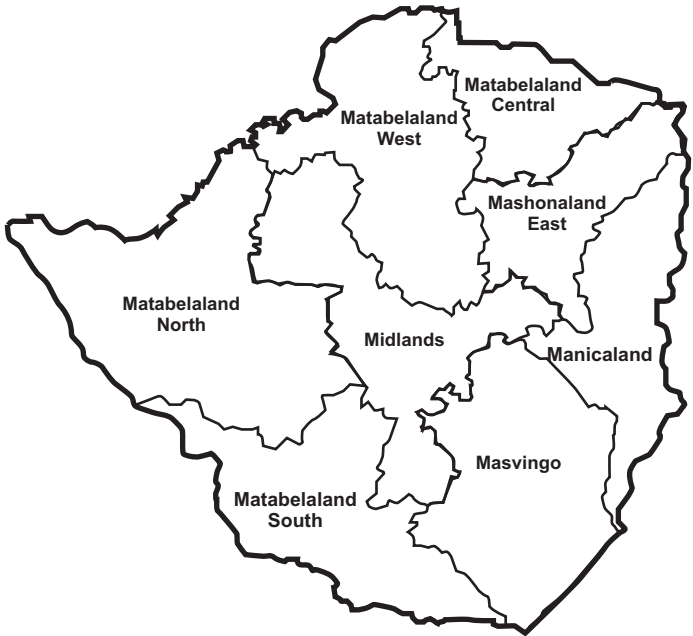


TALKING POINTS

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1. PREAMBLE

A preamble is a preliminary statement that introduces a Constitution. A preamble normally carries the major historical legacies and challenges of a nation and its values and aspirations.

TALKING POINTS

- a) What are the national legacies, values and aspirations that should be set out in the preamble?

2. FOUNDING PRINCIPLES OF THE CONSTITUTION

Founding principles are those values that citizens commit themselves to their adherence. They are the foundations of the Constitution and they reflect the manner in which the people desire to be governed.

TALKING POINTS

- a) What are the fundamental legacies, values and principles that should underpin the Constitution?

3. CITIZENSHIP

Citizenship is one's membership of a country which a person gets because they were born in that country or their parents were born in that country, lived in that country or were registered in that country.

TALKING POINTS

- a) How should citizenship be acquired?
- b) Should dual/multiple citizenship be allowed?

4. BILL OF RIGHTS

A Bill of Rights sets out the fundamental rights and freedoms of the people.

TALKING POINTS

- What fundamental rights and freedoms should be protected and guaranteed in the Constitution?
- What social, economic and cultural rights should be included in the Constitution?
- Should the death penalty be retained?

5 WOMEN AND GENDER ISSUES

Women are a biological construct of nature distinguished from men by sex, that is, female or male respectively.

Gender is about the relationship between girls and boys, men and women.

TALKING POINTS

- What specific rights should be guaranteed to women by the Constitution?

6. YOUTH

Youth is the period between childhood and adulthood. Youth can be used with reference to the person who falls within a defined age group range.

TALKING POINTS

- a) Who are the youth in Zimbabwe? From what age to what age?
- b) What specific rights for the youth should be guaranteed in the Constitution?

7. THE DISABLED

Persons with disabilities (PWDs) include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

TALKING POINTS

- a) What specific rights for the disabled should be guaranteed in the Constitution?

8 MEDIA

Media are the storage and transmission channels or tools, including the personnel, used to store and deliver information or data.

TALKING POINTS

- a) What specific rights should the Constitution guarantee to the media?

9. WAR VETERANS

A war veteran is a person who has had long service or experience in a military or war occupation or field.

TALKING POINTS

- a) What specific rights should be afforded to war veterans in the Constitution?

10. LAND

Land is an area, territory, country, state or nation where people live as well as derive their livelihoods and regard as their own.

TALKING POINTS

- a) How should the Constitution address the issue of land?

11. EMPOWERMENT

Empowerment is a process of increasing the spiritual, political, social or economic strength of individuals and communities in order for them to develop confidence in their own capacities.

TALKING POINTS

- a) How should the Constitution deal with the empowerment of previously disadvantaged groups?

12. ENVIRONMENT

Natural resources and all man made structures constitute the environment.

TALKING POINTS

- a) How should the Constitution deal with the issue of the environment?

13. NATURAL RESOURCES

Natural resources are substances/materials that can be extracted either for direct use or gainful processing, for example minerals.

TALKING POINTS

- a) How should the Constitution deal with the issue of natural resources?

14. LABOUR

Labour can be defined as effort expended on a particular task, involving three critical players that is, the state, employees and the employers.

TALKING POINTS

- a) What specific rights should be granted to workers in the Constitution?

15. RELIGION

Religion is a communal system for the coordination of belief focusing on a system of thought, unseen being, person or object considered to be supernatural, sacred, divine, or of the highest truth. Moral codes, practices, values, institutions, tradition, rituals, and scriptures are often associated with the core belief. Examples of religions are Christianity, Hinduism, Islam Buddhism, Vadzimu/Amadhlozi and others.

TALKING POINTS

- a) How should the Constitution of Zimbabwe deal with the issue of religion?

16. SYSTEMS OF GOVERNMENT

Systems of government refers to the manner states are organized, that is, the distribution of political power and responsibility within the state. There are three major systems of governance in modern states. These are federal states, unitary states and unitary states with devolved powers.

FEDERAL STATE

A **federal** system of governance obtains where a country is divided into two or more states with their own governments which then agree to have one national government.

UNITARY STATE

A **unitary** system is where power is held by a single central government that controls all the political and administrative power.

A DEVOLVED STATE

Devolution is whereby in a unitary system, political and administrative power is shared between a national government and lower level spheres of the state, for example, provinces and local authorities.

TALKING POINTS

- What system of government should Zimbabwe have? (Federal, unitary, devolved).
- Should there be provincial governments and how should they be constituted?
- Should there be local governments and how should they be constituted?
- What should be the functions of provincial and local governments?
- How many provinces should we have?
- How should they be determined?

17. ARMS OF THE STATE

There are three principal functions of the state that is, making laws, interpretation of the laws and implementation of the laws. These vest in the legislature, judiciary and the executive respectively.

17.1. THE EXECUTIVE

TALKING POINTS

- a) How should executive powers be organized and distributed? (Should there be a President, a Prime Minister or both?)
- b) How should they be elected/appointed?
- c) Should all ministers be Mps?
- d) Should all ministers not be Mps?
- e) Should some ministers be MPs and others not?
- f) How should ministers be appointed?

17.2 THE LEGISLATURE

TALKING POINTS

- a) How many Houses of Parliament should we have?
- b) Should there be MPs who are appointed?
- c) Should MPs be allowed to cross the floor with their seats?
- d) Should any seats be reserved for:
 - (i) Women
 - (ii) Traditional leaders
 - (iii) The disabled
 - (iv) Special interest groups

17.3 THE JUDICIARY

- a) How should our court system be organized?
- b) How should judges be appointed?

18. ELECTORAL SYSTEMS

There are a number of electoral systems obtaining in the world, the common of which are the first- past-the-post system, the proportional representation system and the hybrid system comprising of the two.

FIRST-PAST-THE-POST SYSTEM

This is whereby the person with the highest number of votes becomes the elected representative of the electorate.

PROPORTIONAL REPRESENTATION

This is a system whereby the elected people are determined by the proportion of votes obtained by each party.

HYBRID SYSTEM

This is where some of the representatives are elected on the basis of the first- past-the-post system and others on the basis of proportional representation.

TALKING POINTS

- a) What type of electoral system should Zimbabwe have?
 - First-past-the-post?
 - Proportional representation?
 - Hybrid?

19. INDEPENDENT PUBLIC OFFICES

These are specialized executive offices of government performing important executive or oversight functions.

TALKING POINTS

- a) What independent public offices should be created in the Constitution and how should they be appointed?
- b) How should the Constitution provide for:
 - (i) The Attorney General?
 - (ii) Auditor and Comptroller General?
 - (ii) Public Protector/Ombudsman?
- c) What are the functions of the Attorney General that should be provided for in the Constitution?
- d) Should the Attorney General who is the legal advisor to government also be the national prosecutor?

20. INDEPENDENT COMMISSIONS

These are specialized constitutional watchdogs for monitoring, promoting and enforcing rights and obligations in their areas of specialty.

TALKING POINTS

- a) What independent commissions should be provided for in the Constitution?
- b) How should their independence be protected?
- c) How should independent commissions be appointed?

21. EXECUTIVE COMMISSIONS

These are bodies through which the state implements laws and policies.

TALKING POINTS

- a) What executive commissions should be provided for in the Constitution?

22. PUBLIC FINANCE

This includes the management and accounting of public funds, Consolidated Revenue Fund, the preparation and the management of the budget and the auditing and oversight over public finances.

TALKING POINTS

- a) Which aspects of Public Finance should be regulated by the Constitution?
- b) How should the Constitution provide for the management of the national budget?

23. CENTRAL BANK

This is a statutory financial institution that formulates, implements and reviews monetary policies.

TALKING POINTS

- a) What aspects of the Central Bank should be regulated by the Constitution?

24. TRADITIONAL LEADERS

Traditional Leaders are the custodians of traditions, customs, norms and values. They coordinate the functions of traditional institutions.

The main traditional institutions are chieftainships, headmanships, clans and the family. The activities or practices of each of these institutions are coordinated through the forum of a **dare/idaile**.

TALKING POINTS

- a) What role should be accorded to traditional leaders in the Constitution?

25. LANGUAGES, ARTS AND CULTURE

National Language refers to a language that is officially recognized by a national government for use in various specified domains within the country. The arts is a broad subdivision of culture, composed of many creative endeavours and disciplines. It is a broader term than just art, which usually means only the visual arts. The arts encompasses visual arts, literature and the performing arts - music, drama, dance and film, among others. Culture are the beliefs, customs, practices and social behaviour of a particular community, ethnic grouping, nation or people.

TALKING POINTS

- a) How should the Constitution deal with the issues of languages, arts and culture?

26. TRANSITIONAL MECHANISMS

Those provisions in the Constitution providing for the orderly transition from the old government to the new one

TALKING POINTS

- a) What transitional mechanisms should be enshrined in the Constitution?

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