

# A Critical Examination of the Effectiveness of the Zimbabwean Multi-Party Liaison Committees

By Shadreck Vengesai

**Key Words:** Elections; Liaison; Dispute; Party; Judicial

## Abstract

The Electoral Act provides for the establishment of judicial and non-judicial Electoral Dispute Resolution (EDR) mechanisms to peacefully and speedily resolve electoral disputes. However, there appears to be an over-reliance on the judiciary by parties to electoral disputes and in the process, shunning non judicial mechanisms such as the Multi-Party Liaison Committees. This over-judicialization of electoral disputes erodes the very essence of other EDR mechanisms such as the MPLCs. Ironically, dispute resolution by its very nature is supposed to be non-adversarial and create win-win solutions to disputes, a characteristic which cannot be achieved through court proceedings, but which can be achieved through the use of MPLCs. This paper seeks to interrogate why parties to electoral disputes shun MPLCs and establish the missing link that can make MPLCs more efficient and more reliable to parties to electoral disputes. It does this by looking at their composition and the disputes that they have resolved/or failed to resolve so far. It looks at how MPLCs in other jurisdictions in the region are structured and composed and how effective they are and proffers recommendations on how the MPLCs' work as arbiters of electoral disputes can be enhanced.

## 1 Introduction

The Zimbabwean Multi-Party Liaison Committees (MPLCs) are established in terms of Section 160 of the Electoral Act Chapter 2:13, to provide for a mechanism to address electoral disputes. Alongside these, courts of law are also mandated to resolve legal disputes arising from the conduct of elections. There is a concern that MPLCs are under-utilized while courts (judicial forums) are over relied upon on for the resolution of election disputes. The Zimbabwean election dispute resolution mechanism is over-judicialized. This is not because there are no alternative election dispute resolution mechanisms. Rather, politicians, political parties and the general Zimbabwean public lack confidence in the alternative election dispute resolution mechanisms such as the MPLCs. If the enabling legislation of the Multi-Party Liaison Committees is strengthened and their efficiency enhanced, stakeholder trust in these mechanisms can be increased and win-win solutions to election disputes can be achieved.

## 2 The contact theory and election dispute resolution

This paper analyses the effectiveness of the Zimbabwean Multi-Party Liaison Committees from the theoretical viewpoint of the electoral governance model, deliberative democracy, sustained dialogue and the Contact Theory. Electoral governance refers to a wide set of activities such as voter registration, voter mobilization, candidate nomination, campaigning, voting, counting of the ballots, to mention a few, that create and maintain the broad institutional framework in which an election contestation take place.<sup>1</sup> Its focus is on the structures, institutions and systems in place to ensure credible electoral processes and electoral outcomes. The set of rules, laws and procedures

1 Mozaffer, S and A Schedler, "The comparative study of elections and governance – introduction", *International Political Science Review* 23(1) 2002, pages 5–27

that regulate an election is what constitutes the primary focus of electoral governance. Applied to Zimbabwean electoral context, the electoral governance entails an examination of the Electoral Act, the Constitutional provisions that pertain to elections and the institutions that are mandated to deal with elections and elections related matters, which include the Multi-party Liaison Committees.

Electoral governance is composed of three pillars namely; rule making which entails making of the rules of the electoral game, rule application which entails implementation of those rules and rule adjudication which involves resolving of disputes arising within the electoral game.<sup>2</sup> The Zimbabwean Multi-party Liaison Committees perform two of these functions namely rule application in the form of enforcement of the Code of Conduct for Political Parties<sup>3</sup> and rule adjudication in the form of resolving any disputes, concerns, matters or grievances relating to the electoral process, including in particular any disputes arising from allegations concerning non-compliance with the Code of Conduct for Political Parties.<sup>4</sup>

Multi-party Liaison Committees as set out in Section 160 of the Electoral Act consist of representatives of all political parties contesting in an election, representatives of independent candidates, the Zimbabwe Electoral Commission and where necessary and appropriate representatives from government, the security forces and other stakeholders involved in ensuring that the elections will be conducted in a free and fair manner. Notwithstanding the absence of a specific provision that provides for gender equality in the composition of MPLCs, their structure, composition and functioning clearly demonstrates that their central characteristic is inclusivity, reasonability, reciprocity and equality of debate between different political parties. This makes them epitomes of deliberative democracy.<sup>5</sup>

The rationale for the establishment of MPLCs is to bring belligerent Zimbabwean political parties together and to facilitate sustained dialogue between them with a view to creating win-win solutions to conflict between them. This rationale is inspired by the consensus based approach to resolving electoral disputes provided for in Section 160D of the Electoral Act Chapter 2:13. This resonates well with Gordon Allport's Contact Theory which posits that contact between members of belligerent groups can work to reduce prejudice and intergroup conflict and improve social relations through the development of mutual trust, more positive perceptions and less negative perceptions towards each other.<sup>6</sup>

According to Allport, the contact theory is made up of four pillars. The first pillar, which is the equal status pillar, postulates that members of the contact situation, which for purposes of this paper are political parties, must not be governed by or exist in unequal, hierarchical relations.<sup>7</sup> Rather they must be treated equally. The second pillar, which is the cooperation pillar, postulates that members of the contact situation must work together in a non-competitive environment. What this effectively means in respect of the Zimbabwean Multi-Party Liaison Committees is that they must not be used as platforms for political party contestations but rather as platforms for sustained and transformative dialogue whose aim is to create win-win solutions to problems. The third pillar, which is the common goals pillar, states that members of the contact situation rely on each other to achieve their shared and desired goal. It follows therefore that political parties that constitute the multi-party liaison committees must define a shared, and common agenda which is free, fair and credible election, result of which are acceptable by all of them. The fourth pillar, which is the institutional support pillar, posits that contact between political parties in the Multi-Party Liaison Committees must be backed up by the creation of institutions, legislation and policies.

The sustained dialogue theory entails or requires that there be "genuine interaction through which human beings listen to each other deeply enough to be changed by what they learn... It brings together participants from different groups in a repeated effort towards transforming conflicted relationships so that conflicts are constructively resolved."<sup>8</sup> The Contact Theory and the concept of sustained dialogue presupposes that bringing together representatives of

2 J. Napier, Political party Liaison Committees as a Conflict Resolution Mechanism: The South African Experience, *Journal for Contemporary History* 40(2), December 2015, pages 156–175

3 Section 160C (f) of the Electoral Act

4 Section 160C (a) of the Electoral Act

5 D. Pietrzyk-Reeves, Deliberative Democracy and Citizenship, Polish *Political Science Yearbook*, 2006, pages 43–64

6 B. Zuma, Contact Theory and the concept of prejudice: Metaphysical and moral explorations and an epistemological question, University of Cape Town, *Journal of Theory and Psychology*, Vol 24 (1), 2014 pages 40–57

7 Ibid

8 H. Saunders, Sustained Dialogue, Kettering Foundation available at [https://www.civicus.org/documents/toolkits/PGX\\_D\\_Sustained%20Dialogue.pdf](https://www.civicus.org/documents/toolkits/PGX_D_Sustained%20Dialogue.pdf) (Accessed on 1 November 2022)

antagonistic political parties that are contesting in an election, facilitating sustained dialogue between them, deliberation and regular communication within a formalised or legal structure such as the Multi-Party Liaison Committee about the many electoral governance and electoral conflicts concerning the conduct of an election, will more likely resolve these conflicts and result in accepted and legitimate election outcomes.<sup>9</sup> Sustained dialogue and the Contact Theory in respect of the Zimbabwean Multi-Party Liaison Committees means there is need for permanent Multi-Party Liaison Committees which operates throughout the electoral cycle, as opposed to the current status quo wherein their lifespan is periodic and only functional between nomination and proclamation of election results. Limiting the lifespan of Multi-Party Liaison Committees to the period between nomination and announcement of results is inspired by a narrow and parochial view of elections as an event and not a process. It prohibits them from dealing with other pertinent aspects of the electoral cycle such as delimitation, voter registration, and except for the national Multi-party Liaison Committees which can be established before nomination, nomination.

### **3 The establishment, Composition and Functions of the Multi-Party Liaison Committees**

Multi Party Liaison Committees are established in terms of section 160 of the Electoral Act. The Act provides for the establishment of national, constituency and ward level Multi-Party Liaison Committees. In terms of 160B of the Electoral Act Chapter 2:13 constituency and ward level Multi-Party Liaison Committees are appointed after the close of nomination in an election. The national level Multi-Party Liaison Committee is appointed six months before the end of the five-year term of Parliament as specified in section 143 of the Constitution.<sup>10</sup> The lifespan of Multi-Party Liaison Committees at all levels ends with the announcement of election results. The national level Multi-Party Liaison Committee is composed of the Chairperson of the Zimbabwe Electoral Commission who chairs the Committee, two representatives from each political party contesting in an election, two representatives of each independent candidate contesting in an election, and any other person invited by the representatives of every political party and independents represented in the Multi-Party Liaison Committee. The Constituency and Ward Multi-Party Liaison Committees, like the national level Multi-Party Liaison Committee, are chaired by representatives of the Zimbabwe Electoral Commission and composed of two representatives of each political party and independents contesting the election, and any person invited by the representatives of every political party represented in the liaison committee.<sup>11</sup> The functions of Multi-Party Liaison committees, as spelled out in Section 160C of the Electoral Act include:

- (a) to hear and attempt to resolve any disputes, concerns, matters or grievances relating to the electoral process, including in particular any disputes arising from allegations concerning non-compliance with the Code.
- (b) in the case of a national multi-party liaison committee—
  - (i) to create and establish Multi-party Liaison Subcommittees in each province;
  - (ii) to delegate any of its functions to any Multi-party Liaison Subcommittee;
  - (iii) to monitor, supervise or direct the activities of Multi-party Liaison Subcommittees;
  - (iv) to immediately report upon and refer to the Zimbabwe Electoral Commission any disputes, concerns, matters or grievances relating to the electoral process.
- (c) to request the Zimbabwe Electoral Commission to mediate or appoint an independent mediator to resolve any dispute, concern, matter or grievance relating to the electoral process within a time frame requested by the Multi-Party Liaison Committee or within a reasonable time frame.
- (d) to present to the Zimbabwe Electoral Commission any reports, assessments, records or recommendations relating to the electoral process.
- (e) Generally, to assist in implementing the Code.

Section 160D of the Electoral Act adds the Multi-Party Liaison Committee, diverse in composition as they are, must make their decisions by consensus. There is no mention of gender equality or representation of persons with disabilities in the composition of the Multi-Party Liaison Committees. It must be noted that in terms of Section 160 B (1) of the Electoral Act Chapter 2:13, the lifespan of MPLCs is not permanent. It is periodic and only functional between nomination and proclamation of election results.

<sup>9</sup> J. Napier, Political party Liaison Committees as a Conflict Resolution Mechanism: The South African Experience, *Journal for Contemporary History* 40(2), December 2015, pages 156–175

<sup>10</sup> Section 160B (1) of the Electoral Act

<sup>11</sup> Section 160B (2) of the Electoral Act

## 4 Rationale for the Establishment of Multi-Party Liaison Committees

The rationale for the establishment of Multi-Party Liaison Committees is inspired by the new institutionalism school of thought which postulates that in polarized political dispensations such as Zimbabwe, institutional arrangements can provide the context in which differences can be managed and accommodated in a non-adversarial, non-violent political and consensus based way. This is achieved through interactions that can take place between political parties, through the formal structures created by legislation to deal with electoral matters. The Zimbabwean legislation already provides for win-win solutions to electoral disputes in Section 160D of the Electoral Act where it provides for consensus based decision making. A win-win situation is the result of a mutual-gains approach to negotiation in which parties work together to reach mutual interests.<sup>12</sup> In a win-win negotiation, when both sides are satisfied with their agreement, the odds of a long-lasting success are much higher. Finding your way to a win-win situation often involves reaching mutual gains by trading off your differing preferences.<sup>13</sup> Multi-Party Liaison Committees allow direct communication between the Zimbabwe Election Commission (ZEC) and political parties, and provide a vehicle to resolve disputes at the national, regional and local levels.<sup>14</sup> They create avenues for political parties that are contesting in an election to communicate and deliberate in formalized or legal structures and resolve election disputes, in a manner acceptable to all political players.<sup>15</sup> If properly constituted and properly functional, Multi-Party Liaison Committees have the potential to enable ZEC to be in regular contact with political parties through their organizational structure, their candidates, agents, and other party volunteers.<sup>16</sup> They ensure that political parties play a central role in ensuring fairness of the electoral process, engendering confidence in the same and ensuring that all players in the electoral process play by the rules. This then ensures that all contestants in an election accept the results.

## 5 Multi-Party Liaison Committees: Shortcomings of The Zimbabwean Legislative Framework

The biggest shortcoming of the Zimbabwean Multi-party Liaison Committees is their limited lifespan. Except the national Multi-Party liaison Committee which is appointed six months before the expiry of the five year term of Parliament and expires after proclamation of electoral results, the Constituency and Ward Multi-Party Liaison Committees' lifespan is confined to the period between nomination and announcement of results. They are mandated in terms of Section 160C (1) (a) of the Electoral Act to resolve any disputes, concerns, matters or grievances relating to the electoral process. It appears therefore that the meaning of "electoral" process in the mind of the law maker is limited to campaigning, actual voting, vote counting and announcement of results. If the electoral process is broadly defined to include such activities as boundary delimitation, voter registration, accreditation of voters and nomination of candidates, as it should be, the appointment of the Multi-Party Liaison Committees after nomination defies logic. This is so because it precludes it from dealing with disputes, concerns, matters or grievances which arise from these pre-election electoral processes in the latter and spirit of Section 160 (C)(1). Multi-party Liaison Committees ought to be permanent structures which exist throughout the electoral cycle. Sustained dialogue, which creates win-win solutions to conflicts, takes place over time and includes such processes as relationship and mutual trust building.

When made to be a permanent structure, MPLCs will have more time to build relationships, to promote or foster inter-political party tolerance, coexistence and cohesion, to define their common goals and to promote cooperation towards achieving these common goals. Consensus based decision making, which is required in section 160D of the Electoral Act is only feasible when there is mutual trust between the political parties represented in the Multi-Party Liaison Committees, clearly defined and agreed upon common goals as well as cooperation between the political parties in the Multi-party Liaison Committees, in line with the four pillars of the Contact Theory.

12 Harvard Law School: Program on Negotiation <https://www.pon.harvard.edu/tag/a-win-win-situation/> (Accessed on 1 November 2022)

13 Ibid

14 International Federation for Electoral Systems, Addressing Election Disputes and Election Offenses in Zimbabwe, <http://efzimbabwe.org/downloads/Election-Dispute-Resolution.pdf> (Accessed 13 December 2022)

15 J. Napier, Political party Liaison Committees as a Conflict Resolution Mechanism: The South African Experience, *Journal for Contemporary History* 40(2), December 2015, pages 156–175

16 The Electoral Knowledge Network, Parties and Candidates, 2nd Edition, 2012, <https://aceproject.org/ace-en/topics/pc/pcc/pcc06/pcc06c> (Accessed on 1 November 2022)

The mandate of the Zimbabwean Multi-party Liaison Committees is vaguely defined in legislation. Section 160C (1) (a) of the Electoral Act states their mandate is to “hear and attempt to resolve any disputes, concerns, matters or grievances relating to the electoral process, including in particular any disputes arising from allegations concerning non-compliance with the Code”. An attempt is an act of trying to do something, especially something difficult, often with no success.<sup>17</sup> It appears from the wording of Section 160C (1) (a) of the Electoral Act that the mandate of the Multi-Party Liaison Committee is to attempt to, rather than to actually resolve electoral disputes, concerns, matters and grievances. It also appears from the wording of Section 160C (d) and (e) that instead of acting as a dispute resolution and conflict transformation mechanism in and of themselves, the Multi-Party Liaison Committees only act as “conveyor belts” which basically identify electoral related conflicts and disputes and forward them to the Zimbabwe Electoral Commission, which itself is not equipped to manage, transform or resolve. In fact, there is no clearly defined procedure in the Electoral Act which the Zimbabwe Electoral Commission must follow to resolve, manage or transform an election related conflict once it is reported in terms of Section 160 (c) and (d).

Neither the Electoral Act Chapter 2:13, nor Zimbabwe Electoral Commission’s administrative rules and procedures have a provision for capacity building of members of the Multi-Party Liaison Committees and the Zimbabwe Electoral Commission on sustained dialogue, conflict management and conflict transformation. There is no recognition that these are technical skills that are required by members of the MPLCs. As mechanisms for conflict management and transformation, Multi-party Liaison Committee members are supposed to possess skills in conflict transformation and dispute resolution, or at the very least the people who chair them must possess these technical skills. In any case, investment in capacity building for Multi-party Liaison Committees which are not permanent makes no economic sense. This technical deficiency, together with the absence of a record of when the Zimbabwe Electoral Commission constructively resolved or transformed a high profile conflict erodes trust in the Zimbabwe Electoral Commission’s capacity to handle electoral grievances and disputes and hence, over-reliance on the Courts, which themselves do not always produce satisfactory results in this regard.

Section 160 of the Electoral Act, which provides for the formation, operationalization and functioning of the Multi-Party Liaison Committees is silent on how the latter are accountable to the public. Their meetings, or records of meeting proceedings are not accessible to the public. The law does not provide for how frequently the Multi-Party Liaison Committee must meet. Their meetings are thus ad hoc, needs based and dependent on the availability of resources, in stark contradiction to the tenets of sustained dialogue. The Multi-Party Liaison Committee is a very critical structure of the electoral dispute resolution mechanism and as such, there must be statutory provisions on how frequently they must meet at all levels. This will also bring certainty to the Zimbabwe Electoral Commission in terms of the amounts of resources that should be allocated to the Multi-Party Liaison Committees at budgeting stage. It will also bring certainty to the number of meetings that each Multi-Party Liaison Committee must have during its lifespan. Sustained dialogue by its very nature entails frequent and regular engagement between the political parties and independents participating in an election.

## **6 Zimbabwean Multi-Party Liaison Committees in Action**

Academic literature search on the success and or failures of the Zimbabwean Multi-party Liaison Committees yields virtually nothing. There is therefore a huge intellectual lacuna on the functions, successes and failures of the Zimbabwean Multi-Party Liaison Committees. Unlike the judicial electoral dispute resolution mechanisms whose proceedings and records are open to the public (e.g. the 2018 electoral petition was hearing was broadcast live), there is no publicly accessible record of the work of the Multi-Party Liaison Committees in Zimbabwe. This is highly unusual and undesirable for a statutory body with such importance. The minutes of the meetings of the Multi-Party Liaison Committees are not open to the public and are not easy to get, even for academic researchers. Researchers who attempt to access records of the work of the Multi-Party Liaison Committees are subjected to burdensome bureaucratic procedures which, among other things, include obtaining research clearance from the Zimbabwe Electoral Commission’s parent ministry. The records of the Zimbabwean Multi-Party Liaison Committee’s work (its successes and failures) must be publicly available, if trust in these institutions by the public at large, the politicians and the political parties is to be nurtured.

17 Oxford Advanced Learners Dictionary meaning of the word “attempt” [https://www.oxfordlearnersdictionaries.com/definition/american\\_english/attempt\\_1#:~:text=attempt-,noun,test%20on%20the%20first%20attempt](https://www.oxfordlearnersdictionaries.com/definition/american_english/attempt_1#:~:text=attempt-,noun,test%20on%20the%20first%20attempt) (Accessed 17 August 2022)



To get insights into this subject matter, this author conducted key informant interviews with political party leadership and candidates in the 2018 elections from Zvishavane, Goromonzi, Gokwe, Zaka, Epworth, Mbare and Chitungwiza. From these interviews, it is apparent that the general Zimbabwean public is not familiar with the existence and functioning of the Multi-Party Liaison Committees. Although there seemed to be fewer Multi-Party Liaison Meetings in rural areas than in urban areas, perhaps as a result of resource constraints in rural areas, it is evident that the Multi-party Liaison Committees were indeed meeting during the 2018 harmonized elections. In some rural areas such as Zaka, Zvishavane, Gokwe and Goromonzi, the Multi-Party Liaison committees met only two or three times throughout the entire election period. This may have been a result of the fact that the law does not stipulate how frequently Multi-party Liaison Committees should meet or a result of resource constraints.

While it is evident that the Constituency and Multi-party Liaison Committees were indeed meeting, not much effort was made in enlightening the political parties represented in these meetings that the platforms they were participating in are statutory platforms wherein they are the key decision makers. The representatives of political parties who participated in the Multi-party Liaison Committee meetings perceived the meetings as amongst the many engagements meetings that political parties have with the Zimbabwean Electoral Commission. Some of the concerns raised included inter-party political violence, intimidation, vote buying and abuse of inputs, removal of posters of opponents by fellow opponents, to mention a few. In all of the 14 interviews conducted, not a single interviewee reported that any of the concerns and grievances they raised were dealt with by the Zimbabwean Electoral Commission. There are no publicly accessible records on the cases that the MPLCs have dealt with in the past. In comparison, the South African Party Liaison Committee meeting minutes are available online for every South African to make reference to. This has the effect of undermining public confidence in its ability to resolve election related disputes and conflicts.

## **7 Multi-Party Liaison Committees in South Africa: A Comparative Analysis**

The South African PLC is probably the most formalized Multi-Party Liaison Committee in Africa and has a track record of good electoral governance and the successful resolution of conflict.<sup>18</sup> The 1998 Regulations on Party Liaison Committees provide for a structure similar to the Zimbabwean Multi-Party Liaison Committees in that it sets out national, provincial and municipal party Liaison Committees with two representatives of registered political parties in each of the structures at the three levels.<sup>19</sup> Just like in the Zimbabwean Multi-party Liaison Committees, the decisions of the South African Party Liaison Committees are reached through consensus.<sup>20</sup> While the Zimbabwean Electoral Act Chapter 2:13 does not empower the Multi-Party Liaison Committees with powers to recommend legislative amendments, the South African Party Liaison Committees can recommend legislative amendments that could be considered, such as to the content of the Electoral Act of 1998.<sup>21</sup>

Unlike the Zimbabwean Multi-Party Liaison Committees whose frequency of meetings are *ad hoc* and not specified in legislation, the South African Party Liaison Committee structures meet once a week after the proclamation of an election, twice a day on an election day, and every second month during inter-election periods to discuss issues that need attention or resolution.<sup>22</sup> The South African Party Liaison Committee has objectively verifiable evidence of success in the form of conflict avoidance and rule implementation functions it has performed on a variety of issues which include conflicts around the voters' roll, voter registration, voter mobilization, inter-party political violence, submission of candidates lists, among others.<sup>23</sup> The work of the South African party Liaison Committee has led to the removal of electoral staff who might have political leanings from supervisory positions of the Independent Electoral Commission.<sup>24</sup>

18 J. Napier, Political party Liaison Committees as a Conflict Resolution Mechanism: The South African Experience, *Journal for Contemporary History* 40(2), December 2015, pages 156–175

19 Ibid

20 Ibid

21 Ibid

22 Ibid

23 Ibid

24 Ibid

‘There is a general lack of awareness by Zimbabweans on their Multi-Party Liaison Committees’ existence and functions, let alone trust and confidence. Public trust and confidence are built through a long time of persistently demonstrating evidence of good work and results. This can only happen if the Multi-party Liaison Committee is made permanent. Its conflict management, conflict transformation and dispute resolution prowess will then be enhanced by not only capacity building but by a long time of doing similar work. This is precisely what happened in South Africa. When a permanent Party Liaison Committee was established in 1998, it lacked public trust and confidence but over time, it began gaining trust and there is now a greater willingness to accept PLC inputs.<sup>25</sup> In fact, most of its decisions have found their way through to parliament for enactment in legislation.<sup>26</sup>

The reduction in politically motivated violence and intimidation in South Africa, which is attributed to the work of the party Liaison Committee, is evident in the fact that in the general election in 1994 there were 3 558 cases of violence and intimidation, in 1999 there were 1 032, in 2004 there were only 108 cases and in 2011 there were 49 cases.<sup>27</sup> The South African party Liaison Committees have become a focal point not only for political parties but for the Independent Electoral Commission as well in dealing with and in resolving electoral related conflicts. By contrast, in Zimbabwe, political parties prefer to have all election related disputes dealt with by the judiciary because the Multi-party Liaison Committees are yet to be made permanent, formalized and efficient. The South African Party Liaison Committee has grown to the extent that it is incomprehensible for the South African electoral system to function without it.<sup>28</sup>

## 8 Conclusions and Recommendations

Over-judicialization of electoral disputes in Zimbabwe is a result of non-functionality of alternative forms of electoral dispute resolution mechanisms such as Multi-Party Liaison Committees. Over-reliance on the court system has its own challenges because as opposed to Multi-Party Liaison Committees where decisions are negotiated and consensus based, court processes are adversarial and decisions generally benefit one party to the dispute. There is limited awareness on the existence and functions of the Multi-party Liaison Committees and the public as well as political parties do not have trust and confidence in them. In fact, the Zimbabwean Multi-party Liaison Committees are yet to establish themselves as credible and trusted election dispute mechanisms. Dispute resolution by its very nature requires time which is not at the disposal of the Multi-party Liaison Committees which are only operational during elections. The mandate of the Multi-Party Liaison Committees is not clearly spelled out in the enabling legislation.

There is need to amend Section 160B (1) of the Electoral Act to give the Multi-party Liaison Committees a permanent lifespan. The Act must also be amended to give MPLCs a wider mandate to handle electoral disputes throughout the entire electoral cycle, including pre-election disputes around delimitation, voter registration and nomination. The knowledge and skills capacities of the Zimbabwe Electoral Commission and the Multi-party Liaison Committees to handle electoral disputes need to be strengthened. The legislation that provides for the establishment and operationalization of the MPLCs (section 160A – 160D) does not provide the state with a legal obligation to build the capacity of MPLCs in such technical areas as conflict transformation, conflict management, dispute resolution and sustained dialogue. In line with the principle of sustained dialogue, the Act must be amended to require the Multi-party liaison Committees to meet frequently per year. There is also need to raise public awareness on the existence and functions of the Multi-Party Liaison Committees. The law must be amended to provide greater clarity on the procedures that the Zimbabwe Electoral Commission must take once a dispute has been referred to it. It must also specifically provide for how the Multi-Party Liaison Committee must account for its work to the public.

<sup>25</sup> Ibid

<sup>26</sup> Ibid

<sup>27</sup> Tlakula, P 2007. Democratic elections in a global context. *Potchefstroom Electronic Law Journal* (2007) (2) pages 110–115

<sup>28</sup> Napier, Political party Liaison Committees as a Conflict Resolution Mechanism: The South African Experience, *Journal for Contemporary History* 40(2), December 2015, pages 156–175

## References

- B. Zuma, Contact Theory and the concept of prejudice: Metaphysical and moral explorations and an epistemological question, University of Cape Town, *Journal of Theory and Psychology*, Vol 24 (1), 2014 pages 40–57
- D. Pietrzyk-Reeves, Deliberative Democracy and Citizenship, *Polish Political Science Yearbook*, Vol XXXV, 2006, pages 43–64
- Electoral Act, Chapter 2:13
- H. Saunders, Sustained Dialogue, Kettering Foundation, [https://www.civicus.org/documents/toolkits/PGX\\_D\\_Sustained%20Dialogue.pdf](https://www.civicus.org/documents/toolkits/PGX_D_Sustained%20Dialogue.pdf)
- International Federation for Electoral Systems, Addressing Election Disputes and Election Offenses in Zimbabwe, <http://efzimbabwe.org/downloads/Election-Dispute-Resolution.pdf> (Accessed 13 December 2022)
- J. Napier, Political party Liaison Committees as a Conflict Resolution Mechanism: The South African Experience, *Journal for Contemporary History* 40(2), December 2015, pages 156–175
- Mozaffer, S and A Schedler, “The comparative study of elections and governance – introduction”, *International Political Science Review* 23(1) 2002, pages 5–27
- Tlakula, P 2007. “Democratic elections in a global context”. Paper delivered at a colloquium on the effect of globalisation on the development of constitutionalism in Southern Africa, 26 October at the Faculty of Law, North-West University 10(2), pages 110–115
- The Electoral Knowledge Network, Parties and Candidates, 2nd Edition, 2012, <https://aceproject.org/ace-en/topics/pc/pcc/pcc06/pcc06c>
- The Electoral Knowledge Network, Parties and Candidates, 2nd Edition, 2012, <https://aceproject.org/ace-en/topics/pc/pcc/pcc06/pcc06c>