rather than importing” it was “not very difficult for the Executive to immediately implement”<sup>714</sup>. Just like in the 1980s, patients from neighbouring countries could come to Zimbabwe for medical treatment, the PPC also called the Executive to “reverse the current situation where top government officials are using a lot of scarce foreign currency to seek medical treatment outside Zimbabwe” and “use it to develop the local hospitals and restore their historic glory”<sup>715</sup>.

Following these requests, the treasury began to support local pharmaceutical companies to produce drugs locally though some of the high ranking bureaucrats continued to privately seek medical attention outside the country. It was not a holistic success, but at least the Executive paid a bit of attention. A related situation forced the Executive - which had remained quiet as the situation unfolded - to take some action against armed militias after “continuous screams from the public and the media”<sup>716</sup>.

#### *9.3.4.2. Executive persuaded to take action on armed militias after PPC pick up on media and public complains*

Zimbabwe’s poor economy and lack of employment opportunities has driven young people into disused and abandoned gold mines to scavenge for the remnants of precious minerals for sale. But due to competition over “mining

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<sup>713</sup> Elite Interview 4, Harare, 2 December, 2020.

<sup>714</sup> Elite Interview 4, Harare, 2 December, 2020

<sup>715</sup> Elite interview 4, Harare, 29 October, 2020.

<sup>716</sup> Elite Interview 1, Harare, 27 October, 2020.



claims”, bloody conflicts among the informal miners ensured during the Ninth Parliamentary Session and attracted a lot of media attention. The state did not immediately respond to put some order in the informal mining areas. But the relevant PPC engaged the responsible Ministries and government departments and asked them “why no action was being taken on groups of small scale miners - or Mashurugwi<sup>717</sup> - from different parts of the country who arbitrarily killed each other with machetes, and sometimes civilians, to control and possess local mining claims”<sup>718</sup>. Soon after the PPC engagements, the conflicts were under control.

The Mashurugwi conflict was a political interest scenario. Most of the mining claims and the small scale miners were ‘owned’ by some Members of the Executive or MPs who organised and supported the conflicts to control the mining pits. This was one reason why nothing was initially done to address the situation. What also influenced the Executive to act quickly was not only the PPC’s “composite engagement strategy targeting both the Executive and governance institutions responsible for maintaining national peace, order and security”<sup>719</sup>. But also pressure from the local and international media<sup>720</sup> that

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<sup>717</sup> Name taken from Shurugwi, the name of an area situated in the Midlands Province of Zimbabwe with arguably the highest concentration of small scale miners, to refer to all groups of small scale miners that killed to protect and grab mining claims. The name began to be used to refer to small scale miners with such practices from all other mining areas other than Shurugwi.

<sup>718</sup> Elite Interview 3, Harare, 15 December, 2020.

<sup>719</sup> Elite Interview 6, Harare, 19 February, 2021.

<sup>720</sup> There was some form of media and even scholarly campaign not only to expose Mashurugwi, but also to demand executive accountability and responsiveness: For example Mkodzongi (2020); *All Africa.com* “Mashurugwi Kill 35, Rape 15 since Last Year [2019]... Minister Rules Army Help in Dealing with Menace” at <https://allafrica.com/stories/202002250606.html>; *African Arguments* “Why is Zimbabwe doing so little to tackle growing gang of violence?” at <https://africanarguments.org/2020/02/zimbabwe-gangs-mashurugwi-mnangagwa-chiwenga/>; *The Zimbabwe Mail* “Zanu PF Chaiman’s Son Killed By Mashurugwi Machete Gang” at <https://www.thezimbabwemail.com/headlines/zanu-pf-chairmans-son-killed-by-mashurugwi-machete-gang/>; *Zimeye.net* “Picture of Gogo [grandmother] Hacked to Death by Mashurugwi Emerges” at <https://www.zimeye.net/2020/01/09/picture-of-gogo-hacked-to->

did not only expose them by publishing the stories and statistics of the violence. They “also demanded accountability and responsiveness - and indeed an end to Mashurugwi atrocities<sup>721</sup> - from the Executive where some of the Members were perpetrators. At the same time, the Executive has also responded to critical policy issues after widespread media and public profiling in anticipation before the PPCs complete their scrutiny processes as discussed below.

*9.3.4.2. Bureaucratic anticipation based responsiveness - Executive takes action after public and media profiling ahead of PPC process*

PPCs “have advised government portfolios and departments to address competency gaps and to immediately follow up on public interest and media prominent issues as soon as they are known”<sup>722</sup>. This would spare the Executive of possible accusation of incompetency and humiliation. Following a petition by a citizen complaining about shortages of Probation Officers in government rehabilitation and correctional institutions, the respective PPC carried out fact finding missions to several probation centres around the country to obtain more details on the matter. The PPC produced “a report on the national probation situation” revealing that “convicted juveniles were placed on probation institutions without the guidance of qualified Probation Officers”<sup>723</sup>.

When the PPC tabled the report before Parliament, the responsible Minister - a powerful ally close to the President - was supposed to be available to respond, but was absent. This was not surprising because the “arrogant Minister did not even bother to attend the initial PPC meetings: first to respond to the petition and second, to respond to the PPC probation fact

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[death-by-mashurugwi-emerges/](https://www.ihare.com/news/death-by-mashurugwi-emerges/); *IHarare.com* “Police arrest 3 ‘Mashurugwi’ Behind Officer’s Murder, 100 More Rounded Up in Fierce Crackdown” at <https://www.ihare.com/news/police-arrest-3-mashurugwi/> [Accessed on 22 January, 2022].

<sup>721</sup> Elite interview 3, Harare, 15 December, 2020.

<sup>722</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>723</sup> Ultra Elite Interview 11, Harare, 26 January, 2021.

finding report subsequently tabled before Parliament”<sup>724</sup>. Instead, perhaps after reading the PPC report in private, the Minister went on to put an advertisement in the media to recruit Probation Officers. It was “a matter of trying to cover up for the public humiliation and a strategy to undermine concerns raised by the PPC to portray a false picture of being in control of the [shortage of Probation Officers’] situation”<sup>725</sup>.

But when the PPC “read the riot act, the Minister apologised on March 15, 2021 for skipping PPC summons on the two occasions”<sup>726</sup>. It was a combination of the ability to use its powers in the context of the law, the facts generated from relevant institutions and the PPC’s unity in defending their report that consequently humbled the Minister to act in anticipation and consequently apologise.<sup>727</sup> Though situations differ, PPCs able to follow all the legal protocols and properly use their powers have the ability to hold powerful Executives to account. But the media and public profiling of governance issues has not been equally distributed amongst PPCs. As a result, PPCs profiled have been more powerful than those not favoured by the media. As a way of situating the context of Executive responsiveness, it is useful to look at this briefly before discussing challenges on PPCs effectiveness.

#### *9.3.4.3. Unequal media coverage and public profiling – unpopular PPCs left behind*

Media coverage of MPs in general and PPCs in particular has not been equal. As a result, some PPCs are rarely known and reported in mainstream media. In rare occasions, their incomplete stories are “written at the bottom corner of a newspaper in small letters or read as downtime news”<sup>728</sup>. This means that Executive “is not given adequate humiliation and exposure to respond on time”<sup>729</sup>. When a PPC discovered, for example, “sexual harassment of female students by their lecturers, ghost workers and poor quality education”, it

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<sup>724</sup> Elite Interview, 12, Harare, 16 March, 2021.

<sup>725</sup> Ultra Elite Interview 10, Harare, 1 March, 2021.

<sup>726</sup> Ultra Elite Interview 10, 1 March, 2021.

<sup>727</sup> Ultra elite interview 9, Harare, 17 March, 2021.

<sup>728</sup> Elite Interview 2, Harare, 29 October, 2020.

<sup>729</sup> Elite Interview 2, Harare, 29 October, 2020.

“anticipated widespread media coverage”. This did not come and there was no other additional and significant force to push the Executive into immediate responsiveness.

The PPC had recommended “the Executive to provide more financial support to students to stop them, especially girl students, from using their bodies in exchange for cash or food handouts”<sup>730</sup>. As a result, the Executives’ feedback<sup>731</sup> to the PPC’s proposals and recommendations to improve the situation in the country’s institutions of higher learning was that “there was no budget to cater for any student loans. It promised to “exacerbate its ‘look into it’ because “the government is already planning to do something about it...”<sup>732</sup> Perhaps if the PPC report had been well profiled in and publicised by the mainstream media, the Executive responsiveness could have been more immediate.

There are also gender dimensions in media coverage of PPC issues and activities. The media profiling has been more biased towards male MPs or PPCs led by male Chairpersons. This has eclipsed the already few and marginalised female led PPCs. Apart from only two<sup>733</sup> female led PPCs, more than ninety percent of PPC reporting in Zimbabwe media during half of the Ninth Session of the Parliament of Zimbabwe focused on male led PPCs.<sup>734</sup> Coverage of gender and women based PPCs was scarce as if they did not exist. Such PPCs have been undermined, especially by the media, because they “are seen as incompetent largely because they are everybody’s bus, sanctuaries and

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<sup>730</sup> Ultra Elite Interview 15, Harare, 2 November, 2020.

<sup>731</sup> Parliamentary laws oblige Ministers to give reasons for rejecting Parliamentary Portfolio Committee oversight or policy recommendations or proposals.

<sup>732</sup> Elite Interview 2, Harare, 2 October, 2020.

<sup>733</sup> The Parliamentary Portfolio Committees of Health and Child Care and Primary and Secondary Education Chaired by female legislators received some fair media coverage largely because they received significant support from DPFs that enabled them to carry out several activities outside Parliament to gather evidence to support some policy or legislative positions. Their activities and their reports which they presented to Parliament and the Executive attracted some media attention.

<sup>734</sup> Those Members that speak bullishly on measures or opinions to transform or replace the status quo through some leadership change or institutional reforms, policies or practices.

resting places for most inadequately qualified Members, especially women” not “easy to identify with any specific PPC”<sup>735</sup>. This is because they are seen as “lacking consequential Parliamentary experiences, academic and professional qualifications...and there is nowhere they are accepted and recognised except in some gender or women something PPCs nobody else is interested in...”<sup>736</sup>

Gender biased PPC media reporting is not surprising. More than ninety five percent of Zimbabwe’s mainstream media editorial is dominated by men. This eventually makes PPC reporting more skewed towards what male led PPC Chairpersons say or influence.<sup>737</sup> But media coverage for female PPC Chairpersons has only increased in circumstances where they make genuine policy and legislative concerns using strategies seen as weird or obscure. The local media had a party during Eighth Parliament of Zimbabwe when a female PPC Chairperson brought second hand female underwear in Parliament. She wanted to show MPs and Executive how underprivileged women and girls in a poorly supportive social and economic environment were risking their sexual hygiene by buying cheap second hand underwear from flea markets. The event made headlines, even outside the country. One international media, for example, headlined “Zim MP brings used underwear in Parliament”<sup>738</sup>. The motive of the female PPC Chairperson was “to provoke serious discussions on

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<sup>735</sup> Elite interview 3, Harare, 15 December, 2020.

<sup>736</sup> Elite interview 3, Harare, 15 December, 2020.

<sup>737</sup> See “positive” male PPC Chairpersons media coverage in, for example, *Nehanda Radio* ““Stop Harassing me, I have blood pressure”, Gwarazimba tells Wadyadyena” at <https://nehandaradio.com/2020/10/21/stop-harassing-me-i-have-blood-pressure-gwaradzimba-tells-wadyajena/>; *Zimbabwevoice.com* “Stop Prosecuting me, I fought for this country.” Minister tells off Wadyejena” at <https://www.zimbabwevoice.com/2020/10/21/stop-persecuting-me-i-fought-for-this-country-minister-tells-off-wadyajena-video/>; *Newzimbabwe.com* “Biti fumes as finance ministers dodge committee hearings fourth time” at <https://www.newzimbabwe.com/bitifumes-as-finance-ministry-officials-dodge-committee-hearings-fourth-time/>; *The Herald* “Biti fumes over tenders” at <https://www.herald.co.zw/bitifumes-over-govt-tenders/> [Accessed on 25 October 2022].

<sup>738</sup> See for example *News24* “Zim MP brings used underwear in Parliament” at <https://www.news24.com/News24/Zim-MP-brings-used-underwear-to-parliament-20150723> [Accessed 23 November, 2021].

sexual hygiene, especially for the poor, marginalised women and girls”<sup>739</sup>. The media could have amplified that. Instead, “it was reported predominantly as laughing matter”<sup>740</sup>. This has not only been common in Zimbabwe.

In Kenya, a female MP brought a child in Parliament. She wanted Members to address policy issues related to how female MPs could balance off their reproductive role as mothers and participation in governance processes as legislatures. The Parliament immediately chucked her out on ‘contempt’ of Parliament. Again, the media picked a pun, not the policy part of the action. Stories like, for example “Kenya: Female MP removed from Parliament for bringing baby”,<sup>741</sup> made media headlines.

The way the media picked up the issues [of bringing female linen or baby in Parliament] showed no intention to amplify the stories behind the female MPs exhibitions and underlying policy issues. Instead, stories of such circumstances were written in a way to ridicule or amuse the female Members who bring such ‘weird’ evidence to Parliament supporting their submissions.<sup>742</sup>

Although uncertainties with tools for ascertaining effectiveness exist, unequal media attention would make it unreliable to use PPCs media appearance frequency as efficacy measurement. However, the media remains an important institution for disclosure and publicity. It has power to move the Executive to responsiveness more so if the media takes a deliberate gender based policy reporting covering PPC findings, proposals and recommendations fairly – and in detail. This is one reason why some of the PPCs, especially headed by female MPs, have not been able to fully fulfil their

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<sup>739</sup> Ultra Elite Interview 11, Harare, 26 January, 2021.

<sup>740</sup> Ultra Elite Interview 11, Harare, 26 January, 2021.

<sup>741</sup> See for example, *Aljazeera* “Kenya: Female MP removed from parliament for bringing baby” at <https://www.aljazeera.com/news/2019/8/8/kenya-female-mp-removed-from-parliament-for-bringing-baby> [Accessed 23 November, 2021].

<sup>742</sup> Ultra Elite Interview 11, Harare, 26 January, 2021.

potentials “existing only in name, not in action”<sup>743</sup>. The next session builds on this by analysing, broadly and in detail, how PPCs could be compromised.

#### **9.4. When PPCs lose “their saltiness as the salt of Parliament”<sup>744</sup>**

PPCs’ role in Parliament has been related to the role salt plays as essential nutrient. Just like salt does to human food, PPCs have been seen as providers of “flavour, texture, colour and preservation to the House”<sup>745</sup>. But there are moments when PPCs’ worthiness, virtuousness and therefore “saltiness” to the Executive in general and Parliament in particular are lost. Some of the circumstances are detailed in turn below.

##### **9.4.1. Enforcement capacity**

The overarching weakness emanating from the Parliamentary principle on separation of powers, as illustrated elsewhere, is in the exercise of their Executive oversight, PPCs make recommendations or proposals - not directives. Whilst they have powers to summon government officials or any other citizen to respond to questions, or give oral evidence, PPCs are limited in that their resolutions and recommendations are not binding. The Executive might adopt some and reject others at their own will though they are bound to justify for those thrown away. Thus

PPCs are sometimes seen as less useful because they are only suggestive. Their suggestions could be adopted or thrown away. This could mean they are also powerless as they cannot, due to separation of powers, observe and rise to the responsible Minister to satisfactorily account and implement.<sup>746</sup>

There are several reasons, beyond PPCs’ capacity to influence, why the Executive would reject some of the recommendations.

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<sup>743</sup> Ultra Elite Interview 13, Harare, March 4, 2021.

<sup>744</sup> Ultra Elite Interview 10, Harare, March 1, 2021. Some of the research participants also referred to Biblical Jesus’ Sermon on the Mountain (Mathew 5:13) entitled “Salt and Light” seeing PPCs as both the “salt” and “light” of Parliament but also with situations where the “saltiness” and the “light” is lost. See also *Open Bible* “Salt of The Earth” at [https://www.openbible.info/topics/salt\\_of\\_the\\_earth](https://www.openbible.info/topics/salt_of_the_earth) [Accessed on 12 June, 2022].

<sup>745</sup> Ultra Elite Interview 14, Harare, 8 May, 2021.

<sup>746</sup> Ultra Elite Interview 14, Harare, 8 May, 2021.

#### *9.4.1.1. Strong ruling parties do not reform themselves out of power*

Usually thrown away, and “sometimes in the face of PPCs, are proposals and recommendations seen as politically contentious”<sup>747</sup>. “Human rights, electoral or security sector reforms” - and “everything else challenging the powers of the incumbents” are “usually unwanted submissions to the Executive”<sup>748</sup>. But politically innocent, corporeal issues without power connotations are usually the Executive’s favourite. Recommendations and proposals for “electoral reforms”<sup>749</sup>, for example, have been made by respective PPCs for years, but the Executive has not been fully complying because strong ruling parties “cannot reform themselves from power”<sup>750</sup>. Changes on how, for example, elections would be done pose as threat to some ruling parties using status quo to stay in power. Recommendations related to “what everyone sees such as roads, water, and sewer system have been easy responsive picks for the Executive”<sup>751</sup>.

#### *9.4.1.2. Holding onto the “feeding trough” - rent seeking bureaucrats*

PPCs recommendations and proposals have been rejected partly because of power dynamics. “The problems PPC identify and the suggestions they make could be seen as interfering with the interests of the Executive or policy implementers” because “there are some high ranking bureaucrats in government benefiting from bad governance – and do not want solutions”<sup>752</sup>. PPCs “have made recommendations for reforms in government institutions such as the National Railways of Zimbabwe, Zimbabwe United Passenger Company, Zimbabwe Iron and Steel Company”<sup>753</sup> and many others. They, as revealed by respective PPCs, “have been operating at a loss with the tax

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<sup>747</sup> Elite Interview 3, Harare, 15 December, 2021.

<sup>748</sup> Elite Interview 5, Harare, 15 December, 2020.

<sup>749</sup> These have included making public media equally accessible to all contesting political parties; demilitarisation of the Election Management Body Staff Members inclined to the ruling party; depoliticisation of humanitarian aid; non-partisanship of the traditional leaders in the conduct of their duties, among others.

<sup>750</sup> Elite interview 5, Harare, 15 December, 2020.

<sup>751</sup> Elite interview 5, Harare, 15 December, 2020.

<sup>752</sup> Elite interview 14, Harare, 10 May, 2021.

<sup>753</sup> Elite Interview 7, Harare, 13 January, 2021.



payer's money funding their perennial deficits depriving other critical social and economic entities of adequate resourcing.<sup>754</sup>

However, some Executive Members have been blocking implementation of PPC proposals and recommendations for reforms in government entities “riddled in corruption and misuse of resources”<sup>755</sup>. PPCs cannot do anything because some [Executive] Members and ruling party bureaucrats

Have accrued, and continue to accrue enormous rents from the status quo, have become very rich without any hard work... and do not want to let go what they have accumulated and continue to accumulate just by implementing a suggestion or recommendation from PPCs.<sup>756</sup>

In some cases, vindictive Executive Members spoil evidence to immobilise PPCs. Important oversight information and reports are sometime hidden from the PPCs, even if they are due for tabling in the House. One Minister for example, “sat on an audit report” during the Ninth Session of Parliament showing how the respective Ministry had spent resources on a special Covid 19 national programme. The “special audit” on Covid 19 program for the Ministry was commissioned after several reports on abuse of the funds.<sup>757</sup> There could be several reasons why the Minister did not comply with the Parliamentary regulations. But “one explanation is that the Minister wanted to conceal some of the reports’ [politically] potentially damaging contents” in which “the Executive and other senior government officials could have been involved”<sup>758</sup>. Whatever the Minister’s motive of evidence spoliation, the respective PPC was powerless to compel the Minister – also a Member of the Presidium - comply with the Parliamentary rules and regulations.

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<sup>754</sup> Elite Interview 13, Harare, 22 April, 2021.

<sup>755</sup> Ultra Elite Interview 14, Harare, 8 May, 2021.

<sup>756</sup> Elite Interview 8, Harare, 13 January 2021.

<sup>757</sup> Ultra Elite interview 12, Harare, May 20, 2021. Also see *New Zimbabwe.com* “Chiwenga Hides Potentially Damning Audit Report” at <https://www.newzimbabwe.com/chiwenga-hides-potentially-damming-audit-report-on-health-ministry-corruption/>; <https://www.newzimbabwe.com/audit-report-which-chiwenga-hid-exposes-massive-covid-corruption/> [Accessed on 10 February, 2022).

<sup>758</sup> *Ibid.*

#### 9.1.4.3. *Calming Executive “witch hunts”*

Strong ruling parties have not always viewed PPCs in a positive sense. Sometimes they ignore their reports or suggestions seeing them as witch hunts intended to humiliate them. This has been a common view on issues picked by PPCs from the Auditor General’s (AG) Reports tabled annually before Parliament containing critical oversight and scrutiny evidence. As a result, the PAC, PPC responsible for scrutinising AG’s Reports and consequently submitting recommendations, directions and possible timelines to Parliament for action has sometimes been muted. For example, PAC did not make any submissions to the House between 2018 and 2020 against the Parliamentary rules:

What happens is Auditor General presents a report to PAC. The PAC must sit down to interrogate it, make assessments and recommendations, and make directions to specific Ministries and state arms to act. For example, PAC should indicate in its report [to Parliament] that a matter [as identified in the AG’s Report] should be referred to, for example, Zimbabwe Anti – Corruption Commission within a period of, say, ninety days. PAC could also indicate, as a recommendation to the House, that Zimbabwe Republic Police proceeds to investigate any matter seen in the AGs report as requiring such. Or PAC could even recommend a Permanent Secretary from a Ministry to recover any state assets etc as identified in AGs report... But from 2018 until 2020, no single report had been presented to Parliament by the PAC... and no oversight action [on government budget and spending] was taken because the actions are based on recommendations from PAC.<sup>759</sup>

In 2019, for example, the Auditor General’s Report “exposed rot in Ministries, government departments and local authorities”<sup>760</sup>. But “nothing tangible was

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<sup>759</sup> See also *Open Parly* “Parliament did not Action 2018 Auditor-General Report” at <https://openparly.com/index.php/2021/08/10/parliament-did-not-action-2018-auditor-general-report/> [Accessed on 9 February, 2022].

<sup>760</sup> Also see *The Zimbabwe Mail* “Arrest corrupt elements in public sector: [Auditor General] Chiri” at [thezimbabwemail.com/opinion/arrest-corrupt-elements-in-public-sector-chiri](http://thezimbabwemail.com/opinion/arrest-corrupt-elements-in-public-sector-chiri) [Accessed on 9 February, 2022].

done” as the “AG’s Report was scuttled in puzzling bureaucratic processes until it was “forgotten” [by Parliament]”<sup>761</sup> possibly “to shield the Executive and government officials the report fingered”<sup>762</sup>. It is not easy to “touch exactly why PAC has not been able to do its mandate in respect to AG’s Reports, especially after the change of ruling party leaders in November 2017”<sup>763</sup>. Nevertheless, the AG’s Reports have often been seen as “Executive witch hunts exposing and humiliating the Executive” and “in turn, the Executive has often sought ways to suppress them”<sup>764</sup>. It is probably why

Some of the PAC meetings to discuss AG’s Reports held in the Ninth Session of Parliament were sabotaged by Members from the ruling party. In some of the few PAC meetings held, no decisions could be reached. In others, majority of Members demanded more time to read and understand the AG’s Report for effective participation. There were other several suspicious reasons as well resulting to zero PAC submissions on AG’s reports to the House. The PAC Chairperson could not do much to enforce PAC Members to participate and comply.<sup>765</sup>

In spite of their richness in political diversity, PPCs are less effective as long as “they do not have arresting powers, resources’ prioritisation authority and capacity to enforce implementation”<sup>766</sup>. Until December 2013 Parliamentary episode where Parliament convicted and imprisoned an opposition MP who pushed and shoved fellow ruling party Member<sup>767</sup>, the Parliament of Zimbabwean no longer have arresting powers. This means without adequate

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<sup>761</sup> Ultra Elite Interview 10, Harare, 1 March, 2021.

<sup>762</sup> Elite Interview 2, Harare, 29 October, 2020.

<sup>763</sup> Elite Interview 2, Harare, 29 October, 2020.

<sup>764</sup> Ultra elite interview 14, Harare, 8 May, 2021.

<sup>765</sup> Ultra elite interview 12, Harare, 20 May 2021.

<sup>766</sup> Ultra elite interview 6, Harare, 11 February, 2021

<sup>767</sup> Roy Bennett was one of the opposition Members in Parliament in 2003 – one of the three white MPs – who assaulted a fellow MP and Justice Minister Patrick Chinamasa after the Minister said Mr. Bennet would never return to his farm. Mr Bennett grabbed Mr. Chinamasa by the throat, shook him violently and pushed him to the ground. See also *BBC News Channel* “Zimbabwe MPs brawl in parliament” at [BBC NEWS | World | Africa | Zimbabwe MPs brawl in parliament](#) [Accessed on 1 February, 2022].

enforcement power, PPCs' work is not always guaranteed to achieve its intended goals. It becomes even more difficult for PPCs if the government plays some political games of avoiding and shying away from them as discussed next.

#### **9.4.2. Executive dodges PPCs**

One way of understanding governance competence or incompetence is assessing how the Executive responds to national questions in public. Even when PPCs have summoning powers, the Executive is sometimes rarely available when needed, sometimes on political reasons, to avoid difficult questions. If a “Minister fails to respond to a critical question in Parliament or PPC meetings, it does not only exposes, but humiliates the political party where they come from, including the leader – and in the long run, diminishes citizens’ trust in the government and the ruling party”<sup>768</sup>. There are several ways in which this has been done.

##### *9.4.2.1. Parliamentary absence*

That the top bureaucracy of a government Ministry consists of a Minister, Deputy Minister and Permanent Secretary makes it difficult to accept all of them could be occupied at the same time without space for either to appear before Parliament or PPCs whenever needed to provide some accountability. This observation makes it easier to accept that the Executive sometimes deliberately abscond PPCs or Parliament. Absconding Parliament has been common “among government officials in charge of essential, but underperforming Ministries because they don’t know how to respond to the bread and butter questions PPCs or Members would ask them”<sup>769</sup>.

As a result, some of Executive absence in Parliament has been conspicuously political. Whilst understandable that Ministers could be held by something else, “it is not easy to understand why they would not second their Deputies or Permanent Secretaries to represent them?”<sup>770</sup> The suspicion becomes even

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<sup>768</sup> Elite interview 9, Harare, 26 January, 2021.

<sup>769</sup> Elite interview 2, Harare, 29 October, 2020.

<sup>770</sup> Elite Interview 13, Harare, 22 April, 2021.

more when a pattern of government officials' absenteeism could be seen as influenced by some internally organised and coordinated processes. At one time, the Speaker of the Ninth Parliament recognised this and complained that

I have received so many apologies from Honourable Ministers. While apologies are expected, they are now becoming a habit. That habit is unacceptable. There are some Ministers who are perpetually sending apologies. That is not good for our country and parliament at large...The Ministers are honourable Vice President and Dr. Chiwenga and Ministry of Health and Child Care; honourable Muchinguri-Kashiri, Minister of Defence and War Veterans, honourable Mutsvangwa, Minister of Information, Media and Broadcasting Services; honourable Dr. Shava, Minister of Foreign Affairs and International Trade; honourable Mathema, Minister of Primary and Secondary Education, honourable Edgar Moyo, Deputy Minister, Primary and Secondary Education... Like this one honourable, leader of government business [who gave the apologies], you cannot have the Minister away and deputy...Those are the apologies; twelve of them – almost half of the cabinet is not here...<sup>771</sup>

The undermining and disrespecting of Parliament and PPCs by government officials “even when on duty in the company of the President” could easily be seen as deliberate. This is so not only because the Constitution demands every Minister or Deputy Ministers to be in Parliament whenever needed. There is a fixed Parliament agenda stipulating that “every Wednesday Ministers should be in Parliament to be accountable to critical policy and legislative issues”. As such, there “is always latitude for any responsible and accountable Ministers to plan around the dates”<sup>772</sup>.

Wednesday's question and answer session has been crucial Executive accountability platform. It has provided rare moments for MPs, especially PPC

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<sup>771</sup> See also *Africa Press Zimbabwe* “Mudenda Scolds Ministers for Dodging Parliament” at [Mudenda Scolds Ministers For Dodging Parliament - zimbabwe \(africa-press.net\)](https://africa-press.net/mudenda-scolds-ministers-for-dodging-parliament-zimbabwe/) [Accessed on 1 February, 2022].

<sup>772</sup> Elite interview 13, Harare, 22 April, 2021.

Chairpersons, to face the Executive and ask them important questions. But some Executive Members, especially incompetent, have been shielded away from providing accountability before PPCs by bureaucratic protocols as also shown below.

#### *9.4.2.2. Veiled, “flat footed bureaucrats”<sup>773</sup>*

The Parliamentary Secretariat responsible for making PPCs communication to the Executive and the Executive bureaucracy are entangled and united by the same command structures. They sometimes protect each other’s weaknesses and incompetency. If PPCs demand to see poor performing Ministers responsible for vital Ministries, artificial confusions are sometimes created by Parliamentary administration bureaucracy. Impressions are formed as if “something went wrong during invitation to the Minister... and therefore the Minister did not receive the invitation on time to appear before the PPC for questioning”<sup>774</sup>. When the Clerk of Parliament “also becomes the Clerk of the Executives”, there “are difficulties in bringing the Executive to account”<sup>775</sup>. A PPC

Failed to access a vital Minister after the Clerk of Parliament, PPC Clerks and other supporting staff could not put enough effort on summons. It was not clear whether they [Parliamentary administration] blocked the Minister or they did not inform him. But at the end of the day, the Minister was not made available for accountability to the PPC. Sometimes access to Ministers is blocked by the staff of Parliament deliberately sitting on summons to protect incompetent but powerful bureaucrats. Such practices make PPCs irrelevant.<sup>776</sup>

Nevertheless, some Ministers have been willing to cooperate with PPCs. But their commitment and keenness is weakened by “their foot soldiers or implementing staff”<sup>777</sup>. Some bureaucrats responsible for advising Ministers

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<sup>773</sup> Ultra Elite Interview 3, Harare, 18 February, 2021.

<sup>774</sup> Ultra Elite Interview 12, Harare, 20 May, 2021.

<sup>775</sup> Ultra Elite Interview 12, Harare, 20 May, 2021.

<sup>776</sup> Ultra elite interview 12, Harare, 20 May, 2021.

<sup>777</sup> Ultra Elite Interview 3, Harare, 18 February, 2021.

have not been honest enough to tell responsible Ministers the truth. Ministerial staff “always wants to play fine; to present a nice picture of things going well in a Ministry”<sup>778</sup>. It is sometimes from false assurances Executive do not take PPCs summons seriously. They second their Permanent Secretaries or Divisional Heads to PPC meetings on their behalf who would either barely respond to questions or provide unbinding responses. They “avoid difficult questions PPCs ask, even if they know the responses, to avoid mortifying their bosses and the Executive”<sup>779</sup>. But the unresponsiveness has also existed because some of the policy implementers are incompetent as confirmed by several AGs’ Reports.<sup>780</sup> They lack requisite qualification and “are so flat footed they do not have adequate experience and knowledge to implement some of the PPC recommendations even if the Ministers have accepted them”<sup>781</sup>.

There are competent gaps between the Executive and PPCs. The Executive and other senior government bureaucrats have not been benefiting from similar training or capacity building processes experts, CSOs or DFOs provide to PPCs. The policy implementers could choose to ignore PPCs’ recommendations or may not even have the capacity to implement. The results have been “episodic discords not only in policy formulation, but also in implementation of both national policies and adopted PPC recommendations”<sup>782</sup>. A further challenge is caused by power dynamics. Capable and professional policy implementers within Ministries sometimes do not have opportunities to fulfil because “it is absolutely hierarchically impossible for an ordinary [policy implementation] officer employed in a Ministry to force a Minister, the highest office in the Ministerial hierarchy, to

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<sup>778</sup> Ultra elite interview 3, Harare, 18 February, 2021.

<sup>779</sup> Elite Interview 3, Harare, 15 December, 2020.

<sup>780</sup> Also see various *Parlzim.gov.zw* “Auditor General’s Reports” at [https://www.parlzim.gov.zw/auditor-general-s-reports/download/2507\\_a4b18dccfe64146d2788ee34fdb01d9d](https://www.parlzim.gov.zw/auditor-general-s-reports/download/2507_a4b18dccfe64146d2788ee34fdb01d9d) [Accessed on 9 February, 2022].

<sup>781</sup> Ultra elite interview 3, Harare, February 18, 2021.

<sup>782</sup> Ultra Elite Interview 3, Harare, February 18, 2021.

implement or certify implementation of some policy proposal or recommendation submitted by a PPC”<sup>783</sup>.

But it is also personal. Relationships matter in policy advocacy. The Executive and PPC Members should be in casual and formal talking terms. Several PPCs not in good relationship with the respective Ministers get stuck. Ministers do not give them enough information on the operations of their Ministries for informed, evidence based oversight.<sup>784</sup> At the same time, PPCs’ interrogation of sensitive governance issues such as “corruption, transparency, or nepotism should not degenerate into finger pointing, accusation, labelling or humiliation of the persona of the Executive” otherwise it could lead to “Executive annoyance and shutting of Executive doors and spaces for PPCs’ onward engagements”<sup>785</sup>. Even if such tendencies are displayed to a single Minister or Member, a political rule called whipping system could mobilise the rest of the bureaucrats to a single action in solidarity. The following sub section looks at how the whipping system has affected PPCs’ efficacy.

#### ***9.4.3. The whipping system***

Beyond PPCs’ capabilities to be more useful in their oversight roles is the non-negotiable political party rule called whipping system compelling Members within a political party to support a political party position in Parliamentary deliberations, even if awful.<sup>786</sup> The whipping system is a process in which “a political party in Parliament, after debating and negotiating with its Members, come up with consensual position on a specific issue to be defended and maintained in all legislative and policy making processes”<sup>787</sup>. It is also a “set of incontestable commands, rules, policies or directives political parties use to control and take charge of their Members of Parliament”<sup>788</sup>. Just like religious organisations, political parties are doctrinaire. They do not give any choice for independent political opinions outside the agreed frameworks even if

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<sup>783</sup> Ultra Interview 14, Harare, 8 May, 2021.

<sup>784</sup> Ultra Elite Interview 1, Harare, 2 November, 2020

<sup>785</sup> Elite Interview 6, Harare, 18 February, 2021

<sup>786</sup> Held (1991).

<sup>787</sup> Ultra Elite Interview 2, Harare, 20 November, 2021.

<sup>788</sup> Ultra Elite Interview 8, Harare, 20 February, 2021.



Members have alternative valid arguments. As a result, Parliamentary debates occasionally become more partisan and political than national and all embracing. In the Parliament of Zimbabwe, “a political party with more than thirty five MPs is expected to nominate a Chief Whip to administer its whipping system”<sup>789</sup>.

From a theoretical point of view, the whipping system could be seen as a political strategy to muffle diversity within a political party. But in practice, a “democratic whipping system provides its political party Members with a platform to debate an issue or an ideology to come up with a best position reflecting political party’s principles”<sup>790</sup>. The whipping system ensures a political party manifesto is not compromised by Parliamentary bickering and extreme divergent views.

From an opinionated point of view, the whipping system is a fair and justified practice. Membership of and participating in political party activities is a voluntary initiative. There is freedom and independence to be in or to be out at any time. Political parties accept Members on the basis of their commitment to support and defend their political party’s manifesto. In an election, candidates lean on their political party manifestos to be voted as MPs. Election candidates with different ideologies have an option of standing as independent or form their own political parties. Only Parliamentarians independent from any political affiliation are free to make their own decisions as they are not subject to any whipping system.

Whether in open Parliament or PPCs, independent MPs can choose to place their votes on issues of national rather than partisan interests.<sup>791</sup> But uncompromised stances of the whipping system are matters of political bearing or subjects of principle. They affect, sometimes in a negative way, PPCs’ effectiveness. Some real PPCs’ experience could help to explain this.

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<sup>789</sup> Ultra Elite Interview 2, Harare, 20 November, 2021.

<sup>790</sup> Ultra Elite Interview 14, Harare, 8 May, 2021.

<sup>791</sup> Ultra Elite Interview 14, Harare, 8 May, 2021.

#### *9.4.3.1. Political diversities largely created by uncompromised whipping system used by political parties in Parliament*

Following Zimbabwe's contested 2018 Harmonised Elections; the main political opposition party in Parliament maintained a stance of not recognising the ruling party's president as legitimate President of the Republic of Zimbabwe. They walked out on Parliamentary State of the Nation Address (SONA). Also as "a whipped decision, MPs from the opposition political party in Parliament refused the President a standing ovation whenever he entered Parliament"<sup>792</sup>. Retribution was made by MPs from the ruling party in PPCs chaired by the main opposition political party. The ruling party whipped its Members that since the main opposition political party in Parliament had whipped its Members not to recognise their president as the President of the Republic of Zimbabwe they were as well justified to walk out on PPCs chaired by MPs from the opposition.<sup>793</sup>

On November 15, 2019, Zimbabwe ruling party Members walked out of a PPC meeting chaired by an MP from the opposition. The PPC was supposed to hear oral evidence from a summoned company regarding use of about US\$3 billion advanced for a government initiated agriculture program without Parliamentary approval. It was because of a whipped boycott a very important oversight PPC meeting was later aborted for the lack of quorum though senior officials from the summoned company had availed themselves to provide their oral evidence.<sup>794</sup> The ruling party Members were also very strategic in their boycott. They targeted one of the most powerful PPC, PAC, chaired by the opposition and specifically by a former Minister of Finance known and feared for hard grilling. And they did so at very critical time when the most important information, probably with the potential to expose accomplices from the ruling party, was about to be revealed. The whipping system worked against an essential oversight, but at the same time achieved the "other intended purpose of completely stopping the PPC from interrogating a

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<sup>792</sup> Ultra Elite interview 14, Harare, 8 May, 2021.

<sup>793</sup> Ultra Elite Interview 2, Harare, 20 November, 2020.

<sup>794</sup> See also *Newsday* "ZANU PF MPs walk out on Biti" at [newsday.co.zw/2019/11/zanu-pf-mps-walk-out-on-biti/](https://www.newsday.co.zw/2019/11/zanu-pf-mps-walk-out-on-biti/) [Accessed 20 November, 2021].

government institution where several senior government officials were part of the corruption regimes”<sup>795</sup>.

There were similar whipping induced disturbances in the Ninth Parliament that brought the work of some PPCs’ to a halt. PPC Chairpersons from the opposition political party were “voted out”<sup>796</sup> by whipped Members from the ruling party in December 2019 during PPCs’ post-budget meetings. The ruling party Members argued “the PPC Chairpersons from the opposition could not chair the 2020 post-budget discussion since they – and the rest of their colleagues - were not part of the audience that attended the budget presentation in Parliament”<sup>797</sup>.

The MPs and their opposition political party colleagues had whipped themselves to boycott a 2020 National Budget Presentation by the Minister of Finance and Economic Development in Parliament because the President was also in Parliament to follow. Several opposition Members agreed to skip the national budget presentation in Parliament as they did not want to participate in the presence of an “illegitimate” President - “as it would give an impression he was legitimate”<sup>798</sup>. Though the “voting out” was not very successful, because of PPC procedural issues, “they stopped, scuttled or disturbed the work of PPCs for the days and the meetings following”<sup>799</sup>.

Evidence of the whipping system has also been visible in some PPC discussions. MPs within a PPC “could be whipped by their political party to disturb PPC discussions to avoid outcomes undermining some political party interests”<sup>800</sup>. This “is identifiable by retrogressive behaviours of MPs appearing in PPCs only during certain critical and politically sensitive

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<sup>795</sup> Ultra Elite Interview 14, Harare, 8 May, 2021.

<sup>796</sup> Ultra Elite Interview 7, Harare, 18 February, 2021.

<sup>797</sup> Ultra Elite Interview 2, Harare, 20 November, 2020.

<sup>798</sup> Ultra Elite Interview 2, Harare, 20 November, 2020.

<sup>799</sup> Ultra Elite Interview 6, Harare, 11 February, 2021.

<sup>800</sup> Ultra Elite Interview 12, Harare, 20 May, 2021.

discussions”<sup>801</sup>. In one PPC, some Members from the ruling party attended “as rebel rousers only at certain times when the PPC was discussing electoral or legislative reforms”<sup>802</sup>. The

Energy and effort they put in disturbing the PPC conversations would give impressions they were mandated by their political parties to ruin progressive discussions. The discussion for the electoral reforms, for example, was very hot and sensitive. They MPs made noises; opposed PPCs recommendations and watered down the importance of any discussion, especially relating to legislative reforms. At the end of the day, no consensual report was produced for tabling before Parliament.<sup>803</sup>

Most compromised by the whipping system have been PPC Members from the ruling party. They “will be summoned to a political party caucus on accusations of exposing their leaders if they dare ask hard and revealing questions to Ministers or government officials appearing before their PPCs”<sup>804</sup>. The whipping system forbids them to ask “Ministers, either before PPCs or Parliament, anything making them struggle, strummer or gasp for responses” as this “would be seen as sabotaging the Minister, the President and the [ruling political] party”<sup>805</sup>.

Nevertheless, the whipping system has not completely stopped PPC Members from the ruling party to hold the Executive accountable. Possible clashes have been avoided by passing difficult questions they might have to PPC colleagues from the opposition to ask it on their behalf. But with communication challenges in message transmission and retention, the gravity and essence of the oversight questions would lose their actual form and emphasis when passed from one Member to the other. They become either too “simplistic or too complex and fail to pitch the right levels of the expected Executive

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<sup>801</sup> *Ibid.*

<sup>802</sup> *Ibid.*

<sup>803</sup> *Ibid.*

<sup>804</sup> Elite interview 1, Harare, 27 October 2020.

<sup>805</sup> Elite interview 3, Harare, 15 December, 2020.

responsiveness and accountability”<sup>806</sup>. The whipping system has also been used by government officials to escape from accountability as shown below.

#### *9.4.3.2. Government officials refusing to be accountable on whipped reasons*

The effects of whipping instructions on the work of PPCs also revealed themselves during the Ninth Parliament when political polarization prevailed over decisions on common good.<sup>807</sup> PPCs Members, as part of their oversight role, have used presence of Ministers in Parliament on Wednesdays during question time. During the time, PPC Chairpersons also ask Ministers questions arising in their PPC discussions because “these will be rare and biggest moments available to ask Ministers, especially skippers of PPC meetings”<sup>808</sup>.

In December 2018, a Member from the opposition asked respective Minister in Parliament a question but he declined to respond. The Minister argued since he was appointed by a political party leader the opposition refused to acknowledge as the President of the country, he was also “illegitimate” to respond to their questions because “I was appointed by an “illegitimate” leader”<sup>809</sup>. This Executive position was justified thus:

We will not accept a situation where we continue to have hypocrites [opposition Members] in this House who want us to answer their questions...So, for that reason we are unable to answer their questions.<sup>810</sup>

Refusal by responsible Ministers to respond to oversight questions from the opposition continued occasionally in the Ninth Parliament with significant oversight repercussions. The Executive could not easily take oversight questions asked by Members from the opposition; proposals and recommendations from PPCs led by the opposition. This gave the ruling party the latitude to avoid necessary accountability and responsiveness in its policy

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<sup>806</sup> Elite interview 9, Harare, 26 January, 2021.

<sup>807</sup> Elite Interview 9, Harare, 26 January, 2021

<sup>808</sup> Ultra Elite interview 15, Harare, 2 November, 2020.

<sup>809</sup> Ultra Elite Interview 14, Harare, 8 May, 2021.

<sup>810</sup> See also [bulawayo24.com/index-id-news-sc-national-byo-151148.html](http://bulawayo24.com/index-id-news-sc-national-byo-151148.html) [Accessed on 20 November, 2021].

and legislative implementation. PPCs' efficacy has indeed been undermined by the whipping system which is very close to the concept of separation of power, another political principle with similar repercussions on PPCs' work as discussed below.

#### **9.4.4. Separation of powers**

PPCs' efficacy is highly compromised by the fallacy of separation of powers. In Zimbabwe, the power of the Executive and Parliament is not separate enough in practice. Executive Members are also Members of Parliament. This is in line with the Constitution which entails only an elected MP should be appointed Minister - save for five or so Executive positions the President could pick as experts outside Parliament. This "has created not only political, but power dynamics affecting PPC operations and effectiveness"<sup>811</sup>.

An elected MP becoming Minister is not hierarchically equal to ordinary MPs because he or she becomes a senior. PPCs' relationship with Ministers has become more sophisticated. They oversight - and demand good governance from government officials above them on the political administrative ladder. This means PPCs engage Ministers not on equal basis, but on superior – subordinate stand point reducing PPCs latitude for expression and scrutiny. An extreme example has been a PPC shadowing a Ministry headed by a Vice – President who was also a Member of the Executive. "With what powers and how much assertiveness could the respective PPC question and interrogate a Vice-president, their senior and the second most powerful person in the country?"<sup>812</sup> This "is just an extreme scenario, but this is the kind of the relationship PPCs have with Ministers or the Executive cutting across all PPCs"<sup>813</sup>. But even if PPCs are able to discuss freely, there are financial challenges to support their work and implement their recommendations as discussed below.

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<sup>811</sup> Elite Interview 5, Harare, 15 December, 2020.

<sup>812</sup> Ultra Elite interview 6, Harare, 11 February, 2021.

<sup>813</sup> Ultra Elite Interview 14, Harare, 8 May, 2021.

#### **9.4.5. “Sorry, the government has no money...”<sup>814</sup>**

The question that arises is why countries like Zimbabwe remain poor if there is some form of good governance influence through PPCs? The main problems and challenges affecting a country’s national economy are also reflected in the operations of its national institutions including PPCs. The efficacy of PPCs is largely determined by “what could be seen as an external determinant: the state of the national economy”<sup>815</sup>. There is “nothing to oversight, nothing to monitor or evaluate if a Ministry is not allocated requisite funds or resources by treasury to implement its policies and activities on time as advised and guided by PPCs”<sup>816</sup>.

Thus a PPC policy or legislative recommendation for a Ministry is not enough. The Ministers’ adoption of a PPC recommendation or proposal is also not enough. What is enough for an effective PPC is a package of at least five cyclical initiatives or processes. First is to recognise and prioritise policies within the shadowed Ministry in need of immediate implementation. Second is the ability to persuade respective Ministers to accept, adopt and implement a PPC policy recommendation or proposal. Third is to persuade the treasury to allocate resources for the implementation of identified policy. Fourth is the development of a funds disbursement formula to policy destinations. Fifth is monitoring policy implementation and resource use by the respective Ministry.<sup>817</sup>

The main problem for PPCs is not largely about submitting national budget recommendations to the treasury. It is not even about deciding what matters most for Zimbabweans. This is well known and well written.<sup>818</sup> The problem is budget financing. The Zimbabwe government has not been capable of holistically funding its own budget. PPC recommendations put on the national budget with some budgetary allocations usually end on paper. The

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<sup>814</sup> Ultra Elite Interview 11, Harare, 26 January, 2021.

<sup>815</sup> Ultra Elite Interview 9, Harare, 26 January, 2021.

<sup>816</sup> Ultra elite interview 13, Harare, 4 March, 2021.

<sup>817</sup> Elite Interview 15, Harare, 2 December, 2020.

<sup>818</sup> For example see Helliker and Mazarire (2021), Chandler (2020); Chiumbu and Musemwa (eds.) (2012).

government either does not have the requisite resources or does not make them priorities. Good ideas produced by PPCs without financial support for their implementation go nowhere!<sup>819</sup> “Good governance needs a firm accompaniment of financial resources and reliable budget deficit funding”<sup>820</sup>.

By the end of 2021 fiscal year, for example, there were government Ministries that had not yet received their financial allocations from the treasury whilst others had received more than their share:

The financial disbursements from the Ministry of Finance and Economic Development have been erratic. By 31 September 2021, for example, some Ministries and [government] departments had only been given an average of 30 percent of their annual allocations. The Parliament of Zimbabwe, for example, had only received 33 percent of its allocation by the same time whilst the Ministry of Industry and Commerce had received 32 percent, Foreign Affairs and International Trade 31 percent and Information, Communication Technologies, Courier Services had been given 28 percent.<sup>821</sup>

Even if resources were available in the national purse, there has been little fairness in their distribution with some unilateral deviation from the promised financial allocation and roadmap. In the 2021 fiscal year, for example, the government changed, without adequate consultation, what it had committed to Ministries at the beginning of the fiscal year. Whilst some Ministries received less, others received more than their annual allocations. By September 2021, the Public Service Commission, for example, got 104 percent, Ministry of Energy and Power Development 131 percent, Finance and Economic Development 123 percent and Defence and War Veterans Affairs 114 percent.<sup>822</sup>

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<sup>819</sup>Ultra Elite Interview 12, Harare, 20 May, 2021.

<sup>820</sup> Elite interview 5, Harare, 15 December, 2020.

<sup>821</sup> Elite Interview 12, Harare, March 16, 2021. Also see *Zimbabwe Situation* “Fully disburse budget allocations, Mthuli urged” at [Fully disburse budget allocations, Mthuli urged - Zimbabwe Situation](#) [Accessed on 8 February 2022].

<sup>822</sup> *Ibid.*



Even when it comes to PPCs, some have received more government support than others. The PPC on Public Accounts and Budget, for example,

Always begin the year with a relatively adequate budget which allows it to put and disseminate an annual budgeted activity program. This is also made possible by a full personnel resource which does not only include a PPC Clerk and Researchers. It has additional support staff for additional offices such as public relations, budget experts, and publication and information technology. This is not usually the same with PPC on, for example, gender, education or environment where funding for, say, a gender, education or environment expert, may not be provided. If resource allocation was fair, it would have been ideal to employ experts and other support staff in all PPCs with – just like the PPC on PAC - a budget office to scrutinise and raise funds. But what this means is that whilst PPCs' expectations are very high, they are not equal in the way they access resources.<sup>823</sup>

An inconsistent and unjust allocation of national resources has significant implications on PPC functions and policy implementation in respective Ministries. This raises questions on the fate of PPCs' recommendations accepted but not immediately implemented by the Executive. The following sub-section looks at this question in detail.

#### **9.4. Of Ideological Congruousness and Incongruousness - PPCs' recommendations not always thrown away as Executive responsiveness is not always immediate**

Executive responsiveness does not only depend on PPCs' abilities to convince, but also on relevance of their subjects to the national vision and government policy priorities at particular moment. The President's Parliamentary address always indicates government priorities. What is "usually not in the immediate national vision or priority - or in the mentioning of the Presidential Parliamentary Address - is not completely struck off the Executive policy

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<sup>823</sup>Elite Interview 2, Harare 29, October, 2020.

agenda”<sup>824</sup>. It is usually delayed or queued, sometimes indefinitely, but would eventually be implemented.<sup>825</sup>

Delays in implementing PPCs’ recommendations are possible because of challenges associated with policy ideology congruencies – the “Relationship between government policy position and PPCs recommendations” with “a smaller (greater) distance between both positions” implying “more (less) congruence and consequently good (bad) representation”<sup>826</sup>. This implies strong governments are sometimes calculative in their responsiveness depending on whether PPCs’ recommendations converge with their policy frameworks. Delaying implementation implies impossibilities or lack of commitment to align arising PPC concerns to the ruling party’s ideology.

As such, Executive responsiveness is a process. Given scarce resources, government policies are usually implemented according to “ruling parties’ policy implementation schedules. Government policies on top of agenda are prioritised ahead of any new ideas coming from PPCs”<sup>827</sup>. This is why PPCs’ proposals or recommendations “made long ago” could be “implemented after some months or even years”<sup>828</sup>.

In 2001, a PPC made a recommendation to the responsible Ministry to put a budget line to assist children in difficult circumstances. But it is only in the last three years [2017] the Ministry effectively adopted the proposal. A specific budget item and a scaling up of what became known as Basic Education Assistance Module paying primary and secondary education school fees for children in difficult circumstances is now a common feature on the Ministry’s annual budget... <sup>829</sup>

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<sup>824</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>825</sup> Elite Interview 4, Harare, 29 October, 2020.

<sup>826</sup> Ferland (2018:1).

<sup>827</sup> Ultra Elite interview 1, Harare, 2 October, 2020.

<sup>828</sup> Ultra Elite Interview 2, Harare, 20 November, 2021.

<sup>829</sup> Ultra Elite Interview 4, 20 November, 2020.

Likewise, when a PPC tabled a case of corporate governance involving a Permanent Secretary from the respective Ministry in 2017, there was no immediate response from Executive. However, after

About five or six months, the Permanent Secretary was suspended and later fired - and is now facing some criminal charges.<sup>830</sup> But this is not only the case. In 2005, a PPC toured the countries' toll gate infrastructure and submitted before Parliament that toll gates being constructed were substandard. The relevant Ministry responded by improving the toll infrastructure from 2009 as an ongoing initiative. But when the Executive responded to these recommendations it – as it does in all cases - did not shout on top of a mountain they were now implementing PPC submissions.<sup>831</sup>

It is also the bureaucratic way governments are run delaying Executive responsiveness. Politicians are natural competitors. They always want to display vindictiveness particularly in the presence of other political competitors. This “inherent nature of the politician” where “immediate acceptance of a [PPC] recommendation by the ruling bureaucracy may be seen as weakness and acceptance of ideological defeat or admittance of policy failure in the public eye” is the “the worst thing a politician hates”<sup>832</sup>. Politics “is all about power” and how “the Executive privileged to have won [from elections] wants to use it vindictively by not immediately and publicly admitting to some “external” advice”<sup>833</sup>.

As counter, successful PPCs should be consistent and forceful in their good governance demands. The Executive, for example, gazetted a Public Health Act after almost three Parliamentary Sessions when the respective PPC “raised the issue again and again for more than a decade”<sup>834</sup>. The repeal of the Wilful Transmission of HIV AIDS Act also took years to be ratified by the Executive.

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<sup>830</sup> See *Zimbabwe Situation* “MPs demand Gudyanga dismissal” at [MPs demand Gudyanga dismissal \(zimbabwesituation.com\)](https://www.zimbabwesituation.com/mps-demand-gudyanga-dismissal/) [Accessed on 25 January, 2022].

<sup>831</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>832</sup> Ultra Elite Interview 2, Harare, 20 November, 2020.

<sup>833</sup> Ultra Elite Interview 1, Harare, 6 October, 2020.

<sup>834</sup> Elite Interview 4, Harare, 2 December, 2020.

However, it remains that Executive does not completely erase important PPCs recommendations completely off the government policy agenda. It takes its time partly because of resources constraints, bureaucracy inefficiencies, incapacity, policy incongruousness and partly because of political vindictiveness. But when the Executive finally responds, how would it be possible to determine and measure PPCs' efficacy? The following section draws from the discussion and tries to respond to this question.

### 9.5. PPC efficacy – how can it be measured?

Overall question arising when all the activities and processes within and around PPCs are explained and discussed is: What does an efficient PPC look like? How could PPCs' efficacy be measured? Whilst there is no defined universal tool to measure PPCs effectiveness, some expected PPC achievements could be traced and consolidated from this essay. The following diagram shows various cyclical Stages of PPCs' work identified to help deduce some efficacy statements.

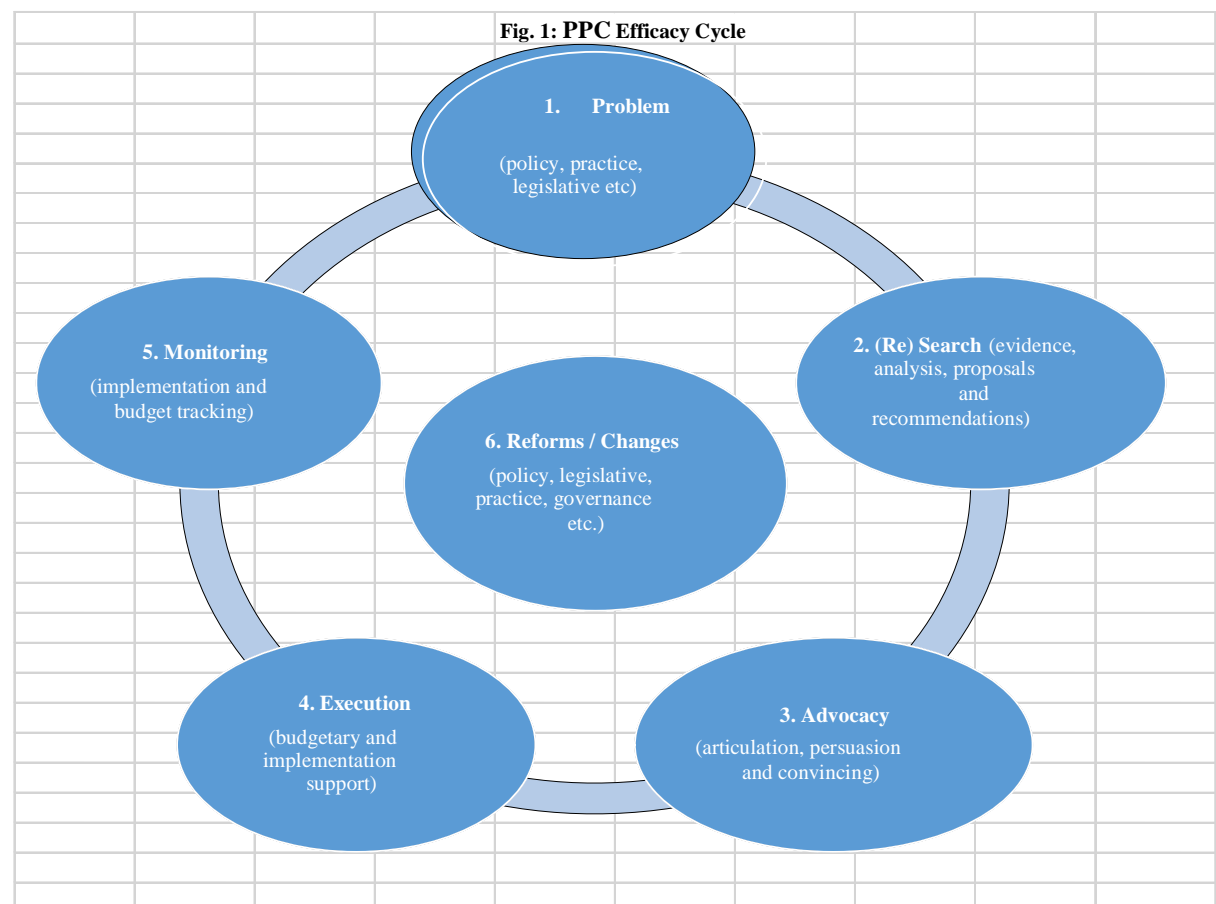


Fig. 1 above shows different stages of PPCs work from Stage 1 to Stage 5. A PPC identifies the Problem(s) in the Ministries or government departments they shadow in Stage 1 (Problem). These could be related to government policies, legislation or (bad) governance. In order to get more information to advocate for changes or reforms, PPCs carry out some Researches in Stage 2 to generate information for evidence based advocacy with the Executive. This could be generated through expert or public consultations, document reviews or questioning of witnesses. In Stage 3 (Advocacy), the PPCs use evidence generated in Stage 2 to engage the Executive. PPCs would try to do their best to convince the Executive to appreciate identified governance challenges using documented evidence - and to take action guided by their suggestions or recommendations.

Assuming the Executive adopts some of the recommendations tabled in Stage 3, Stage 4 (Execution) signifies the work of PPCs to also convince the Executive to provide funding for the implementation of adopted PPCs recommendations or suggestions. In Stage 5, PPCs monitor Executive implementation of their recommendations and suggestions. In the process, PPCs identify any arising challenges becoming the next Problem (Stage 1) - and the cycle would start off again.

Stage 6 is roving. It is associated with the rest of the Stages. It is in the middle representing the highest expected level of PPC efficacy. This could be associated with notable governance reforms or positive changes in policies, laws, practices, among others, as a result of PPCs' influences at each stage of work or from Stage 1 to Stage 5. Stage 6 is also in the middle to show it is possible for PPCs to achieve the highest efficacy level at any stage of their work. This happens because of bureaucratic anticipation: governments' counter response(s) to predictable PPCs' process outcomes even before the cycle of PPC work is completed.

The government could respond in advance and make some reforms the very moment a PPC, for example, identifies a policy problem (Stage 1). Examples

given in the discussion include an incident where the Executive quickly reacted by appointing Probation Officers before the PPC had completed its investigations on national Probation Centres. Similarly, the PPC cycle of work is broken if a widely publicised PPC fact finding mission to an underperforming public enterprise (Stage 2) could immediately oblige the visited enterprises to improve on their practices (Stage 6) “after being seen and exposed” <sup>835</sup>. Thus there could be efficacies at every stage – but different efficacies as noted below.

#### **9.5.1. Different efficacies**

Given different PPCs performances and capacities, unequal publicity and access to resources as discussed, it is not possible for all PPCs to perform equally and register same efficacy. Their effectiveness are different especially considering extent of government responsiveness. Before discussing this in detail, it is important to recognise the following factors as identified in the discussion for consideration in making verdict on PPC efficacy:

- PPCs shadow government Ministries or departments;
- PPCs do not initiate, formulate or implement government policy;
- PPCs monitor policy implementation and raise questions on anomalies;
- PPCs do not supervise implementation of government policy;
- PPCs make policy recommendations or proposals;
- PPCs recommendations can be rejected or adopted and
- PPCs do not have enforcement powers – they cannot make Executive adopt their recommendations.

What could be deduced from these pointers is that PPCs’ effectiveness begins the moment Executive reacts to their work, either negatively or positively. This means PPC efficacy can be classified into three categories - Low Level Efficacy (LLE), Middle Level Efficacy (MLE) and High Level Efficacy (HLE) – depending on the government responsiveness. These levels are discussed each in turn in the context of PPCs’ Stages of work shown in Fig 1.

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<sup>835</sup> Elite interview 11, Harare, 26 January, 2021.

#### *9.5.1.1. Low Level Efficacy*

This happens when PPC initiative is only noted by the government without any significant reactions to the recommendations or questions. In this regard, a PPC would have done its part in letting the government aware of governance scenarios requiring some interventions. Examples are reports presented by PPCs to Parliament to fulfil some routine requirements. As stated earlier, each year, every PPC from Zimbabwe is obliged to table at least one report in the House. Such reports are usually acknowledged by the House though with little debates or discussions.

Even if with useful information, the Executive rarely take them up especially if the PPCs are weak in policy advocacy and liaisons. In the context of Fig 1, LLE PPCs are able to identify problems (Stage 1) in the Ministries they shadow and document (Stage 2) them for submission to the Executive. In other words, LLE PPCs largely concentrate on Stages 1 and 2 of the PPC Cycle illustrated in Fig 1. In any case, the PPCs would have done their part - a weak, easy but recognised role of informing the House on their work and the Ministries they shadow. The assumption at this level could be that a responsible government should not be persuaded, but should be proactive, to do the best for its people as advised by other arms of the state such as Parliaments through PPCs.

#### *9.5.1.2. Middle Level Efficacy*

In MLE, PPCs are able to identify governance problems (Stage 1), carry out research to gather more evidence (Stage 2) and use it to engage the Executive in serious advocacy for reforms. MLE PPCs are able to persuade the Executive (Stage 3) to take up some of their governance recommendations for implementation. They are also able to persuade the Executive to fund implementation of their recommendations (Stage 4). They are different from LLE PPCs because they take initiative and maintain some semblance of consistencies in engaging the Executive. In this regard, they remain alert in their responsibilities and always push the Executive to be responsive and accountable.

#### *9.5.1.2. High Level Efficacy*

Outstanding or HLE PPCs go a step further than LLEs and MLEs. They are able to sustain their implemented policy recommendations and good governance suggestions by advocating for a relevant policy or law. This means further than negotiating for the Executive to resource and implement their suggestions, they also safeguard their achievements against a repeat of the same by some legal instruments they suggest, through the Executive, to the Legislature. HLE PPCs follow, not always strictly, the PPC Cycle illustrated in Fig. 1 above to achieve the centre – Stage 6.

Thus in view of the powers PPCs have, there is no PPC that could be described as completely useless, even in countries dominated by strong ruling parties. Though they do not have any power to enforce, their recommendations and suggestions have a lot of weight and capable of achieving the minimum expected of any PPC.

### **9.6. Conclusion**

PPCs do not have specific, consistent methods or strategies to persuade the Executive to adopt and implement their recommendations. As the Executive is not obliged to inform or report to PPCs when they implement the recommendations, it is not easy to trace their effectiveness. In the same context, it is difficult to identify why the Executive would implement some and reject others. But some observations and analysis have shown Executive adopts, immediately, PPCs recommendations converging with their national policies. They also favour implementation of populist recommendations making them popular with the maiden voter although it is not always easy for PPCs to convince them.

Internal political party rules such as the whipping system and the overall good governance rules such as separation of powers make it difficult for PPCs to have a smooth oversight, legislative and scrutiny role. Fear of losing political power makes it more difficult for PPCs to convince the ruling parties to adopt and implement recommendations opening democratic spaces and challenging



the status quo. The Executive resistance of PPCs using covert actions such as absconding Parliament, unequal resource allocation, PPCs' sabotage, among others, cripple PPCs' efforts. But PPCs Members' capacity, knowledge and skills to advocate and lobby the Executive to adopt recommendations is essential. PPCs able to use and lean on legal instruments such as Constitutional and Parliamentary Rules to support their intentions or recommendations are more successful. Effectiveness becomes even more pronounced if coupled with availability of resources and positive publicity.

That PPCs' efficacy should be examined within the framework of their power means even in countries ruled by strong ruling parties, each PPC is able to fulfil some minimum levels of expected efficacy. Without any enforcement authority, and limited to questioning, policy monitoring and making recommendations. PPCs' efficacy starts the moment they pose a question or make a submission with recommendations irrespective of Executive responses. Though they can use their skills and experiences, formal or informal platforms to influence the Executive to adopt their recommendations, PPCs do not have any say over the final government responsiveness.

PPCs' efficacy levels are different. PPCs able to identify policy problems or gaps, gather more evidence to persuade the Executive and produce a report with recommendations submitted to the House are low level performers. Middle level performing PPCs make follow up on their recommendations and successfully persuade the Executive to adopt their recommendations and fund their implementation, if necessary. High level performing PPCs go a step further. They successfully advocate for laws or policies to sustain their implemented recommendations. Due to performance differences, PPCs from Zimbabwe do not fit in one efficacy category. They are a mix of low, middle and high level performers. But all add some value in government policy implementation.

Governments, even strong ruling parties, do not completely ignore PPCs' recommendations. Some are immediately implemented. Others take months

or years. But they will eventually be implemented. With rules and targets, it is impossible for a PPC, regardless of its capacity, to spend an entire Parliamentary Session of five years without some engagement with the Executive. There are high probabilities for each PPC to push government, despite of its powers, to implement one or two innocent policy recommendations or suggestions. The next Chapter summarises these and other conclusions from the discussion.

## **Chapter 10:**

### **Summary and Conclusions**

#### **10.1. Thesis framework – some final thoughts**

Parliamentary Committees (PCs) are universal good governance claiming institutions in almost all former British colonies adapting or adopting the Westminster model of governance consistent with emerging parliamentary reforms in the last two decades. There are questions, as shown in Chapter 2, on the efficacy of PCs, especially from countries governed by strong ruling parties, in demanding good governance. Kenya and Zimbabwe are identified as cases with strong ruling parties for this study because of their historical and constitutional similarities. Experiences from other Commonwealth countries such as the UK, Canada, Australia, India and Bangladesh confirm important PCs fundamentals and characteristics used by the research as analytical positioning for the two case studies.

A combination of research methods, discussed in Chapter 3, consisting of focus group discussion, participant observation, elite interviewing and document review was used to find answers to the following research question: What is the efficacy of PCs from African countries with dominant presidents and political parties? The strength of this methodological pluralism was factual checkmating. Truth discovered by one method was acknowledged by the other and used to generate or detect further truth or evidence using another. Similarly, if one method discovered errors, the other method improved on them and so on. In this regard, and as illustrated in Chapter 3, the mixed research method approach generated adequate information for rational responses to the research question and study objectives as detailed in the rest of the Chapters.

The value of PPCs from African countries with dominant presidents and political parties like Zimbabwe and Kenya is that ruling parties no longer have the complete freedom to make and implement legislative and policy decisions without questions from respective PCs. As revealed in Chapter 4, PCs make

Parliaments more efficient in their legislative, oversight and scrutiny roles by delegating and dividing responsibilities. With powers to summon witnesses, call for documents, carry out researches or site observations, and engage the public and experts - and powers to convene, even if Parliament is not sitting. PCs add value to government policies by assisting Parliaments to exercise in-depth legislative, oversight and scrutiny of government Ministries and departments with reasonable rigour and thoroughness. Though PCs' powers and behaviours differ from country to country, they have - in general circumstances - made some differences to the way politics is done and the manner strong ruling parties exercise their Executive authority. In their pursuit for responsiveness, PCs have brought some democratic consequences or gestures as they constantly keep policy implementers or governments on their toes to fulfil service delivery promises made to the electorate during election campaigns.

The case of Kenya discussed in Chapter 5 shows that PCs are more efficient, even in countries governed by strong political parties, as long as they have self administered powers equivalent to higher courts. Well resourced PCs are more independent and can exercise their powers at their own convenience to, for example, conduct site visits, engage experts and communities to obtain requisite evidence. The concept of separation of powers, which will be discussed in detail below, plays an important role in PCs' efficacy especially if not too ambiguous. PCs from Kenya can easily summon responsible authorities to demand good governance particularly Cabinet Secretaries (equivalent of Cabinet Ministers), and engage with them on equal, and to some extent, supervisory basis because of two main reasons. First, Cabinet Secretaries from Kenya are not MPs. They are not drawn from Parliament. Second, PCs and therefore Parliament participate in the appointment of Cabinet Secretaries. PCs and government officials from Kenya are two independent entities. In other words, PCs are more efficient when there is less conflict of powers between Parliament and Executive.

Chapter 6 showed that whilst PCs from Zimbabwe have powers equivalent to PCs from other former British colonies, they are less effective as they do not

have adequate enforcement capacity. But this has not made them entirely worthless. Since PCs are composed of all political parties in Parliament according to ratios of parliamentary seats, demands for good governance is not only made by opposition MPs within PCs. MPs from the ruling parties have also used PCs to criticise their own governing contemporaries though sometimes, and in most of the cases, implicitly through their colleagues from the opposition for fear of retribution in political party caucuses. This means PCs harmonize political diversities to create a hybrid of national interests and counteract antagonism and polarization between the ruling and opposition political parties in Parliament. Their existence diminishes absolutism of the powerful ruling parties. Further, as shown in this Chapter, PCs provide avenues for all MPs, regardless of gender or personality, to freely express themselves. Female MPs whose expression in the House is often confronted by sexism – and other introvert MPs - have found PCs as free spaces to fulfil their legislative, oversight and scrutiny potentials. With PCs, Parliaments enjoy significant participation not only of its Members, but also of citizens.

Though there could be some methodological challenges of adequacy and inclusivity, PCs, as illustrated in Chapter 7, exist to fulfil one of the dictates of good governance namely citizen participation in decision making processes. The Chapter showed that even if PCs may not be able to exercise all their powers, it is possible to use one or two of the strengths - and produce some valuable results. PCs from the UK, for example, are known for successful witness summoning and grilling. PCs from Australia, Canada, Kenya and India have depended more on summoning and use of evidence from public consultations and experts in their scrutiny, oversight and legislative responsibilities. Similarly, PCs from Zimbabwe have largely relied on two related powers: site observations and public consultations. With varied degrees of success, they have been able to use the evidence generated to influence policies and legislations.

Sometimes PCs are not always ruling party's favourites. Zimbabwe's strong ruling party – and also other equally strong ruling parties from Commonwealth countries like Bangladesh - has sometimes sabotaged PCs' or

frustrated public views generated through public hearings to maintain their grip on power by using their Executive powers and unleashing the tyranny of Parliamentary majority. PCs recommendations exposing ruling party's weaknesses, failures or challenging their powers have been the greatest casualties. Nevertheless, there are significant circumstances where the Zimbabwean government conceded to public views on certain policies, Bills or legislation following public hearing reports tabled by PCs before Parliament. PCs may lack adequate enforcement power. But their recommendations, especially if informed by the citizenry, carry a lot of weight. Chapter 7 showed important PCs' function involving their abilities to generate evidence and use it to support oversight, legislative and scrutiny processes. This raises questions on resources to carry out such important work – and even the capacity of individual PCs to effectively engage with such mandates.

Chapter 8 indicated that whilst demand for good governance using PCs as tools is popular, the process itself is not only scientific, but also expensive. PCs from Zimbabwe are limited because of two main reasons. First, which has not been proven, but with a lot of mentioning by several sources, is the inadequate capacity of MPs to effectively engage with PCs responsibilities. The open rules that do not speak to any academic or professional qualifications give opportunities for school dropouts without minimum literacy to become MPs and therefore responsibilities to make sense out of and engage on PCs' syllabi. Second is the funding of activities not only related to capacitating new MPs, but also involving gathering required evidence for informed legislation, scrutiny and oversight purposes. PCs lacking resources, skills and knowledge are less efficient.

The scientific and funding gaps, owing to the Parliament of Zimbabwe's financial deficiencies, have sold out PCs' independence to CSOs and DFPs' generosity and agendas. One key outcome is unequal performances. Only favoured PCs and individual MPs capable of contributing to the fulfilment of CSOs and DFPs intentions have managed to show some sophistication in their responsibilities. Those not favoured have remained dormant, as if they do not exist. They only surface when presenting, before Parliament, their mandatory

annual reports for formality purposes. In their pursuit to promote good governance in circumstances of inadequate funding, knowledge and skills, PCs, and therefore Parliaments, risk losing their independence and focus to external organisations that only provide support for certain Parliamentary activities related to their own key result areas. With these powers and support systems, how has government responded to PCs' recommendations?

Chapter 9 presented some challenges in measuring PCs efficacy – and the selective government responses to PCs recommendations or proposals. There are no standard tools to measure their efficacy across all the former British colonies. The challenge arises also because PCs remain advisory institutions. They do not initiate or supervise policy formulation or implementation respectively. Further, PCs do not have any powers to influence voting in Parliament. Even if they succeeded in their advocacy for certain legislative, oversight or scrutiny positions, PCs do not have mandate to enforce implementation either in Parliament or the Ministries they shadow.

As indicated by an Ultra Elite interviewed in Zimbabwe, “as with all advice, it is up to the advised to take or reject... and the government or the Executive will always have the privilege to take what they like from PCs and throw away what they don't”. In this regard, Chapter 9 illustrated that the minimum indication of PCs' efficacy is a legislative, oversight or scrutiny report produced during some scheduled time with some recommendations or proposals submitted before the House or Executive, even if they are rejected. It could also include evidence of questions posed to a responsible authority notwithstanding responses given. As they are expected, but not mandated, to have some persuasive acumen, Chapter 9 notes acceptance and implementation of PCs recommendations as the highest level of efficacy.

Yet several PCs studied, except those from India and to some extent, the UK, do not have a clearer strategy to trace implementation of their recommendations with the government. In general, and as illustrated in Chapter 9, governments provided reports on recommendations they would adopt and justifications on those they would reject. But beyond just adopting a

recommendation requires some evidence of implementation. Nevertheless, some governments, like the Zimbabwean, do not feel responsible to indicate, as part of their accountability, to PCs the recommendations they would have implemented. One Ultra Elite even said “the government is not obliged to climb in a tree or shout on the mountain top to tell PCs or everyone else that ‘we are now implementing such...such... recommendation made by such... such PC...’”.

PCs can be manipulated by the strong ruling parties. Recommendations that gave strong ruling party from Zimbabwe some electoral popularity and visibility with the citizens, for example, were taken up and implemented. But this is not always automatic. As indicated in Chapter 9, PCs efficacy, especially those led by MPs from the opposition, also depended on their relationships with the Executive and other government bureaucrats. The rules are PCs’ submissions should be devoid of political grandstanding or bantering for them to be taken up by the Executive. Others can be rejected or shelved for future implementation based on the common reason that the “government does not have money”.

Governments, even strong ruling parties, have not completely ignored PPCs’ recommendations. Some would be immediately implemented. Others would take months or years. But they would eventually be implemented. With or without a positive response, almost all PCs from Zimbabwe regardless of their capacity or support - and even from other Commonwealth countries – were able to meet the minimum expected deliverables of tabling, before Parliament, at least one report every year of whatever quality. Though these could be seen as low level achievements, they cannot be easily dismissed because there are some influential responsibility demarcations between the Legislature and the Executive. At the core is the principle of separation of powers. The efficacy of PCs is not necessarily limited by the arrogance of strong ruling parties, but by the democracy and good governance theory itself which limit them to asking questions and providing recommendations without the authority to enforce implementation. The following section closes this Chapter by looking at this and other important questions on the significance of this study.



## **10.2. Significance of the study – important questions emerging**

### ***10.2.1. Are Legislative and Executive Powers really separate?***

The analysis of PCs' behaviours as undertaken in this study has raised questions on the concept of separation of powers, especially between the Executive and the Legislature. Effectiveness of democracy and good governance is more pronounced when the three arms of the state – Executive, Judiciary and Legislature – have different, distinct roles and responsibilities independent from one another. Each of the “arms” should not interfere but should check each other to ensure compliance with their functions. The theoretical assumption, which is not always practical in real life is countries ruled by strong ruling parties is that the three arms of State are automatically receptive and responsive to each other's opinion. A simple practical illustration of separation of powers could be deduced from the study.

The Executive comprising the President and Cabinet Ministers (called Cabinet Secretaries in Kenya) are responsible for formulating and implementing government policies. This is part of governing. PCs are a legislative institution responsible for making laws enabling effective implementation of government policies - and also monitoring their implementation, raising alarm when there are irregularities. This is called legislation, oversight and scrutiny. If powers are separate, the Executive should not interfere in law making, scrutiny and oversight of implementation of government policies. It is the responsibility of the Legislature or Parliament also executed through PCs. At the same time, and if powers are separate, Parliament and therefore PCs should not interfere in policy formulation and implementation. It is a responsibility of the Executive. But a close examination of the behaviours of PCs shows that in governance practice, the doctrine of the separation of powers is not very realistic.

First, almost all Constitutions of the countries studied make the head of the Executive - the President -an MP though without veto power. He or she, through statutory instruments, can, just like the Legislature, make laws - and is responsible for signing Bills into laws. Second, the Constitutions also give the President some powers to dissolve the Legislature whenever he or she feels

so. By default, the President owns the Legislature. Third and even more sophisticated in several cases such as Zimbabwe, except in Kenya, Cabinet, which is the core of the Executive, is formed by MPs appointed as Ministers. Even if some countries do not allow Ministers or government officials to Chair PCs, they however vote for laws or policies in Parliament, and participate in debates including reports produced by PCs.

The challenge for PCs, especially from Zimbabwe, is not only hierarchical where they would have to summon their “Boss” – a Cabinet Minister who is also an MP - for accountability. Outside Parliament, a Cabinet Minister or President leads government policy formulation and implementation. When it is time for Parliament business, MP Cabinet Ministers come to Parliament to oversight and scrutinise the government policies they formulated and implemented.

The obscure separation of powers creates an ethical or moral governance crisis of self accountability. Zimbabwe provides an extreme case scenario where a vice-president, who is an Executive Member and the second most powerful person in the country, doubled as Minister. How would a PC freely and independently demand good governance from the country’s second powerful person with confidence?

The Kenyan approach where MPs are not government officials is an attempt to separate Legislative and Executive powers and to make the work easier for PCs by creating horizontal accountability relationships. Nevertheless, the President remains a Member of the Legislature. This makes it easier, at least in real life scenarios observed in this study, to speak of intersection than separation of powers.

### ***10.2.2. Institutions work in Africa - but in varying degrees across countries***

There has been a tendency to bracket and collectivise Africa’s strong ruling parties and their leaders as institutional non-conformists. This study

challenges scholars to make further reflections on whether strong ruling parties from Africa should continue to be collectively labelled “Big Men” or “Neo-Patrimonial” partly because they have been seen as saboteurs of the institutions they put in place. PCs from former British colonies have similar powers, but their influences vary from one country to the other. All PCs are efficient, though the efficacies of some are greater than others. The study has shown that even the strongest ruling parties submit to PCs because they aspire to be best service providers to maintain their popularity with voters and their grip on power.

PPCs oversight and scrutinise government policies any political party would wish for their countries and citizens – access to health care, education, water, transportation, jobs and every other basic social service. Though they have even become more cautious with attention to detail in their governance policies and practices in anticipation of questions from PCs. The existence of PCs determining the constitutionality of policies or laws in strong ruling governments like Zimbabwe means shrinking spaces for unilateral decision making by the strong ruling parties.

The ruling parties cannot totally reject or dismiss PCs’ inputs or recommendations partly because their Members are part to PCs decisions and partly because of fear of external condemnation, punishment or humiliation. These circumstances have compounded together to produce and provide some strong recommendations ruling parties find difficult to totally resist. As a result of PCs’ behaviours, the strong ruling parties have placed themselves in between autocracy and democracy: they have remained arrogant, but no longer very arrogant as they used to be before PCs. They have opened up to some PCs’ suggested reforms but not adequately. The hunger for power and control has remained especially in former military governments such as Bangladesh where only government officials chair PCs or contested governments in countries like Zimbabwe where PCs are less powerful. But the reality that a government policy or legislative position should be discussed and scrutinised by formal legislative institutions called PCs before

implementation is a minute but significant leap towards pruning the powers of the strong African ruling parties.

### ***10.2.3. Good governance is not demanded, but is negotiated***

The pride of ruling parties cutting across all the studied scenarios is demonstrated by a famous quotation from one of the interviewed Ultra Elite who says “in a democracy, the minority have their say but the majority will always have their way”. The weighted presence of opposition political parties in PCs provides opportunities for the opposition in Parliament to negotiate good governance with the Executive. In fact, the existence of PCs composed of MPs from different political parties in Parliament is a sign – or is an indication towards some maturing and growing African democracy. The non-negotiable political intolerance in Africa has a history of tragic culminations. The worst fanatic scenarios associated with fights amongst political parties are 2007 and 2008 post election maiming, violence and killing in Kenya and Zimbabwe respectively. With PCs, both the ruling and opposition political parties can negotiate to have one consensual “way”.

The practice of good governance has taken some time to be appreciated especially in countries like Zimbabwe dominated by strong political parties. One main reason is that it was communicated from outside by big organisations like the World Bank and demanded within states but outside the state by CSOs. As such, it was seen as threat to self determination and national sovereignty. Even the home grown, independent and constitutional institutions such as Zimbabwe’s Human Rights Commission and the Anti Corruption Commissions from Zimbabwe have not been very successful in holding the state to account because they are too far from the governance premises.

But PCs created some opportunities for the smuggling of the theory and practice of good governance into the narrative of strong ruling parties. As MPs from the ruling parties become the majority PCs’ Members, the ruling parties also assume ownership of and mandate to claim good governance. CSOs and DFOs, through the opportunities opened by PCs - and by signing negotiated

co-working frameworks or MoUs with Parliament of Zimbabwe – have, through working with PCs, become government's comrades in good governance rather than activists. The external influences the government was sceptical about could still percolate as expert advice through PCs and consultations, but this is something that PCs themselves can negotiate and choose what to take and what to reject. But the expertise can, through the PCs, be domesticated to make some form of adapted or indigenous good governance agenda. The meaning of all this is that when dealing with strong ruling parties, good governance is not demanded, but is negotiated – and PCs have been the good governance negotiating platforms bringing together those that demand it and those that should respond.

Though they are not perfect, PCs are a shift from bigotry politics. Men and women appreciate their political diversities and share the political table to dialogue and engage on national issues. The formulae used by most former British colonies to allocate each political party in Parliament its weighted share of space in PCs according to the number of MPs they have is also an escalation of good governance values of equity and fairness in oversight, legislative and scrutiny processes. This is even more pronounced in countries like Zimbabwe where the same process is used to allocate each political party in Parliament a share of PC chairing. Though it may be unlikely in the short or long term for the strong ruling parties in Africa to consider and see the opposition as the next government or the government in waiting as is common in mature democracies like the UK, the recognition, through PCs, that political diversity is a positive value is a significant progression towards some form of inclusive and negotiated good governance in Africa.

But this should not necessarily give an impression PCs have opened free political market spaces in Africa. The strong ruling parties are still in control, and sometimes ruthlessly using state machinery and fear accumulated from remnants of yester year violence movements. However the continuous demands of political reforms by political parties, DFOs, CSOs, participating as equal partners in the PC initiated good governance negotiating platform - backed by influential external stakeholders such as the diplomatic

communities - is gradually widening the road for emerging democracies' good governance journeying.

***10.2.4. Good governance is scientific and expensive – expert knowledge and resources needed for successful engagements***

Little could be expected from poorly funded Parliaments like the Parliament of Zimbabwe where PCs are limited to carry out critical activities to generate adequate evidence to effectively oversight, scrutinise and legislate. In anticipation of their roles in Parliament in general, and in PCs in particular, MPs are expected to have some advanced literacy knowledge and skills to comprehend, for example, ministerial budgets or draft legislation – or even to ask government bureaucrats useful questions. This raises questions on whether countries should amend their constitutions to include some levels of education as an additional qualification for MPs to reduce Parliament's capacity building budget or overreliance on external funders and experts.

That MPs constituting PCs require some advanced skills and knowledge to effectively legislate, scrutinise and oversight – and that resources are required to consult and gather evidence for informed advocacy – means that good governance is not only scientific, but is also very expensive. Poor governments like Zimbabwe would rather allocate the scarce resources to immediate national needs. With inadequate resources, PCs may be seen as not very useful, but they are not totally worthless – and very effective when they are given all necessary powers and resources.

## Bibliography

### Interviews and Focus Group Discussion

Pseudonyms / Reference	Place	Date of Interview	Sex
<p align="center"><b><i>Ultra Elite Interviews</i></b></p> <p>(These were high ranking, senior bureaucrats in Parliament and government interviewed. Examples are Clerk of Parliament, Speaker of Parliaments, serving or retired PPC Chairpersons and political parties' (in Parliament) chief whips).</p>			
Ultra Elite Interview 1	Harare	2 October, 2020.	Male
Ultra Elite Interview 2	Harare	20 November, 2020.	Male
Ultra Elite Interview 3	Harare	18 February, 2021.	Male
Ultra Elite Interview 4	Harare	3 February, 2021.	Female
Ultra Elite Interview 5	Harare	11 February, 2021.	Female
Ultra Elite Interview 6	Harare	11 February, 2021.	Female
Ultra Elite Interview 7	Harare	18 February, 2021	Female
Ultra Elite Interview 8	Harare	20 February, 2021	Female
Ultra Elite Interview 9	Harare	9 March, 2021	Female
Ultra Elite Interview 10	Harare	1 March, 2021	Female
Ultra Elite Interview 11	Harare	26 January, 2021	Female
Ultra Elite Interview 12	Harare	20 May, 2021	Female
Ultra Elite Interview 13	Harare	4 March, 2021	Female
Ultra Elite Interview 14	Harare	8 May, 2021	Male
Ultra Elite Interview 15	Harare	2 November, 2020	Male
<p align="center"><b><i>Elite Interviews</i></b></p> <p>(These are lower ranked, but powerful men and women working in or with PCs. These include interviewed parliamentary committee clerks, leaders or representatives of state and non state entities including civil society and faith based organisations working with PCs in particular and Parliament in general).</p>			
Elite Interview 1	Harare	27 October, 2020	Male
Elite Interview 2	Harare	29 October, 2020	Male
Elite Interview 3	Harare	15 December, 2020	Male
Elite Interview 4	Harare	2 December, 2020	Female
Elite Interview 5	Harare	15 December, 2020	Male
Elite Interview 6	Harare	19 February, 2021	Female
Elite Interview 7	Harare	13 January, 2021	Male
Elite Interview 8	Harare	13 January, 2021	Female
Elite Interview 9	Harare	26 January, 2021	Male
Elite Interview 10	Harare	2 February, 2021	Male
Elite Interview 11	Harare	15 March, 2021	Female
Elite Interview 12	Harare	16 March, 2021	Female
Elite Interview 13	Harare	22 April, 2021	Female
Elite Interview 14 (x2)	Harare	10 May, 2021	Men and

participants)			woman
Elite Interview 15	Harare	2 December, 2020	Female
Elite Interview 16	Harare	15 January, 2021	Male
<p style="text-align: center;"><b>Focus Group Discussion</b></p> <p><i>(Conducted with men and women from different communities that had interacted with the Parliament of Zimbabwe and or PPCs continuously in the last three years prior to research identified through interviewed Ultra Elites and Elites and mobilised through snow balling).</i></p>			
Focus Group Discussion	Harare	12 June, 2021	3 Female and 4 Male

### Participant Observations

(These were some of the PCs' activities that happened during the fieldwork period the researcher managed to observe).

Observed Phenomena	Discussion Topic	Place/Venue	Date /Time
PPC Public Consultations	Public Health Act Amendments	Community Hall Seke Unit L. Chitungwiza	12 November, 2020 / 10:00am – 12:00 noon
		Harare Sports Centre	12 November, 2020 / 2:30pm – 4:00pm
PPC oversight and scrutiny	Ministerial Budget	Harare / Committee Room 507, Fifth Floor, Zimbabwe Parliament Building	2 November, 2020 / 9:00am – 10:00am

### Newspapers, Magazines and Websites

*Africa Press Zimbabwe* “Mudenda Scolds Ministers for Dodging Parliament” at [Mudenda Scolds Ministers For Dodging Parliament - zimbabwe \(africa-press.net\)](https://africapress.net/mudenda-scolds-ministers-for-dodging-parliament-zimbabwe/) [Accessed on 1 February, 2022].

*African Arguments* “Why is Zimbabwe doing so little to tackle growing gang of violence?” at <https://africanarguments.org/2020/02/zimbabwe-gangs-mashurugwi-mnangagwa-chiwenga/> [Accessed on 22 January, 2022].

*AfroCave* “The Qualifications for a Member of Parliament in Kenya” at [The Qualifications for a Member Of Parliament in Kenya \(afrocave.com\)](https://afrocave.com/the-qualifications-for-a-member-of-parliament-in-kenya/) [Accessed on 21 March, 2022].



*Aljazeera* “Kenya: Female MP removed from parliament for bringing baby” at <https://www.aljazeera.com/news/2019/8/8/kenya-female-mp-removed-from-parliament-for-bringing-baby> [Accessed 23 November, 2021].

*All Africa.com* “Mashurugwi Kill 35, Rape 15 since Last Year [2019]... Minister Rules Army Help in Dealing with Menace” at <https://allafrica.com/stories/202002250606.html>; [Accessed on 22 January, 2022].

*Bangladesh Parliament* “Rules of Procedure of Parliament of the People’s Republic of Bangladesh” at [http://www.parliament.gov.bd/images/pdf/Rules\\_of\\_Procedures\\_English.pdf](http://www.parliament.gov.bd/images/pdf/Rules_of_Procedures_English.pdf) [Accessed on 27 February, 2022].

*BBC News* “A Point of View: Do Parliament’s select committees wield too much power?” at <https://www.bbc.co.uk/news/magazine-31961356> [Accessed on 25 February, 2022].

*BBC News Channel* “Zimbabwe MPs brawl in parliament” at [BBC NEWS | World | Africa | Zimbabwe MPs brawl in parliament](https://www.bbc.com/news/world-africa-568104) [Accessed on 1 February, 2022].

*Bbc.co.uk* “Letter from Africa: Should MPs be sent back to school?” at <https://bbc.co.uk/news/world-africa-47468104> [Accessed 23 December, 2021].

*Bulawayo 24* “Mnangagwa gives chiefs 52 cars, promises to build them courts” at <https://bulawayo24.com/index-id-news-sc-national-byo-125711.html> [Accessed on 21 January 2022].

*Business Daily* “High Court Suspends Law requiring MPs to have degrees” at <https://www.businessdailyafrica.com/bd/economy/high-court-suspends-law-requiring-mps-to-have-degrees-3728682> [Accessed on 22 June, 2022].

*Business Daily* “The Devonshire White Paper: Kenya Colonial Saving Grace” <https://www.businessdailyafrica.com/lifestyle/society/The-Devonshire-White-Paper-Kenyas-colonial/3405664-3906312-fr910j/index.html> [Accessed on 2 December 2019].

*Business Times* “Parl, CSOs in partnership deal” at <https://businesstimes.co.zw/parly-csos-in-partnership-deal/> [Accessed on 23 December, 2021].

*Capital News* “Senate Energy Committee Hands Keter Sh500,000 Fine for Missing Appointment Session” at [Senate Energy Committee hands Keter Sh500,000 fine for missing appointed session » Capital News \(capitalfm.co.ke\)](#) [Accessed on 22 March, 2022].

*CGTN* “Zimbabwe VP heads to China for medical check up” at <https://newsaf.cgtn.com/news/2020-03-18/Zimbabwe-VP-heads-to-China-for-medical-checkup-OWygAINBQs/index.html> [Accessed on 27 January, 2022].

*Chronicle* “Speaker on MPs qualifications” at <https://www.chronicle.co.zw/speaker-on-mps-qualifications/> [Accessed on 26 November, 2021].

*Citizen Digital* “MPs Right To Reject Monica Juma, Says Ndaragwa MP” at [MPs right to reject Monica Juma, says Ndaragwa MP \(citizen.digital\)](#) [Accessed on 22 March, 2022].

*Daily News* “Botswana: Kenya Parliamentary Committee Visits” at [Botswana: Kenya Parliamentary Committee Visits - allAfrica.com](#) [Accessed on 15 March, 2022].

*Diaspora Messenger* “Consolation: CORD To Chair Parliament’s Public Accounts And Public Investment Committees” at [Consolation:CORD to chair parliament’s Public Accounts and Public Investment committees \(diasporamessenger.com\)](#) [Accessed on 15 March, 2022].

*Economic Commission for Africa* “The Role of Parliament in Promoting Good Governance” at <https://www.uneca.org/sites/default/files/PublicationFiles/role-of-parliament-in-promoting-goodgovernance.pdf> [Accessed on 22 August, 2018].

*Fundsforngos.org* “EU seeking Proposals for Supporting to Civil Society Organizations in Zimbabwe” at <https://www2.fundsforngos.org/latest-funds-for-ngos/eu-seeking-proposals-for-supporting-to-civil-society-organizations-in-zimbabwe/>; <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?ADSSChck=1553573398071&do=publi.detPUB&searchtype=QS&orderby=upd&orderbyad=Desc&PubliList=15&page=2&aoref=163273> [Accessed on 27 December, 2021].

*Hansard Society* “Parliament is under-scrutinising swathes of important law. But the problem can be fixed” at [Parliament is under-scrutinising swathes of important law. But the problem can be fixed | Hansard Society](#) [Accessed on 21 February, 2022].

*House of Commons Library* “The Separation of Powers – House of Commons Library” at

<https://researchbriefings.files.parliament.uk/documents/SN06053/SN06053.pdf>

[Accessed on 17 May, 2022].

<http://www.parliament.go.ke/the-national-assembly/committees> [Accessed on 10 February, 2020].

[https://apnacafrica.org/en\\_US/](https://apnacafrica.org/en_US/) [Accessed on 7 February, 2022].

<https://dictionary.cambridge.org/dictionary/english/covid-19> [Accessed on May 18, 2022].

<https://drmzim.org/about-us/> [Accessed on 21 January, 2022].

<https://en.wikipedia.org/wiki/Expert> [Accessed on 22 April, 2022].

<https://mo.ibrahim.foundation/news/2018/building-2018-ibrahim-index-african-governance-methodology-explained> [Accessed 29 October, 2020].

<https://parlizim.gv.zw/about-parliament/> [Accessed on 7 November, 2021].

<https://parlizim.gov.zw/portfolio-thematic-committees;>

<https://parlizim.gov.zw/committie-system> [Accessed on 8 November, 2021].

<https://reliefweb.int/organization/world-bank> [Accessed on 23 May, 2022].

<https://verify.co.zw/> [Accessed on 22 January, 2022].

<https://www.afdb.org/en/consultations/closed-consultations/afdb-civil-society-engagement-framework> [Accessed on 22 December, 2021].

<https://www.cambridge.org/core/journals/government-and-opposition/article/government-responsiveness-under-majoritarian-and-within-proportional-electoral-systems/EDF5B466C6697721AF69263FF7DCoAD3> [Accessed on 28 January, 2022].

[https://www.cctwincities.org/wp-content/uploads/2015/12/Key-10-Principles-of-CST\\_1-pager.pdf](https://www.cctwincities.org/wp-content/uploads/2015/12/Key-10-Principles-of-CST_1-pager.pdf) [Accessed 22 December, 2021].

<https://www.digitaltrends.com/mobile/what-is-whatsapp/> [Accessed on 4 November, 2021].

[https://www.google.com/search?hl=en-GB&source=hp&biw=&bih=&q=expert+definition&iflsig=AHkkrS4AAAAAYmKOrZnaGwx76Je8BprjqCG2OHFqXOlf&gbv=2&oq=expert+defi&gs\\_l=heirloom-hp.1.0.Oi512l10.5738.10438.0.13003.11.8.0.0.0.0.229.1079.1j6j1.8.0...0...1ac.1.34.heirloom-hp..4.7.937.6HwqaM2rQoA](https://www.google.com/search?hl=en-GB&source=hp&biw=&bih=&q=expert+definition&iflsig=AHkkrS4AAAAAYmKOrZnaGwx76Je8BprjqCG2OHFqXOlf&gbv=2&oq=expert+defi&gs_l=heirloom-hp.1.0.Oi512l10.5738.10438.0.13003.11.8.0.0.0.0.229.1079.1j6j1.8.0...0...1ac.1.34.heirloom-hp..4.7.937.6HwqaM2rQoA) [Accessed on April 22, 2022].

[https://www.nhp.gov.in/ayush\\_ms](https://www.nhp.gov.in/ayush_ms) [Accessed on 1 March, 2022].

<https://www.worldbank.org/en/about> [Accessed on 23 May, 2022].

<https://www.zw.undp.org/content/zimbabwe/en/home/presscenter/pressreleases/2015/05/08/new-capacity-building-programme-for-parliament-and-office-of-the-auditor-general-launched.html>;

<https://info.undp.org/docs/pdc/Documents/ZWE/PSP%20Donor%20Narrative%20Report%202015%20-2019.pdf> [Accessed 27 December, 2021].

*Human Rights Watch* “The NGO Bill” at <https://www.hrw.org/legacy/backgrounder/africa/zimbabwe/2004/12/3.htm> [Accessed on 28 April, 2022].

*Human Rights Watch* “Zimbabwe: Evictions, Beatings at Mugabe-Linked Farm” at <https://www.refworld.org/docid/59241e5b4.html> [Accessed 30 March, 2022].

*IFRC* <https://reliefweb.int/report/zimbabwe/zimbabwe-tropical-cyclone-idai-final-report-dref-operation-n-mdrzw014> [Accessed June 11, 2022].

*IHarare.com* “Police arrest 3 ‘Mashurugwi’ Behind Officer’s Murder, 100 More Rounded Up in Fierce Crackdown” at <https://iharare.com/police-arrest-3-mashurugwi/> [Accessed on 22 January, 2022]

*Independent* “PWDs Seek Sexual, Reproductive Health Policy” at <https://www.independent.ng/pwds-seek-sexual-reproductive-health-policy/> [Accessed on 9 January, 2020].

*Insiderzim* “Chinotimba says hyena’s in Buhera are a national disaster just like cholera in Harare” at <https://lm.facebook.com/l.php?u=http%3A%2F%2Fwww.insiderzim.com%2Fchinoti>

[mba-says-hyenas-in-buhera-are-a-national-disaster-just-like-cholera-in-harare%2F%3Ffbclid%3DIwAR3JaZCIGSsEzwFoGMy1GyohESfiYMCWQZ6t8ElSjFDOjNQcSOceQk947Uc&h=AT3p1n-jC21uCUVIMKwoYkRsazdjJN\\_X4mv7pOhYXzxtAGiLU8LY-ZEFyp3OoKVc\\_rXaZM2ejZVNTQZafZ9BTWXUg\\_u6MnA1WKrW5gqMAtkS8Pv4XGoK-EXqWZyfRJK8hMc7so-AQ3n4XontKaimVxQ](https://mba-says-hyenas-in-buhera-are-a-national-disaster-just-like-cholera-in-harare%2F%3Ffbclid%3DIwAR3JaZCIGSsEzwFoGMy1GyohESfiYMCWQZ6t8ElSjFDOjNQcSOceQk947Uc&h=AT3p1n-jC21uCUVIMKwoYkRsazdjJN_X4mv7pOhYXzxtAGiLU8LY-ZEFyp3OoKVc_rXaZM2ejZVNTQZafZ9BTWXUg_u6MnA1WKrW5gqMAtkS8Pv4XGoK-EXqWZyfRJK8hMc7so-AQ3n4XontKaimVxQ) [Accessed on 24 April, 2022].

*Institute for Government* “Select Committees” at <https://www.instituteforgovernment.org.uk/explainers/select-committees> [Accessed on 19 February, 2022].

*Institute for Government* “Select of Committee Chairs and members in the House of Commons” at <https://www.instituteforgovernment.org.uk/explainers/election-select-committees> [Accessed on 21 February, 2022].

*Institute of Governance* “Principles for Good Governance in the 21<sup>st</sup> Century Policy Brief No. 15” at [https://d1wqtxts1xzle7.cloudfront.net/63517368/9\\_Graham\\_Amos\\_Plumptre20200603-39838-ysrafx-with-cover-page-v2.pdf?Expires=1652721645&Signature=QHWBRH8c2o85k8WOkE79W5XWk7mU49UWg34Wddo1KOLZjpGbTTCnIsGhAcnffC6-w4OIYOjVdq65VoqjmonnnasIBkb49vAt8JHil-AqCTAzguHTDUxX21z3LvJmm2KZl-rY-bh8OT7wjCKro9iWJtNZnm65OdRBXpipZHd3MUxYjVbev8VjFwt7oaJ3j6IdLuAQm5XTVAne1btDkVpHPXSfiAlt~LoY1-G~hCdbreACBnAweYz4iG2jEPhm~hL-MaXQkLx~jAU572o6rCI5oyyQIBkerPT1jYroJeJmw5dhufczY2ozW3yNoOnH-woNeEnzT74xmQxV2ONI2lvJg\\_&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA](https://d1wqtxts1xzle7.cloudfront.net/63517368/9_Graham_Amos_Plumptre20200603-39838-ysrafx-with-cover-page-v2.pdf?Expires=1652721645&Signature=QHWBRH8c2o85k8WOkE79W5XWk7mU49UWg34Wddo1KOLZjpGbTTCnIsGhAcnffC6-w4OIYOjVdq65VoqjmonnnasIBkb49vAt8JHil-AqCTAzguHTDUxX21z3LvJmm2KZl-rY-bh8OT7wjCKro9iWJtNZnm65OdRBXpipZHd3MUxYjVbev8VjFwt7oaJ3j6IdLuAQm5XTVAne1btDkVpHPXSfiAlt~LoY1-G~hCdbreACBnAweYz4iG2jEPhm~hL-MaXQkLx~jAU572o6rCI5oyyQIBkerPT1jYroJeJmw5dhufczY2ozW3yNoOnH-woNeEnzT74xmQxV2ONI2lvJg_&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA) [Accessed on 17 May, 2022].

*Inter-Parliamentary Union* “Zimbabwe National Assembly” at [http://archive.ipu.org/parline-e/reports/2361\\_A.htm](http://archive.ipu.org/parline-e/reports/2361_A.htm) [Accessed 17 January, 2022].

*Katiba Institute* “Cabinet Secretaries: Role, Appointments and Tenure” at [Cabinet Secretaries: Role, appointments and tenure – KI \(katibainstitute.org\)](https://katibainstitute.org/Cabinet-Secretaries-Role-appointments-and-tenure) [Accessed on 22 March, 2022].

*KTN News Kenya* “Sugar Scandal Probe” at <https://www.youtube.com/watch?v=SPecJ4em7a4> [Accessed on 22 March, 2022].

*Mbare Times* “New wave of brain drain as 21 Professors leave CUT” at <https://mbaretimes.com/2021/10/new-wave-of-brain> [Accessed on 1 January, 2022].

*Nation* “Executive, Legislature read from different scripts on CS summons” at <https://nation.africa/kenya/news/executive-legislature-read-form-different-scripts-on-cs-summons-70046?view=htmlamp> [Accessed on 20 March, 2022].

*Nehanda Radio* ““Stop Harassing me, I have blood pressure”, Gwarazimba tells Wadyadyena” at <https://nehandaradio.com/2020/10/21/stop-harassing-me-i-have-blood-pressure-gwaradzimba-tells-wadyajena/> [Accessed on 25 October, 2022].

*New Zimbabwe* “90% Zim Mps, Ministers Declare Assets – Speaker” at <https://www.newzimbabwe.com/90-ministers-mps-have-declared-personal-assets/> [Accessed on 6 January, 2022].

*New Zimbabwe.com* “Chiwenga Hides Potentially Damning Audit Report” at <https://www.newzimbabwe.com/chiwenga-hides-potentially-damming-audit-report-on-health-ministry-corruption/>; <https://www.newzimbabwe.com/audit-report-which-chiwenga-hid-exposes-massive-covid-corruption/> [Accessed on 10 February, 2022].

*New Zimbabwe.com* “Lack of capacity among MPs, haunts Parliament” at <https://www.newzimbabwe.com/lack-of-capacity-among-mps-hounds-parliament/> [Accessed 26 November, 2021].

*New Zimbabwe.com* “Parly Grills City Fathers Over Murky Use of Devolution Funds” at <https://www.newzimbabwe.com/parly-grills-city-fathers-over-murky-use-of-devolution-funds/> [Accessed on 9 April, 2022].

*News24* “Zim MP brings used underwear in Parliament” at <https://www.news24.com/News24/Zim-MP-brings-used-underwear-to-parliament-20150723> [Accessed 23 November, 2021].

*Newsday* “Khupe recalls 10 more MPs, 81 councillors” at <https://www.newsday.co.zw/2020/10/khupe-recalls-10-more-mps-81-councillors/> [Accessed on 5 January, 2022].

*Newsday* “ZANU PF MPs walk out on Biti” at [newsday.co.zw/2019/11/zanu-pf-mps-walk-out-on-biti/](https://newsday.co.zw/2019/11/zanu-pf-mps-walk-out-on-biti/) [Accessed 20 November, 2021].

*Newzimbabwe.com* “Biti fumes as finance ministers dodge committee hearings fourth time” at <https://www.newzimbabwe.com/bit-fumes-as-finance-ministry-officials-dodge-committee-hearings-fourth-time/> [Accessed on 25 October, 2022].

*OECD* “Country Note: Survey of Adult Skills First Results – Australia” at [https://www.oecd.org/skills/piaac/Country%20note%20-%20Australia\\_final.pdf](https://www.oecd.org/skills/piaac/Country%20note%20-%20Australia_final.pdf) [Accessed on 22 February, 2022].

*Open Bible* “Salt of The Earth” at [https://www.openbible.info/topics/salt\\_of\\_the\\_earth](https://www.openbible.info/topics/salt_of_the_earth) [Accessed on 12 June, 2022].

*Open Parly* “Parliament did not Action 2018 Auditor-General Report” at <https://openparly.com/index.php/2021/08/10/parliament-did-not-action-2018-auditor-general-report/> [Accessed on 9 February, 2022].

*Oxford Policy Management* “Strengthening Parliamentary Oversight in Bangladesh” at [Strengthening parliamentary oversight in Bangladesh | Oxford Policy Management \(opml.co.uk\)](https://www.opml.co.uk/strengthening-parliamentary-oversight-in-bangladesh/) [Accessed on 16 February 2022].

*Parliament of Australia* “Attending a public hearings” at [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Attending\\_a\\_public\\_hearing](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Attending_a_public_hearing) [Accessed on 22 February, 2022].

*Parliament of Australia* “Info-sheet 4 – Committees” at [Infosheet 4 - Committees – Parliament of Australia \(aph.gov.au\)](https://www.aph.gov.au/infoshheet4committees/) [Accessed on 22 February, 2022].

*Parliament of Canada* “Committees Practical Guide” at <https://www.ourcommons.ca/About/Guides/Committees-e.html> [Accessed on 22 February, 2022].

*Parliament of Canada* “Standard Orders of the House of Commons – Consolidated Version as of December 2, 2021 at <https://www.ourcommons.ca/About/StandingOrders/Chap13-e.htm> [Accessed 24 February, 2022].

*Parliament of Kenya* “Devolution Committee Investigates illegal evictions of residents in Pumwani and Eastleigh” at [DEVOLUTION COMMITTEE INVESTIGATES ILLEGAL EVICTIONS OF RESIDENTS IN PUMWANI AND EASTLEIGH. | The Kenyan Parliament Website](#) [Accessed on 21 March, 2022].

*Parliament of Singapore* “Standing Orders of the Parliament of Singapore 2017 Reprint” at <https://www.parliament.gov.sg/docs/default-source/default-document-library/standing-orders-of-the-parliament-of-singapore.pdf> [Accessed on 27 February, 2022].

*Parliament of Zimbabwe* “Committee System – Parliament of Zimbabwe” at [https://www.google.com/url?esrc=s&q=&rct=j&sa=U&url=https://parlzim.gov.zw/committee-system/&ved=2ahUKEwi2u662v\\_2AhVtQkEAHcApDmgQFnoECAkQAg&usg=AOvVaw3vy8c9imkditPfSWyaLlex](https://www.google.com/url?esrc=s&q=&rct=j&sa=U&url=https://parlzim.gov.zw/committee-system/&ved=2ahUKEwi2u662v_2AhVtQkEAHcApDmgQFnoECAkQAg&usg=AOvVaw3vy8c9imkditPfSWyaLlex) [Accessed on April 5, 2020].

*Parlzim.gov.zw* “Auditor General’s Reports” at [https://www.parlzim.gov.zw/auditor-general-s-reports/download/2507\\_a4b18dccfe64146d2788ee34fdb01d9d](https://www.parlzim.gov.zw/auditor-general-s-reports/download/2507_a4b18dccfe64146d2788ee34fdb01d9d) [Accessed on 9 February, 2022].

*Research Office Legislative Council Secretariat Fact Sheet* “Parliament of Singapore” at <https://www.legco.gov.hk/research-publications/english/1516fsc23-parliament-of-singapore-20160226-e.pdf> [Accessed on 17 February, 2022].

*Saturday Standard* “No End in sight as Matiang’i, lawmakers’ dispute deepens” at <https://www.standardmedia.co.ke/politics/article/2001407872/matiangi-kibicho-in-trouble-with-mps-over-sittings> [Accessed on 22 March, 2022].

*Somali Times* “Zimbabwe: Parly – Mpofu Refuse to Answer Questions Over the Missing \$15 Billion” at <https://www.somalitimes.co.uk/zimbabwe-parly-mpofu-refuse-answer-questions-missing-15-billion/> [Accessed on 4 May, 2022].

*The Canadian Press* “Parliamentary Committees are ‘weak’, waste of time” at <https://www.cbc.ca/news/politics/parliamentary-committees-are-weak-waste-of-time-1.1276540> [Accessed on 19 February, 2022].



*The Economic Times* “Opposition Boycott Remaining Session of Parliament, Protesting suspension of 8 Lok Sabha MPs” at <https://economictimes.indiatimes.com/news/politics-and-nation/opposition-to-boycott-remaining-session-of-parliament/articleshow/78263628.cms?from=mdr> [Accessed on 31 May, 2022].

*The Guardian* “Rupert Murdoch invited to appear before MPs” at <https://www.theguardian.com/media/2011/jul/12/ruport-murdoch-invited-mps> [Accessed on 24 February, 2022].

*The Guardian* “Windrush: 11 people wrongly deported from UK have died – Javid” at <https://www.theguardian.com/uk-news/2018/nov/12/windrush-11-people-wrongly-deported-from-uk-have-died-sajid-javid> [Accessed on 21 February, 2022].

*The Herald* “Biti fumes over tenders” at <https://www.herald.co.zw/bit-fumes-over-govt-tenders/> [Accessed on 25 October, 2022].

*The Herald* “MPs to declare assets” at <https://www.herald.co.zw/mps-to-declare-assets/> [Accessed on 6 January, 2022].

*The Herald* “Parly committees get down to business” at [Parly committees get down to business | The Herald](#) [Accessed on 26 March, 2022].

*The Herald* “Zimbabwe: PVO Bill to Curb Terrorism – Govt” at <https://allafrica.com/stories/20220428300.html> [Accessed on 28 April, 2022].

*The Hindu* “Opposition Parties Walk out of both House of Parliament” at <https://www.thehindu.com/news/national/parliament-proceedings-opposition-parties-walk-out-of-both-houses-of-parliament/article61703731.ece> [Accessed on 31 May, 2022].

*The National Assembly* “Twelfth Parliament – (Fourth Session) Directorate of Committee Services: Leadership of Committees as at Friday, 17<sup>th</sup> July, 2020” at [LEADERSHIP OF COMMITTEES AS AT 17TH JULY 2020-converted.pdf \(parliament.go.ke\)](#) [Accessed on 21 March, 2020].

*The National Assembly of the Republic of Kenya* “Historical Background” at [Historical Background | The Kenyan Parliament Website](#) [Accessed on 21 March, 2022].

*The Observer* “This is no election. This is a brutal war” at <https://www.theguardian.com/world/2008/jun/22/zimbabwe1> [Accessed on 20 October, 2019].

*The Parliamentary Review* “The Whipping System” at <https://www.theparliamentaryreview.co.uk/news/the-whipping-system> [Accessed on 23 May, 2022].

*The Southern Africa Institute of International Relations (SAII)* “The Politics of Constitution-Making and Referendum: The Case of Kenya and Zimbabwe” at <https://saiaa.org.za/research/the-politics-of-constitution-making-and-referendum-the-case-of-kenya-and-zimbabwe/> [Accessed on 18 October, 2019].

*The Standard* “Nairobi Metropolitan Services boss Major-Gen Badi to sit in the Cabinet” at [Nairobi Metropolitan Services boss Major-Gen Badi to sit in the Cabinet - The Standard \(standardmedia.co.ke\)](#) [Accessed on 21 March, 2022].

*The Star* “Monica Juma breaks silence after rejection” at [Monica Juma breaks silence after rejection \(the-star.co.ke\)](#) [Accessed on 22 March, 2022].

*The Star* “New House Allowance puts MPs’ salary way above world super powers” at <https://www.the-star.co.ke/siasa/2019-05-11-new-house-allowance-puts-mps-salary-way-above-world-super-powers/> [Accessed on 30 March, 2022].

*The World Bank* “Governance” at <https://www.worldbank.org/en/topic/governance/overview> [Accessed on 16 January, 2020].

*The Zimbabwe Mail* “Arrest corrupt elements in public sector: [Auditor General] Chiri” at [thezimbabwemail.com/opinion/arrest-corrupt-elements-in-public-sector-chiri](http://thezimbabwemail.com/opinion/arrest-corrupt-elements-in-public-sector-chiri) [Accessed on 9 February, 2022].

*The Zimbabwe Mail* “MPs demand Land Cruisers, houses in Harare, improved pay and staff members” at <https://www.thezimbabwemail.com/main/41505/> [Accessed 30 March, 2022].

*The Zimbabwe Mail* “Obert Mpofu Refuses to Answer Questions on Missing \$15 billion in Parly, says He Will not be Presided Over By Temba Mliswa” at <https://www.thezimbabwemail.com/parliament-parliament/obert-mpofu-refuses->

[answer-questions-missing-15-billion-parly-says-will-not-presided-temba-mliswa/](#)  
[Accessed on 4 May, 2022].

*The Zimbabwe Mail* “VP Mohadi falls ill, whisked away to SA for treatment” at <https://www.thezimbabwemail.com/zimbabwe/vp-mohadi-falls-ill-whisked-away-to-sa-for-treatment/> [Accessed on 27 January 2022].

*The Zimbabwe Mail* “Zanu PF Chairman’s Son Killed By Mashurugwi Machete Gang” at <https://www.thezimbabwemail.com/headlines/zanu-pf-chairmans-son-killed-by-mashurugwi-machete-gang/> [Accessed on 22 January, 2022].

*The Zimbabwe Mail* “Zanu PF Chairman’s Son Killed By Mashurugwi Machete Gang” at <https://www.thezimbabwemail.com/headlines/zanu-pf-chairmans-son-killed-by-mashurugwi-machete-gang/> [Accessed on 22 January, 2022].

*The Zimbabwean* “International Treaties Bill” at [International Treaties Bill - The Zimbabwean](#) [Accessed on 18 January, 2022].

*Tuko.co.ke*. “John Munyes: Petroleum CS Fined Ksh 500k for snubbing parliament summons” at <https://www.tuko.co.ke/429295-john-munyes-petroleum-cs-fined-ksh-500k-snubbing-parliament-summons.html> [Accessed 20 March, 2022].

*UK Parliament* “Frequently Asked Questions” at <https://www.parliament.uk/about/faqs/house-of-commons-faqs/members-faq-page2/#jump01> [Accessed on 19 February, 2022].

*UN* “Good Governance” at <https://www.un.org/ruleoflaw/thematic-areas/governance/good-governance/> [Accessed on 16 December, 2020].

*UN and Civil Society* at <https://www.un.org/en/get-involved/un-and-civil-society> [Accessed on 21 December, 2021].

*UNDP* “Independent Country Programme Evaluation: Zimbabwe” at [file:///C:/Users/Guest/Downloads/ICPE\\_Zimbabwe\\_full%20report.pdf](file:///C:/Users/Guest/Downloads/ICPE_Zimbabwe_full%20report.pdf) [Accessed on 30 December, 2021].

*UNDP, EU and Government of Sweden* “Multi-Donor Support Programme for Parliament and Office of the Auditor General in Zimbabwe Donor Report: Multi-Donor Support to Parliament and Office of the Auditor General Terminal Donor Narrative April 2015-April 2019” at

<https://info.undp.org/docs/pdc/Documents/ZWE/PSP%20Donor%20Narrative%20Report%202015%20-2019.pdf> [Accessed 27 December, 2021].

*University World News* “Innovation Bill aims to coordinate research efforts” at <https://www.universityworldnews.com/post.php?story=20210606201932697> [Accessed on 7 November, 2021].

*Veritaszim.net* “PLC Adverse Report – National Peace and Reconciliation Bill” at <https://www.veritas.net/node/1641> [Accessed on 30 December, 2021].

*Veritaszim.net* “Parliamentary Committee Series 14/2020 – Public Hearings on Const Andt No. 2 Bill 16-19 June 2020” at <http://www.veritaszim.net/node/4235> [Accessed on 18 April, 2022].

*Veritaszim.net* “Public Hearings This Week on Young Persons Access to Reproductive Health Care” at <http://www.veritaszim.net/node/4553> [Accessed on 18 April, 2022].

*Veritaszim.net* “Question of Witnesses by Parliamentary Committees – Economic Governance Watch 7/21” at <https://www.veritaszim.net/node/5165> [Accessed on 4 May, 2022].

*Zimbabwe Ministry of Finance and Economic Development* “2017 National Budget Estimates of Expenditure for the year ending December 31, 2016 – Summary” at [www.zimtreasury.gov.zw](http://www.zimtreasury.gov.zw) [file:///C:/Users/Guest/Downloads/2017\\_Estimates\\_of\\_Expenditure.pdf](file:///C:/Users/Guest/Downloads/2017_Estimates_of_Expenditure.pdf) [Accessed on 27 December, 2021].

*Zimbabwe Ministry of Finance and Economic Development* “2019 Budget Highlights: Austerity for Prosperity” at [file:///C:/Users/Guest/Downloads/2019\\_National\\_Budget\\_Highlights.pdf](file:///C:/Users/Guest/Downloads/2019_National_Budget_Highlights.pdf) [Accessed on 27 December, 2021].

*Zimbabwe Ministry of Finance and Economic Development* at [www.zimtreasury.gov.zw](http://www.zimtreasury.gov.zw) [file:///C:/Users/Guest/Downloads/2017\\_Estimates\\_of\\_Expenditure.pdf](file:///C:/Users/Guest/Downloads/2017_Estimates_of_Expenditure.pdf); [file:///C:/Users/Guest/Downloads/2018\\_Estimates%20of%20Expenditures.pdf](file:///C:/Users/Guest/Downloads/2018_Estimates%20of%20Expenditures.pdf) [Accessed on 27 December, 2021].

*Zimbabwe Situation* “12 Families in the open after eviction at a farm in Christon Bank” at <https://www.zimbabwesituation.com/news/12-families-in-the-open-after-eviction-at-a-farm-in-christon-bank/> [Accessed 30 March, 2022].

*Zimbabwe Situation* “Command Agriculture Scandal Explodes” at [Command Agriculture scandal explodes - Zimbabwe Situation](#) [Accessed on 26 March, 2022].

*Zimbabwe Situation* “Fully disburse budget allocations, Mthuli urged” at [Fully disburse budget allocations, Mthuli urged - Zimbabwe Situation](#) [Accessed on 8 February 2022].

*Zimbabwe Situation* “MPs demand Gudyanga dismissal” at [MPs demand Gudyanga dismissal \(zimbabwesituation.com\)](#) [Accessed on 25 January, 2022].

*Zimbabwe Situation* “Mudenda bemoans Parly Budget Allocation” at <https://www.zimbabwesituation.com/news/mudenda-bemoans-parly-budgetary-allocation/> [Accessed 28 December, 2021].

*Zimbabwevoice.com* “Stop Prosecuting me, I fought for this country:” Minister tells off Wadyejena” at <https://www.zimbabwevoice.com/2020/10/21/stop-persecuting-me-i-fought-for-this-country-minister-tells-off-wadyajena-video/> [Accessed on 25 October, 2022].

*Zimetro* “New wave of brain drain as 21 Professors leave CUT” at <https://www.zimetro.co.zw/senior-lecturers-quit-uz-over-poor-salaries/>; <https://mbaretimes.com/2021/10/new-wave-of-brain> [Accessed on 1 January, 2022].

*Zimeye.net* “Picture of Gogo [grandmother] Hacked to Death by Mashurugwi Emerges” at <https://www.zimeye.net/2020/01/09/picture-of-gogo-hacked-to-death-by-mashurugwi-emerges/> [Accessed on 22 January, 2022].

*Zimeye.net* “Picture of Gogo [grandmother] Hacked to Death by Mashurugwi Emerges” at <https://www.zimeye.net/2020/01/09/picture-of-gogo-hacked-to-death-by-mashurugwi-emerges/> [Accessed on 22 January, 2022].

*Zimlive.com* “Zim overshoots RBZ overdraft, borrows \$985m without parliament approval” at [Zim overshoots RBZ overdraft, borrows \\$985m without parliament approval | Zimbabwe News Now \(zimlive.com\)](#) [Accesses on 18 January, 2021].

## Published Books and Journal Articles

Aberbach, J. D. and Rockman, B. A. (2002) “Conducting and Coding Elite Interviews” in *Political Studies* 35 (4): 673-676.

Adejumobi, S. (ed.) (2018) *Voice and Power in Africa's Democracy: Institutions, Participation and Accountability*. London and New York: Routledge.

Ahmed, N. (2001) “Parliamentary Committees and Parliamentary Government in Bangladesh” in *Contemporary South Asia* 10 (1): 11–36.

Aldons M. (2000) “Rating the Effectiveness of Committee Reports: Some Examples”, in *Australian Parliamentary Review* 6: 52–99.

Aldons, M. (2000) “Rating the Effectiveness of Parliamentary Committee Reports: The Methodology” in *Legislative Studies* 15 (1): 22–32.

Aldons, M. (2001) “Rating the Effectiveness of Committee Reports: Some Examples”, in *Australasian Parliamentary Review* 16 (1): 52–60.

Al-Tateem, N. (2012) “The Effect of Interview Recording on Quality of Data Obtained: A Methodological Reflection’ in *Nurse Researcher*, 19 (4): 31-35 at <https://pdfs.semanticscholar.org/8749/353ac280c64af680533450be4706baa9170c.pdf> [Accessed on 12 December, 2020].

Aluga, A. M. (2020) “Coronavirus Disease 2019 (Covid 19) in Kenya: Preparedness, Response and Transmissibility” in *Journal of Microbiology Immunology Infection*, 53(5): 671-673 at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7167550/> [Accessed on 18 May, 2022].

Amar, A. R. (1994) ‘The Central Meaning of Republican Government: Popular Sovereignty, Majority Rule, and the Problem of the Denominator’ in *Faculty Scholarship Series*, 981: 748-786 at [https://digitalcommons.law.yale.edu/fss\\_papers/981](https://digitalcommons.law.yale.edu/fss_papers/981) [Accessed on 30 October, 2019].

Amvane, G. (2015) “Intervention Pursuant to Article 4 (h) of the Constitutive Act of the African Union Without United National Security Council Authorization” in *African Human Rights Law Journal* at

[http://www.scielo.org.za/scielo.php?script=sci\\_arttext&pid=S1996-20962015000200004](http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S1996-20962015000200004) [Accessed on 20 January, 2020].

Arblaster, A. (1994) *Democracy: Concepts in the Social Sciences*. Buckingham: Open University Press.

Asamoah, K. and Yeboah-Asiamah, E. (2019) ““Ubuntu Philosophy” for Public Leadership and Governance Praxis: Revisiting the Ethos of Africa’s Collectivism” in *Journal of Global Responsibility* at <https://www.emerald.com/insight/content/doi/10.1108/JGR-01-2019-0008/full/html> [Accessed on 17 March, 2020].

Azarian, R. (2011) “Potential and Limitations of Comparative Methods in Social Science” in *International Journal of Humanities and Social Science* 1(4): 113-125 at <http://www.ijhssnet.com/journals/Vol. 1 No. 4; April 2011/15.pdf> [Accessed on 12 January, 2020].

Bagehot, W. (1873) “The English Constitution” at <https://socialsciences.mcmaster.ca/econ/ugcm/3ll3/bagehot/constitution.pdf> [Accessed on 3 January, 2020].

Bangladesh Parliament “Rules of Procedure of Parliament of the Peoples’ Republic of Bangladesh” at [http://www.parliament.gov.bd/images/pdf/Rules\\_of\\_Procedures\\_English.pdf](http://www.parliament.gov.bd/images/pdf/Rules_of_Procedures_English.pdf) [Accessed on 27 February, 2022].

Barkan, J. D. (2003) “New Forces Shaping Kenyan Politics” in *African Notes* 18: (1-5).

Barkan, J. D. (2008) “Legislatures on the Rise?” in *Journal of Democracy* 19(2): 124-137.

Barkan, J. D., and Okumu, J. (1979) “Semi-Competitive Elections, Clientelism, and Political Recruitment in a No-Party State: The Kenyan Experience” in *University of Iowa Center for Comparative Legislative Research, Reprint Series* 66: 87-105.

Barkan, J. et al. (2010) “The African Legislative Project: First Findings. CSSR Working Paper No. 277” at

[https://open.uct.ac.za/bitstream/item/22637/Barkan\\_African\\_Legislatures\\_2010.pdf?sequence](https://open.uct.ac.za/bitstream/item/22637/Barkan_African_Legislatures_2010.pdf?sequence) [Accessed on 14 February, 2020].

Barkan, J.D. (ed.) (2009) *Legislative Power in Emerging African Democracies*. London: Lynne Rienner.

Bartlett, L. and Vavrus, F. (2017) “Comparative Case Studies” in *Educ. Real* 42 (3) at [http://www.scielo.br/scielo.php?script=sci\\_arttext&pid=S2175-62362017000300899](http://www.scielo.br/scielo.php?script=sci_arttext&pid=S2175-62362017000300899) [Accessed on 14 January, 2020].

Battle, M. J. (2009) *Reconciliation: The Ubuntu Theology of Desmond Tutu*. Cleveland, Ohio: The Pilgrim Press.

Bauer, G. and Britton, H. E. (eds.) (2006) *Women in African Parliaments*. United States of America: Lynne Rienner Publishers.

Baxter, P. and Jack, S. (2008) “Qualitative Case Study Methodology: Study Design and Implementation for Researchers’ in *The Qualitative Report* 13(4): 544-559 at <https://nsuworks.nova.edu/tqr/vol13/iss4/2/> [Accessed on 13 January, 2020].

Beck, P.A. (1979) “The Electoral Cycle and Patterns of American Politics” in *British Journal of Political Science* 9(2): 129-156 accessed at <https://www.jstor.org/stable/pdf/193428> [Accessed on 13 February, 2020].

Benton, M. and Russell, M. (2013) “Assessing the Impact of Parliamentary Oversight Committees: The Select Committees in the British House of Commons” in *Parliamentary Affairs* 66: 772–797.

Bernard, H. R. (2006) *Research Methods in Anthropology Fourth Edition: Qualitative and Quantitative Approaches*. Oxford: AltaMira Press at [https://www.dphu.org/uploads/attachements/books/books\\_476\\_o.pdf](https://www.dphu.org/uploads/attachements/books/books_476_o.pdf) [Accessed on 10 January, 2020].

Berry, R. (2015) “Book Review: Making British Law: Committees in Action by Louise Thompson” at <https://blogs.lse.ac.uk/politicsandpolicy/book-review-making-british-law-committees-in-action-by-louise-thompson/> [Accessed on 2 January, 2020].

Besley, T. and Burges, R. (2000) *The Political Economy of Government Responsiveness: Theory and Evidence from India* at



<https://www.lse.ac.uk/economics/Assets/Documents/personal-pages/tim-besley/data/political-economy-of-government-responsiveness.pdf> [Accessed on 31 January, 2022].

Birch, H. A. (2001) *The Concepts and Theories of Modern Democracy 2<sup>nd</sup> Edition*. USA and Canada: Routledge.

Black, D. (1948) "On the Rationale of Group Decision-making," in *Journal of Political Economy* 56 (1): 23-34 at <https://doi.org/10.1086/256633> [Accessed on 1 January, 2020].

Blais, A. and Bodet, M. A. (2006) "Does Proportional Representation Foster Closer Congruence between Citizens and Policy Makers?" in *Comparative Political Studies* 39: 1243–1262.

Bourdieu, P. (1977) *Outline of a Theory of Practice Vol. 16*. Cambridge, UK: Cambridge University Press at <https://www.degruyter.com/document/doi/10.1515/9780822390169-024/html> [Accessed on 28 October, 2021].

Bowen, G. A. (2009) "Documentation Analysis as a Qualitative Research Method" in *Qualitative Research Journal* 9 (2): 26-40 at <file:///C:/Users/Guest/Downloads/DocumentAnalysisBowen.pdf> [Accessed on 10 January, 2020].

Broberg, M. and Sano, H. (2018) "Strengths and Weaknesses in a human rights-based approach to international development – an analysis of rights-based approach to development assistance based on practical experiences" in *International Journal of Human Rights* 22 (5) at <https://www.tandfonline.com/doi/full/10.1080/13642987.2017.1408591> [Accessed 21 December, 2021].

Brown, B. *et al.* (2003) "Committees as Agents of Public Policy: The Standing Committee on Health" in *Canadian Parliamentary Review* 26 (3): 4-8 at <http://www.revparl.ca/english/issue.asp?param=59&art=18> [Accessed on 22 February, 2022].

Bryman, A. (2001) *Social Research Methods*. Oxford: Oxford University Press.

Bryman, A. (2012) “The Nature of Quantitative Research” in Bryman, A. *Social Research Methods*. Oxford: Oxford University Press.

Burke, E. (1774) “Speech to the Electors of Bristol” in *The Founders' Constitution* 1 (7): The University of Chicago Press at <http://press-pubs.uchicago.edu/founders/documents/v1ch13s7.html> [Accessed on 3 January, 2020].

Burnard, P. (1994) “The telephone interview as a data collection method” in *Nurse Education Today* 14: 67– 72.

Cairney, P. (2011) *Public Policy: Theories and Issues* at <https://paulcairney.files.wordpress.com/2020/01/cairney-2nd-proof-combined.pdf> [Accessed on 16 April, 2022].

Centre for Policy Dialogue (2012) “The Parliament of Bangladesh – Challenges and way forward” at [The parliament of Bangladesh: Challenges and way forward - CPD](#) [Accessed on 15 February, 2022].

Chan, S. (2007) *Grasping Africa: A Tale of Tragedy and Achievement*. London: Bloomsbury Academic.

Chan, S. (1985) *The Commonwealth Observer Group in Zimbabwe: A Personal Memoir*. Gweru: Mambo Press.

Chan, S. (2019) “Free and Fair?: Observation of Selected African Elections” in *Journal of African Elections* 18 (1): 1-22.

Chan, S. (2021) *African Political Thought: An Intellectual History for the Quest of Freedom*. London: C. Hurst & Co. Publishers Ltd.

Chan, S. and Gallagher, J. (2017) *Why Mugabe Won: The 2013 Elections in Zimbabwe and their Aftermath*. Oxford: Cambridge University Press.

Chandler, D. (2020) “The coronavirus: Biopolitics and the rise of ‘anthropocene authoritarianism’” in *Russia in Global Affairs* 2: 26–32.

Chapple, A. (1999) “The use of telephone interviewing for qualitative research” in *Nurse Researcher* 6: 85–93.

Cheeseman, N. (2015) *Democracy in Africa: Successes, Failures, and the Struggle for Political Reform*. New York: Cambridge University Press.

Cheeseman, N. and Fisher, J. (2019) *Authoritarian Africa: Repression, Resistance, and the Power of Ideas*. London: Oxford University Press.

Cheeseman, N. and Klaas, B. (2018) *How to Rig an Election*. Yale: Yale University Press.

Cheong, B. C. (2012) "What is the Role and Purpose of Parliamentary Select Committees?" in UKSLSS Law Review: 24-26 at <file:///C:/Users/Guest/Downloads/SSRN-id3744718.pdf> [Accessed on 18 February, 2022].

Chigora, P. and Ziso, E. (2011) "Diplomacy, Regime Change Agenda and the Survival of Zimbabwe in the New Millennium" in *Alternatives: Turkish Journal of International Relation* 10 (2-3) Summer-Fall 2011 at [https://ciaotest.cc.columbia.edu/journals/tjir/v10i2/f\\_0024596\\_20093.pdf](https://ciaotest.cc.columbia.edu/journals/tjir/v10i2/f_0024596_20093.pdf) [Accessed on 21 December, 2021].

Chiumbu, S. and Musemwa, M. (eds.) (2012) *Crisis! What Crisis? The Multiple Dimensions of the Zimbabwean Crisis*. Cape Town: HSRC Press.

Cliffe, L. (2010) "Land Issues under Power-Sharing: Comparing Kenya and Zimbabwe" in *Africa Studies Bulletin* 72 at <https://lucas.leads.ac.uk/issue/72> [Accessed on 20 October, 2019].

Coelho, V. et al. (2010) *Mobilizing for Democracy Citizen Action and the Politics of Public Participation*. London; New York: Zed Books.

Commonwealth Observer Group (1980) *Southern Rhodesia elections February, 1980: the report of the Commonwealth Observer Group on Elections Leading to Independent Zimbabwe*. London: Commonwealth Secretariat.

Cook, N. R. and Ware, J. H. (1983) "Design and Analysis Methods for Longitudinal Research" in *Annual Review Public Health* 4: 1-23 at <https://www.annualreviews.org/doi/pdf/10.1146/annurev.pu.04.050183.000245> [Accessed on 13 January, 2020].

Cooper, R. (2018) “What is Civil Society? How is the term used and what is seen to be its role and value (internationally) in 2018?” K4D Helpdesk Report. Brighton, UK: Institute of Development Studies.

Corbin, J. and Strauss, A. (2008) *Basics of Qualitative Research: Techniques and Procedures for Developing Grounded Theory (3rd ed.)*. Thousand Oaks, CA: Sage.

Dahl, R. A. (1971) *Polyarchy: Participation and Opposition*. New Haven: Yale University Press at [Google Scholar](#) [Accessed on 3 October 2021].

Dexter, L. A. (1970) *Elite and Specialised Interviewing*. Evanston: Northwestern University Press.

Dexter, L. A. (2006) *Elite and Specialised Interviewing*. Colchester, England: The ECPR Press.

DiCicco-Bloom, B. and Crabtree, B. (2006) “Making Sense of Qualitative Research: The Qualitative Research Interview” in *Medical Education* 40: 314-321 at <https://onlinelibrary.wiley.com/doi/pdf/10.1111/j.1365-2929.2006.02418.x> [Accessed on 13 January, 2020].

Dubnick, M. (2005) “Accountability and the Promise of Performance” in *Public Performance and Management Review* 28: 376–417.

Dunleavy, P. (2018) “Chapter 4.2: The Commons’ Two Committee Systems and Scrutiny of Government Policy Making” in Dunleavy, P. et al. *The UK’s Changing Democracy*. London: LSE Press at <https://press.lse.ac.uk/site/chapters/10.31389/book1.k/> [Accessed on 1 January, 2020].

Dunleavy, P. and Muir, D. (2013) “Parliament Bounces Back – How Select Committees have Become a Power in the Land” in *Democratic Audit UK* at <http://www.democraticaudit.com/2013/07/18/parliament-bounces-back-how-select-committees-have-become-a-power-in-the-land/> [Accessed on 1 January, 2020].

Easwaramoorthy, M and Zarinpoush, F. (2006) “Interview for Research Tip Sheet #6” at

[http://sectorsource.ca/sites/default/files/resources/files/tipsheet6\\_interviewing\\_for\\_research\\_en\\_o.pdf](http://sectorsource.ca/sites/default/files/resources/files/tipsheet6_interviewing_for_research_en_o.pdf) [Accessed on 11 January, 2020].

Eisenhardt, K. M. and Graebner, M. E. (2007) “Theory Building from Cases: Opportunities and Challenges” in *The Academy of Management Journal* 50 (1): 25-32.

Eisner, E. W. (1991) *The Enlightened Eye: Qualitative Inquiry and the Enhancement of Educational Practice*. Toronto: Collier Macmillan Canada.

Electoral Institute of Southern Africa (2002) *EISA Observer Mission Report 2002: Zimbabwe presidential election, 9-11 March 2002*. Auckland Park, South Africa: Electoral Institute of Southern Africa.

Elston, T. and Zhang, Y. (2022) “Implementing Public Accounts Committee Recommendations: Evidence from the UK Government’s ‘Progress Reports’ since 2012” in *Parliamentary Affairs* at <https://doi.org/10.1093/pa/gsab068> [Accessed on 27 February, 2022].

Erikson, J. and Josefsson, C. (2019) “Does Higher Education Matter for MPs in their Parliamentary Work? Evidence from Swedish Parliament” in *Representation* 55 (1): 65-80 at <https://doi.org/10.1080/00344893.2019.1581077> [Accessed on 28 March, 2022].

Farmer, J. (2012) “Sovereignty and the African Union” in *The Journal of Pan African Studies*, 4(10): 93-105 at <https://jpanafrican.org/docs/vol4no10/4.10Sovereignty.pdf> [Accessed on 20 January, 2020].

Farmer, J. R. (2020) “9 Powerful Techniques for Building Rapport with Anyone” at <https://www.lifehack.org/articles/communication/7-simple-steps-build-rapport-instantly.html> [Accessed on 11 December, 2020].

February, J. (2005) “More Than a Law-Making Production Line? Parliament and its Oversight Role” in Sakhela B. et al. (eds.) *State of the Nation: South Africa 2004-2005*, 123-142. Pretoria: Human Science Research Council Press and East Lansing: Michigan State University Press.

Fenno, R. F. Jr. (2002) *Home Style: House Members in Their Districts*. New York: Pearson.

Ferland, B. (2018) "Government Responsiveness under Majoritarian and (within) Proportional Electoral Systems" in *Government and Opposition: An International Journal of Politics* 55 (4): 38-70.

Fombad, C. M. And Nwauche, E. (2012) "Africa's Imperial Presidents: Immunity, Impunity and Accountability" in *African Journal of Legal Studies* 5 (2) at [https://brill.com/view/journals/ajls/5/2/article-p91\\_1.xml?lang=en](https://brill.com/view/journals/ajls/5/2/article-p91_1.xml?lang=en) [Accessed 15 October, 2019].

Fouere, M. and Mwangi, S. (2015) *Kenya's Past as Prologue: Voters, Violence and the 2013 General Election*. Cape Town: Twaweza Communications.

Gertz, C. (1971) *The Politics of Independent Kenya, 1963-8*. London: Heinemann.

Gicheru, N. (1976) *Parliamentary Practice in Kenya*. Nairobi: Transafrica Publishers.

Goitam, H. (2017) "National Parliaments: Kenya". Washington D.C: The Law Library of Congress, Global Research Centre at <https://www.loc.gov/law/help/national-parliaments/pdf/kenya.pdf> [Accessed on 6 January, 2020].

Gordon, D. F. (1981) "Decolonization and Development in Kenya and Zimbabwe: A Comparative Analysis" in *Journal of Opinion* 11 (¾): 36-40 at <https://www.jstor.org/stable/1166595> [Accessed on 21 October, 2019].

Government of Zimbabwe (1997) *Privileges, Immunities and Powers of Parliament Act, 2 Chapter 2:08*. Harare: Government of Zimbabwe.

Government of Zimbabwe (2013) *Constitution of Zimbabwe Amendment (No. 20) Act 2013*. Harare: Government Printers.

Government of Zimbabwe (2018) "Vision 2030 Towards a Prosperous and Empowered Upper Middle Income Society by 2030" at <http://www.zim.gov.zw/index.php/en/government-documents/category/1-vision-2030> [Accessed on 12 April, 2022].

Government of Zimbabwe (2021) "Constitution of Zimbabwe Amendment (No. 2) Bill – Portfolio Committee Report on Public Hearings". Harare: Government Printers at <https://www.veritaszim.net/node/4301> [Accessed on 19 April, 2022].

Government of Zimbabwe (2021) “National Disability Policy [Zimbabwe] June 2021” at

[http://www.veritaszim.net/sites/veritas\\_d/files/National%20Disability%20Policy%20V4%28White%20Background%29.pdf](http://www.veritaszim.net/sites/veritas_d/files/National%20Disability%20Policy%20V4%28White%20Background%29.pdf) [Accessed on 3 January, 2022].

Government of Zimbabwe (2021) *Constitutional of Zimbabwe Amendment No. 2*.

Harare: Government Printers at

[http://www.veritaszim.net/sites/veritas\\_d/files/Constitution%20of%20Zimbabwe%20Amendment%20%28No.%202%29.pdf](http://www.veritaszim.net/sites/veritas_d/files/Constitution%20of%20Zimbabwe%20Amendment%20%28No.%202%29.pdf) [Accessed April 20, 2022].

Greenhalgh, T. and Taylor, R. (1997) “How To Read a Paper: Papers that go beyond Numbers” in *British Medical Journal* No. 315: 740-743 at

[https://edisciplinas.usp.br/pluginfile.php/261817/mod\\_resource/content/1/Greenhalgh%20evaluating%20Qualitative%20Research.pdf](https://edisciplinas.usp.br/pluginfile.php/261817/mod_resource/content/1/Greenhalgh%20evaluating%20Qualitative%20Research.pdf) [Accessed on 13 January, 2020].

Gustafsson, J. (2017) “Single Case Studies vs. Multiple Case Studies: A Comparative Study” at <http://www.diva-portal.org/smash/get/diva2:1064378/FULLTEXT01.pdf> [Accessed on 13 January, 2020].

Hainz, T. et al. (2016) “Collective Agency and the Concept of ‘Public’ in Public Involvement: A Practice-oriented Analysis” in *BMC Medical Ethics* 17(1): Pages 1-14 at

<https://bmcmethics.biomedcentral.com/track/pdf/10.1186/s12910-015-0083-z.pdf> [Accessed on 16 April, 2022].

Halligan, J. et al. (2007) *Parliament in the 21<sup>st</sup> Century: Institutional Reform and Emerging Roles*. Melbourne: Melbourne University Press.

Hansard Society (2001) *The Challenge for Parliament*. London: Vacher Dod.

Hart, C. (1998) *Doing a Literature Review*. London: Sage Publications.

Harvey, W. S. (2011) “Strategies for Conducting Elite Interviews” in *Qualitative Research* 11: 431-441.

Harvey, W. S., (2010) “Methodological Approaches for Interviewing Elites” in *Geography Compass* 4 (3): 193-205.

Held, D. (ed.) (1991) *Political Theory*. Cambridge: Polity Press.

Helliker, K. and Mazarire, G. (2021) “Mnangagwa’s Zimbabwe: Crisis? What Crisis?” in *Journal of Asian and African Studies* 56(2): 170-175 at <https://doi.org/10.1177%2F0021909620986583> [Accessed on 8 February, 2022].

Hemed, M. (2015) “Cross Sectional Studies: Training Course in Sexual and Reproductive Health Research” at <https://www.gfmer.ch/SRH-Course-2015/research-methodology/pdf/Cross-sectional-studies-Hemed-2015.pdf> [Accessed on 13 January, 2020].

Hindmoor, A., Larkin, P. and Kennon, A. (2009) “Assessing the Influence of Select Committees in the UK: The Education and Skills Committee 1997–2005” in *The Journal of Legislative Studies* 15: 71–89.

Hodgkin, T. (1971) *African Political Parties: An Introductory Guide*. U. S. A.: Penguin Books.

Hodgson, M. G. (2006) “What are Institutions” in *Journal of Economic Issues* XL (1): 1-25 at <https://www.10.1080/00213624.2006.11506879> [Accessed on 23 May 2022].

Hofmeister W. and Grabow, K. (2011) *Political Parties: Functions and Organizations in Democratic Societies*. Singapore: Konrad Adenauer Stiftung at [https://www.kas.de/c/document\\_library/get\\_file?uuid=324ad119-cf8d-c71e-ba4d-78b0552f3bbb&groupId=264850](https://www.kas.de/c/document_library/get_file?uuid=324ad119-cf8d-c71e-ba4d-78b0552f3bbb&groupId=264850) [Accessed on 30 December, 2019].

Holmquist, F. and Ford, M. (1992). “Slouching Toward Democracy” in *Africa Today*, 39(3): 97-111 at <https://www.jstor.org/stable/4186843> [Accessed on 20 February, 2020].

Hopper, R. (1992) *Conversation*. Bloomington, IN: Indiana University Press.

Hornsby, C. (1989) “The Social Structure of the National Assembly in Kenya, 1963-1983” in *The Journal of Modern African Studies*, 27(2): 275-296 at <https://www.jstor.org/stable/160851> [Accessed on 14 February, 2020].

Hunter, A. (1993) “Local Knowledge and Local Power” in *Notes on the Ethnography of Local Community Elites, Journal of Contemporary Ethnography* 22: 36-58.



Immergut E. M. and Abou-Chadi T. (2014) “How electoral vulnerability affects pension politics: introducing a concept, measure and empirical application” in *European Journal of Political Research* 53(2): 269–287.

Inter-Parliamentary Union (2007) *Tools for Parliamentary Oversight: A Comparative Study of 88 National Parliaments*. Switzerland: IPU at <http://archive.ipu.org/pdf/publications/oversight08-e.pdf> [Accessed on 14 January, 2022].

Inter-Parliamentary Union (2008) *Evaluating Parliament - A Self-assessment Toolkit for Parliaments*. Switzerland: IPU at <http://archive.ipu.org/pdf/publications/self-e.pdf> [Accessed on 25 March 2022].

Irwin, D. and Kyande, M. (2021) “Interest Group Representation on Government Committees in Kenya” in *Interest Groups & Advocacy* at <https://link.springer.com/article/10.1057/s41309-021-00149-6> [Accessed 13 March, 2022].

Jahan, R. (2014) “The Parliament of Bangladesh: Representation and Accountability” in *Journal of Legislative Studies* 21 (2) at <https://www.cmi.no/projects/1435-the-parliament-of-bangladesh> [Accessed on 12 February, 2022].

John Uhr, (1994) “Parliament’ in A. Parkin, J. Summers and D. Woodward (eds.) in *Government, Politics and Power in Australia*. Longman Cheshire: Melbourne.

Kang, S-G and Powell, GB Jr. (2010) “Representation and Policy Responsiveness: The Median Voter, Election Rules, and Redistributive Welfare Spending” in *Journal of Politics* 72:1014–1028.

Kanwar, S. (2019) “The Importance of Parliamentary Committees” at <https://prsindia.org/theprsblog/importance-parliamentary-committees> [Accessed on 23 February, 2022].

Katumanga, M. (1997) *National Elections Data Book: Kenya, 1963-1997*. Nairobi: Institute for Educational Democracy.

Kawulich, B. B. (2005) "Participant Observation as a Data Collection Method" in *Qualitative Sozialforschung/Forum: Qualitative Research*, 6 (2) at <http://nbn-resolving.de/urn:nbn:de:0114-fqs0502430> [Accessed on 11 February, 2020].

Keating, T. and Knight W. A., (eds.) (2004) *Building Sustainable Peace*. Canada: The University of Alberta Press at [https://d1wqtxts1xzle7.cloudfront.net/31581786/ebooksclub.org\\_Building\\_Sustainable\\_Peace-with-cover-page-v2.pdf?Expires=1640125143&Signature=RN0oBlzUFTm7XNxhoOE9Vq8gE-MRb98fanOxD0zC4Epfdl9pCavoIW9fLgNobVdPoIQGOKxmL9NqwuMolzoOMmeejCk83BYjLognrGAuo85uNFhq5-vi6UQl92~bO3Km96DP8aakObXIQDCH3Dxn9PL1pECLQ7ZpKZPOsy9Vo27IYnpgPSX7LK6IXYFagDJa-QRS66kxaFYi5ICleIN5rvSzYgZdz1feqqzjKzfifvDPnm95QWZflRUtvS4pl1ReR8clOFgdpIyCU6dWbU3noh12jEfvIAa9mZhRoRwXSLF63Mu1z5NsIGEWpuk-01a51rcvRdPZWWe~lR~K3ITZoQ\\_&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA#page=157](https://d1wqtxts1xzle7.cloudfront.net/31581786/ebooksclub.org_Building_Sustainable_Peace-with-cover-page-v2.pdf?Expires=1640125143&Signature=RN0oBlzUFTm7XNxhoOE9Vq8gE-MRb98fanOxD0zC4Epfdl9pCavoIW9fLgNobVdPoIQGOKxmL9NqwuMolzoOMmeejCk83BYjLognrGAuo85uNFhq5-vi6UQl92~bO3Km96DP8aakObXIQDCH3Dxn9PL1pECLQ7ZpKZPOsy9Vo27IYnpgPSX7LK6IXYFagDJa-QRS66kxaFYi5ICleIN5rvSzYgZdz1feqqzjKzfifvDPnm95QWZflRUtvS4pl1ReR8clOFgdpIyCU6dWbU3noh12jEfvIAa9mZhRoRwXSLF63Mu1z5NsIGEWpuk-01a51rcvRdPZWWe~lR~K3ITZoQ_&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA#page=157) [Accessed on 27 December, 2021].

Kells, S. (2011) "The Seven Deadly Sins of Performance Auditing: Implications for Monitoring Public Audit Institutions" in *Australian Accounting Review*, 21: 383–396.

Kemboi, L. K. (2021) "Improving the Efficiency of Committees in Kenya's Parliament: The Case of National Assembly" at <http://dx.doi.org/10.13140/RG.2.2.17475.32809> [Accessed on 16 March, 2022].

Key, V.O. (1964) *Politics, Parties, and Pressure Groups*. New York: Crowell.

Key, V.O. (1966) *The Responsible Electorate*. New York: Vintage.

Kim, C. L., (1984) *The Legislative Connection: The Politics of Representation in Kenya, Korea, and Turkey*. United States of America: Duke University Press at <https://core.ac.uk/download/pdf/51172995.pdf> [Accessed on 15 February, 2021].

Kirui, K. A. and Murkomen, K. (2011) *The Legislature: Bi-Cameralism Under the New Constitution*. Nairobi: Society for International Development.

Knill, C. and Tosun, J. (2011) "Policy Making" in Daniele, C. (ed.) *Comparative Politics*, 2<sup>nd</sup> Edition. Oxford: Oxford University Press at [https://kops.uni-konstanz.de/bitstream/handle/123456789/18533/knill\\_tosun.pdf?sequence=1](https://kops.uni-konstanz.de/bitstream/handle/123456789/18533/knill_tosun.pdf?sequence=1)

[Accessed on 2 January, 2020].

Knill, C. and Tosun, J. (2012) *Public Policy: A New Introduction*. London: Palgrave McMillano.

Kruger, R. A. and Casey, M. A. (2009) 4<sup>th</sup> Edition *Focus Groups: A Practical Guide for Applied Research*. California: Sage Publications.

Lacono, J. et al. (2009) 'Research Methods – A Case Example of Participant Observation' in *The Electronic Journal of Business Research Methods*, 7 (1): 39-46 at <file:///C:/Users/Guest/Downloads/ejbrm-volume7-issue1-article200.pdf> [Accessed on 11 February, 2020].

Lateef, K. S. (2016) "Evolution of the World Bank's Thinking on Governance: Background Paper for 2017 World Development Report" in *World Development Report: Governance and Law* at <http://pubdocs.worldbank.org/en/433301485539630301/WDR17-BP-Evolution-of-WB-Thinking-on-Governance.pdf> [Accessed on 14 November, 2019].

Laws of Kenya (2012) *Parliamentary Pension Act Chapter 196 Revised Edition 2012 [1985]*. Nairobi: National Council of Law Reporting.

Lawson (2003) *Reorienting Economics: Economics as Social Theory*. London: Rutledge.

Leech, B. (2002) "Asking Questions: Techniques for Semi-Structured Interviews" in *Political Studies*, No. 35, Vol. 4: pages 665-668.

Leftwich, A. (ed.) (1996) *Democracy and Development: Theory and Practice*. Oxford: Polity Press.

Lewis-Beck, M.S. and Stegmaier, M. (2000) "Economic Determinants of Electoral Outcomes" in *Annual Review of Political Science* 3:183-219.

Liu, X. (2018) "Interviewing Elites: Methodological Issues Confronting a Novice in International" in *Journal of Qualitative Methods* 17: 1-9.

Lok Sabha Secretariat (2019): *Rules of Procedure and Conduct of Business in Lok Sabha Sixteenth Edition*. India: New Delhi.

Longley, L. D. and Agh, A. (eds.) (1997) *The Changing of Parliamentary Committees: Working Papers on Comparative Legislative Studies II*. Appleton, Wisconsin: Research Committee of Legislative Specialists, IPSA.

Magu, S. M. (2018) *The Socio-cultural, Ethnic and Historic Foundations of Kenya's Electoral Violence: Democracy on Fire*. New York: Routledge.

Malena, C. (2009) *From Political Won't to Political Will: Building Support for Participatory Governance*. Sterling, VA: Kumarian Press.

Mallory, J. R. and Smith, B. A. (1972) "The Legislative Role of Parliamentary Committees in Canada: The Case of Joint Committee on the Public Service Bill" in *Canadian Public Administration* at <file:///C:/Users/Guest/Downloads/Mallory-1972-Canadian Public Administration.pdf> [Accessed on 22 February 2022].

Matiangi, F. (2006) "Role of Parliament in the Fight against Corruption: The Case of Kenyan Parliament" in Supernhurst, R. et al. (eds.) *The Role of Parliaments in Curbing Corruption*. New York: World Bank.

Mboya, T. (1963) *Freedom and After*. New York: Andre Deutsch.

McCracken, G. (1988) *The Long Interview*. Newbury Park, CA: Sage.

McDonald, D. A. (2010) "Ubuntu Bashing: The Marketization of African Values in South Africa" in *Review of African Political Economy* 37 (124): 139-152.

Merriam, S. (1998) *Qualitative Research and Case Study Applications in Education*. San Francisco: Jossey-Bass.

Michael, B. and Liatto-Katundu, B (1994) "A Focus Group Assessment of Political Attitudes in Zambia", in *African Affairs* 9 (373): 535-63.

Miles, M. (1979) “Qualitative Data as an Attractive Nuisance: The Problem of Analysis’ in *Administrative Science Quarterly* 24 (4): 590-601 at <https://www.jstor.org/stable/pdf/2392365.pdf?refreqid=excelsior%3Afd137c4d8d307ef33c522157885eb099> [Accessed on 12 December, 2020].

Mill, J. S. (2009) *Considerations on Representative Government*. The Floating Press at <https://ebookcentral.proquest.com/lib/soas-ebooks/reader.action?docID=435878&query=> [Accessed on 8 November, 2019].

Mkodzongi, G. (2020) “The rise of ‘Mashurugwi’ machete gangs and violent conflicts in Zimbabwe’s artisanal and small-scale gold mining sector” in *The Extractive Industries and Society* 7(4): 1480-1489 at <http://dx.doi.org/10.1016/j.exis.2020.10.001> [Accessed on 22 January, 2022].

Mo Ibrahim Foundation (2016) “A Decade of African Governance: 2006-2015 – 2016 Abraham Index of Governance” at [%20Parliament%20and%20Accountability/Mo%20Ibrahim%20Governance%20-IndexReport.pdf](#) [Accessed on 21 September, 2018].

Montacute, R. (2017) “Over half of MPs went to comprehensives – but a career in politics is still far from accessible” in *LSE BPP* at <https://blogs.lse.ac.uk/politicsandpolicy/mps-background-and-educational-inequality/> [Accessed on 28 March, 2022].

Montesquieu, C. (1748) *The Sprit of Laws*. Translated and edited by Cohler A., Miller B, and Stone H. (1989). New York: Cambridge University Press. Cited in Benwell and Gay (?) “The Separation of Powers – House of Commons Library” at <https://researchbriefings.files.parliament.uk/documents/SNO6053/SNO6053.pdf> [Accessed on May 17, 2022].

Morgan, D. L., and Spanish, M. (1985) “Social interaction and the cognitive organisation of health-relevant knowledge” in *Sociology of Health and Illness* 73: 401–422.

Morin, D. (2008) “Auditors General’s Universe Revisited: An Exploratory Study of the Influence They Exert on Public Administration through Their Value for Money Audits” in *Managerial Auditing Journal*, 23: 697–720.

Morris, Z. S. (2009) “The Truth About Interviewing Elites” in *Politics* 29: 209-217.

Mugore J. L. M. and Marimo N. (2017) “Mid-Term Review of the Multi-Donor Parliamentary Support Programme (2014-2017)” at <file:///C:/Users/Guest/Downloads/ICPE%20Zimbabwe%20Annexes.pdf> [Accessed on 28 December, 2021].

Mutunhu, T. (1976) “Nehanda of Zimbabwe (Rhodesia): The Story of a Woman Liberation Fighter” in *Ufahamu: A Journal of African Studies* 7 (1): 59 – 70.

National Council for Law Reporting: The Official Law Reports of the Public of Kenya (2010) *The Constitution of Kenya, 2010*. Nairobi: National Council for Law Reporting at [Microsoft Word - Constitution.doc \(kenyalaw.org\)](Microsoft Word - Constitution.doc (kenyalaw.org)) [Accessed on 21 March 2022].

Nemtoi, G. (2014) “The Decisive Role of Parliaments in Democracy of Social-Political Life” in *Procedia – Social and Behavioral Sciences* 149: 647-652.

Njoroge, S. (2010) “Effectiveness of Parliamentary Committees at the Kenya National Assembly: A Management Research Project Submitted in Partial Fulfilment for the Requirement of the Degree of Masters in Business Administration School of Business University of Nairobi”, August 2010, at [http://erepository.uonbi.ac.ke/bitstream/handle/11295/5796/SAMUEL J. NJOROGE MBA 2010.pdf?sequence=1&isAllowed=y](http://erepository.uonbi.ac.ke/bitstream/handle/11295/5796/SAMUEL_J._NJOROGE_MBA_2010.pdf?sequence=1&isAllowed=y) [Accessed on 12 March, 2022].

North, D. C. (1990) *Institutions, Institutional Change and Economic Performance: Political Economy of Institutions and Decisions*. Cambridge: Cambridge University Press.

Norton, P. (ed.) (2002) *Parliaments and Citizens in Western Europe*. London and Portland, OR: Frank Cass.

Norton, P. and Olsen, M. (1996) “Parliaments in Adolescence” in *Journal of legislative Studies* 2(1): 231-243.

Novic, G. (2008) “Is There a Bias Against Telephone Interviews in Qualitative Research?” in *Research in Nursing & Health* 31: 391–398.

Ntalala, G. et al. (2020) "Rhetorical Moves of Kenyan Parliamentary Committee Reports" in *Applied Linguistic Research Journal* 4 (3): 65-85.

Nyong'o, P. A. (1989) "State and Society in Kenya: The Disintegration of the Nationalist Coalitions and the Rise of Presidential Authoritarianism 1963-78" in *African Affairs* 88 (351): 229-251 at <https://www.jstor.org/stable/722720> [Accessed on 16 February, 2020].

Nzimakwe, T. I. (2014) "Practising Ubuntu and Leadership for Good Governance: The South African and Continental Dialogue" in *Africa Journal of Public Affairs* at <https://pdfs.semanticscholar.org/46d8/a5615e0e47491b269c175bdb2228b52b8717.pdf> [Accessed on 17 March, 2020].

Opalo, K. O. (2019) *Legislative Development in Africa: Politics and Post-Colonial Legacies*. Cambridge: Cambridge University Press.

Opdenakker, R. (2006) "Advantages and disadvantages of four interview techniques in qualitative research" in *Qualitative Social Research* 7 at <http://www.qualitative-research.net/fqs-texte/4-06/06-4-11-e.htm> [Accessed on 24 November, 2019].

O'Sullivan, N. (2009) "The Concepts of the Public, the Private and the Political in Contemporary Western Political Theory" in *Critical Review of International Social and Political Philosophy*, 12(2): 145-165 at 10.1080/13698230902892010 [Accessed on 16 April, 2022].

Palinkas, L. A. et al. (2015) "Purposeful Sampling for Qualitative Data Collection and Analysis in Mixed Method Implementation Research" in *Adm Policy Ment Health*, 42(5): 533-544 at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4012002/pdf/nihms-538401.pdf> [Accessed on 11 January, 2020].

Parliamentary Reform Committee (1998-1999) *Strengthening parliamentary democracy in Zimbabwe: A Foundation Report by the Parliamentary Reform Committee, Parliament of Zimbabwe*. Zimbabwe: Harare.

Patton, M.Q. (2002). *Qualitative research & evaluation methods (3rd ed.)*. Thousand Oaks, CA: Sage.

Peabody, R. et al. (1990) "Interviewing Political Elites" in *PS: Political Science and Politics* 23(3): 451-455.

Pelizzo, R. (2007) "The Role of Parliament in Promoting Good Governance in Africa" at [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2101133](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2101133) [Accessed on 14 October, 2019].

Pettifer, J. A. (ed.) (1981) *House of Representatives Practice*. Canberra: AGPS.

Pitkin, HF (1967) *The Concept of Representation*. Berkeley: University of California Press.

Proctor Jr., J.H. (1964) "The Role of the Senate in the Kenyan Political System" in *Parliamentary Affairs* XVIII (4): 389-415.

Raftopoulos, B., Mungure, S. et al. "Violence and Transition in Post Settler-Colonial States" at <http://www.solidaritypeacetrust.org/1294/violence-and-transition-in-post-settler-colonial-states/> [Accessed 20 October, 2019].

Republic of Kenya (2013) *Parliament: The National Assembly Standing Orders (5<sup>th</sup> Edition)*. Nairobi: Government Printer.

Republic of Kenya (2015) Laws of Kenya: Public Service (Values and Principles) Act No. 1A of 2015. Nairobi: National Council for Law Reporting at [PublicServicevalueandprinciplesAct1Aof2015.pdf \(tukenya.ac.ke\)](http://www.tukenya.ac.ke/publicservicevalueandprinciplesact1Aof2015.pdf) [Accessed on 23 March, 2022].

Republic of Kenya (2020) "12<sup>th</sup> Parliament The Senate Standing Orders" at [Microsoft Word - Senate Standing Orders 2020 - Final.docx \(parliament.go.ke\)](http://www.parliament.go.ke/microsoft-word-senate-standing-orders-2020-final.docx) [Accessed on 20 March, 2022].

Republic of Kenya Parliament (2020) *The National Assembly Standing Orders (5<sup>th</sup> Edition)*. Nairobi: Government Printer.

Richards, D. (1996) "Elite Interviewing: Approaches and Pitfalls" in *Doing Politics* 16 (3): 199-204.

Ridley, D. (2008) *The Literature Review*. London: Sage Publications.



Rush, M. (2005) *Politics Today: Parliament Today*. Manchester and New York: Manchester University Press.

Russel, M. and Cowley, P. (2016) "The Policy Power of the Westminster Parliament: The 'Parliamentary State' and Empirical Evidence" in *Governance: An International Journal of Policy, Administration and Institutions*, 29 (1): 121-137.

Ryan, P. and Dunton, T. (2008) "Case Research Interviews: Eliciting Superior Quality Data" in *International Journal of Case Method Research and Application*, XX (4): 443-450 at [http://www.wacra.org/PublicDomain/IJCRA%20xx\\_iv\\_IJCRA%20pg443-450%20Ryan.pdf](http://www.wacra.org/PublicDomain/IJCRA%20xx_iv_IJCRA%20pg443-450%20Ryan.pdf) [Accessed on 11 December, 2020].

Sachikonye, L. (2011) *When a State Turns on its Citizens: 60 years of Institutionalised Violence in Zimbabwe*. Harare: Weaver Press.

Salih, M. A. (2005) *African Parliaments*. New York: Palgrave Macmillan.

Salih, M. A. M. "African Presidentialism Revisited: Between 'Big Man Metaphor' and Institutional Politics" in Adejumobi, S. (ed.) (2018) *Voice and Power in Africa's Democracy: Institutions, Participation and Accountability*. London and New York: Routledge.

Sater, J. N. (2007) "Changing Politics From Below? Women Parliamentarians in Morocco" in *Democratization* 14 (4): 723-742.

Schlesinger P. et al. (1992) *Women Viewing Violence*. London: British Institute.

Scott, J. (1990) *A Matter of Record, Documentary Sources in Social Research*. Cambridge: Polity Press.

Seldom, A. (ed.) (1988) *Contemporary History*. Oxford: Blackwell.

Senate Foreign Affairs, Defence and Trade Committee (1994), *Sexual Harassment in the Australian Defence Force*. Australia: Canberra.

Shaw, M. (1998) "Parliamentary Committees: A Global Perspective" in *The Journal of Legislative Studies*, 4(1): 225-251 at 10.1080/13572339808420547 [Accessed on 23 March, 2022].

Shaw, M. (1998) "Parliamentary Committees: A Global Perspective", in L. D. Longley and R. H. Davison (eds.) *The New Roles of Parliamentary Committees*. Portland, OR and London: Frank Cass.

Shenton, A. K. and Hayetr, S. (2004) "Strategies for gaining access to organisations and informants in qualitative studies." *Education for Information*, 22 (3-4): 223-231.

Shepsle, K. A. (2007) "Assessing Comparative Legislative Research" in Gerhard L. et al. (eds.) *Legislatures: Comparative Perspectives on Representative Assemblies*. Ann Arbor: University of Michigan Press.

Singh, S. K. (2015) "Advantages and Disadvantages of Probability Sampling Methods in Social Research" at <file:///C:/Users/Guest/Downloads/Indepthinterviewsfinal.pdf> [Accessed on 11 January, 2020].

Sinha, R. and Kanwar, S. (2019) "A Guide to Understanding Lok Sabha: Engaging as a Parliamentarian – How to Intervene Effectively" at <https://prsindia.org/files/parliament/primers/Engaging%20as%20a%20Parliamentarian%20-%20How%20to%20intervene%20effectively.pdf> [Accessed on 24 February, 2022].

Smith, B. et al. (2009) "Dialogue, Monologue, and Boundary Crossing within Research Encounters: A Performative Narrative Analysis" in *International Journal of Sport & Exercise Psychology* 7 (3): 342–59.

Soss, J. (2006) "Talking Our Way to Meaningful Explanations: A Practice Centred View of Interviewing for Interpretive Research" in Yanow, D. and Schwartz-Shea, P. (eds.) *Interpretation and Method*. New York: ME Sharpe.

Spradley, J. P. (1979) *The Ethnographic Interview*. New York: Rinehart and Winston.

Stein, H. (2009). "The World Bank and the Making of the Good Governance Agenda" on [http://www.institutions-africa.org/trackingdevelopment\\_archived/resources/docs/PaperASSR-Amsterdam-October-09--Stein-Final2.pdf](http://www.institutions-africa.org/trackingdevelopment_archived/resources/docs/PaperASSR-Amsterdam-October-09--Stein-Final2.pdf) [Accessed on 14 November, 2019].

Stultz, N.M. (1968) "Parliaments in Former British Black Africa" in *Journal of Developing Areas*, 2 (4): 479-494.

Sweet, L. (2002) "Telephone interviewing: Is it compatible with interpretive phenomenological research?" *Contemporary Nurse* 12: 58-63.

Tausig, J.E., & Freeman, E.W. (1988) "The next best thing to being there: Conducting the clinical research interview by telephone." *American Journal of Orthopsychiatry* 58: 418-427.

Teferra, D. (2018) "Should a degree be compulsory for parliamentarians?" A paper presented at the 16<sup>th</sup> International Conference on Private Higher Education in Africa organised by Saint Mary's University and held in Addis Ababa from 25 to 27 July 2018" at <https://www.universityworldnews.com/post.php?story=20180821073900634> [Accessed on 28 March 2022].

The Republic of Kenya Laws of Kenya (2017) *Parliamentary Powers and Privileges Act No. 29 of 2017*. Nairobi: National Council for Law Reporting.

The Senate Parliament of Kenya (2017) *Handbook on Operations of Committees First Edition*. Nairobi: Clerk of the Senate of Parliament of Kenya at [15. The Senate Handbook on Operations of Committees First Edition .pdf \(devolution.go.ke\)](https://devolution.go.ke/15-The-Senate-Handbook-on-Operations-of-Committees-First-Edition.pdf) [Accessed on 23 March, 2022].

Thompson, L. (2015) *Making British Law: Committees in Action*. London: Palgrave Macmillan.

Tillmann-Healy, L. (2003) "Friendship as Method." *Qualitative Inquiry* 9 (5): 729-49.

Turner, A. G. (2003) "Sampling Frames and Master Samples" at [https://unstats.un.org/unsd/demographic/meetings/egm/sampling\\_1203/docs/no\\_3.pdf](https://unstats.un.org/unsd/demographic/meetings/egm/sampling_1203/docs/no_3.pdf) [Accessed on 10 January, 2020].

Uhr, J. (1997) "Keeping Government Honest: Preconditions for Parliamentary Effectiveness" in *Papers on Parliament* 29 at

[https://www.aph.gov.au/About\\_Parliament/Senate/Powers\\_practice\\_n\\_procedures/pops/pop29/co5](https://www.aph.gov.au/About_Parliament/Senate/Powers_practice_n_procedures/pops/pop29/co5) [Accessed on 18 February, 2022].

Urbinati, N. and Warren, E. M. (2008) “The Concept of Representation in Contemporary Democratic Theory” in *The Annual Review of Political Sciences* 11: 387 – 412 at <https://www.annualreviews.org/doi/pdf/10.1146/annurev.polisci.11.053006.190533> [Accessed on 16 April, 2022].

VanDyck, C., K. (2017) “Concept and Definition of Civil Society Sustainability”. Washington DC: Centre for Strategic and International Studies” at [https://csisprod.s3.amazonaws.com/s3fspublic/publication/170630\\_VanDyck\\_Civil\\_SocietySustainability\\_Web.pdf?QfxMIeHr9U8aeV1kOjF o.FBTsLG76HPX](https://csisprod.s3.amazonaws.com/s3fspublic/publication/170630_VanDyck_Civil_SocietySustainability_Web.pdf?QfxMIeHr9U8aeV1kOjF o.FBTsLG76HPX) [Accessed 22 December, 2021].

Walle, N. (2003) “Presidentialism and Clientelism in Africa’s Emerging Party Systems” in *The Journal of Modern African Studies*, 14(2): 297-321.

Weaver, K. R. and Rockman, B. A. (2010) *Do Institutions Matter: Government Capabilities in the United States and Abroad* at <https://www.brookings.edu/book/do-institutions-matter/> [Accessed on 8 February, 2020].

Wharrad, H. and Silcocks, P. (2009) “An Introduction to Experimental Design’ in *The NIHR RDS EM / YH* at [https://www.rds-yh.nihr.ac.uk/wp-content/uploads/2013/05/2\\_Experimental\\_Design\\_Revision\\_2009.pdf](https://www.rds-yh.nihr.ac.uk/wp-content/uploads/2013/05/2_Experimental_Design_Revision_2009.pdf) [Accessed on 13 January, 2020].

White, H. (2015) *Select Committees under Scrutiny: The Impact of Parliamentary Committee Inquiries on Government*. London: Institute of Government at <https://www.instituteforgovernment.org.uk/sites/default/files/publications/Under%20scrutiny%20final.pdf> [Accessed on 31 December, 2019].

Wickson, F. et al. (2010) “Who or what is ‘the public’” in *Nature Nanotechnology* 5: 757-758 at [https://www.researchgate.net/profile/Fernickson/publication/47300791\\_Who\\_or\\_what\\_is\\_'the\\_public'/links/5437fccfocf2d5fa292bd4e3/Who-or-what-is-the-public.pdf](https://www.researchgate.net/profile/Fernickson/publication/47300791_Who_or_what_is_'the_public'/links/5437fccfocf2d5fa292bd4e3/Who-or-what-is-the-public.pdf) [Accessed on 16 April, 2022].

Wilholt, T. (2021) “Scientific Freedom: Its Grounds and Their Limitations”. *Studies in History and Philosophy of Science* at <http://www.sciencedirect.com/science/journal/00393681> [Accessed on 25 October, 2021].

Wilson, G. (1933) “Concept of Public Opinion” in *American Political Science Review* 27(3): 317-393 at <https://doi.org/10.2307/1947437> [Accessed on 17 April, 2022].

Wlezien, C. and Soroka, S. N. (2012) “Political Institutions and the Opinion–Policy Link” in *West European Politics* 35: 1407–1432.

World Bank (1989) *From Crisis to Sustainable Growth - Sub Saharan Africa: A long-term Perspective Study*. Washington: The World Bank.

World Bank (1989) *From Crisis to Sustainable Growth: A Long Term Perspective Study*. Washington, D.C.: World Bank.

World Bank (1991) *The Reform of Public Sector Management: Lessons from Experience, Policy and Research Series 18*. Washington: The World Bank.

World Bank (1992) *Governance and Development*. Washington: The World Bank.

World Bank (1994) *Governance: The World Bank Experience*. Washington: The World Bank.

World Bank (1997) *World Development Report 1997: The State in a Changing World*. Washington: The World Bank.

World Bank (2000) *Anti-Corruption in Transition: A Contribution to the Policy Debate*. Washington: The World Bank.

World Bank (2002) *World Development Report 2002: Building Institutions for Markets*. Washington: The World Bank.

World Bank (2003) *World Development Report 2003: Sustainable Development in a Dynamic World: Transforming Institutions, Growth and Quality of Life*. Washington: The World Bank.

World Bank (2004) *World Development Report 2004: Making Services Work for Poor People*. Washington: The World Bank.

World Bank (2005) *Economic Growth in the 1990s: Learning from a Decade of Reform*. New York: World Bank.

World Bank (2008) *The Growth Report: Strategies for Sustained Growth and Inclusive Development*. New York: World Bank.

World Bank (2011) *World Development Report 2011: Conflict, Security and Development*. Washington: World Bank.

World Bank (2018) “Rural Population (% of total population) – Zimbabwe” at <https://data.worldbank.org/indicator/SP.RUR.TOTL.ZS?locations=ZW> [Accessed on 18 April, 2022].

World Economic Forum (2013) “The Future Role of Civil Society.” World Economic Forum in collaboration with KPMG International at [http://www3.weforum.org/docs/WEF\\_FutureRoleCivilSociety\\_Report\\_2013.pdf](http://www3.weforum.org/docs/WEF_FutureRoleCivilSociety_Report_2013.pdf) [Accessed on 22 December, 2021].

Yadav, A. K. (2013) “Youth and Development: Role of Social Worker” at <http://www.sharing4good.org/article/youth-and-development-role-social-worker> [Accessed on 9 January, 2019].

Yin, R. K. (2003) *Case Study Research: Design and methods (3rd ed.)*. Thousand Oaks, CA: Sage.

Zainal, Z. (2007) “Case Study as a Research Method” in *Journal Kemanusiaan* at [http://psyking.net/htmlobj-3837/case\\_study\\_as\\_a\\_research\\_method.pdf](http://psyking.net/htmlobj-3837/case_study_as_a_research_method.pdf) [Accessed on 14 January, 2020].

Zuckerman, H. (1972) “Interviewing an Ultra-Elite” in *Public Opinion Quarterly* 36: 159-175.

Zvoma, A. (2010) “The Challenges Parliamentary Committees Face in Exercising Oversight Functions on the Executive”. Paper Presented to the Geneva Association of Secretaries General of Parliaments, Geneva Session, 10 October, 2010.

