

Electoral Laws, Reforms, Transparency and the Credibility of Elections in Zimbabwe

Fabian Maunganidze

Abstract

Electoral laws influence the credibility of any election, and hence, any flaws in the laws can negate the very essence of democracy that the elections seek to uphold. The Zimbabwean electoral laws have significantly evolved from the 1979 Lancaster House Constitution to the current 2013 Constitution. However, the electoral management and choice of electoral system like the first past the post system or proportional representation or a blend of both, as well as the unicameral or bicameral systems have been topical for decades. Calls for electoral reforms, though legitimate, have often been regarded as an agenda for regime change by external forces. Whilst electoral law reforms are not a destination, deliberate efforts by all stakeholders to embrace the process can sanitise the electoral process even where flaws exist. Using qualitative desk-based research methodology, the Zimbabwean electoral disputes and current electoral legal framework were analysed in the light of the calls for electoral reforms. Indeed, the transparency of the electoral system will ultimately influence the credibility of the harmonised elections in 2023. This chapter connects with the concept of electoral democracy and the sanctity of elections as a true reflection of the will of the people. It delves into the legitimacy of the reform calls and how these have influenced the trajectory of the electoral reform process. It concludes by recommending among others, the continuing review of the electoral laws with a full alignment of the Electoral Act to the Constitution in addition to the full independence of the Zimbabwe Electoral Commission (ZEC).

Keywords: Electoral laws, Electoral irregularities, Electoral reforms, Credibility of elections