

**MINISTERIAL STATEMENT TO PARLIAMENT BY
HONOURABLE WYNTER M KABIMBA, ODS, SC, MP,
MINISTER OF JUSTICE DELIVERED ON WEDNESDAY,
26TH FEBRUARY, 2014**

MR SPEAKER,

I would like to thank you for giving me this opportunity once again to make a ministerial statement to this August House on the update regarding the constitutional-making process.

MR SPEAKER,

I have on several occasions informed the nation that the Technical Committee on Drafting the Zambian Constitution is the body appointed and mandated to manage the constitutional-making process. At the end of the process the Technical Committee is going to submit the final draft report to His Excellency the President. In his speech to this House in October, 2012, His Excellency the President informed the nation that upon receipt of the final draft report, government will engage stakeholders on the post-handover road map.

MR SPEAKER,

I would like to inform the House that I have been advised by the Chairman of the Technical Committee that the final draft report is now ready for handover to His Excellency the President.

I am, accordingly consulting with His Excellency the President for a suitable date within his schedule of work for such a date. However, it is important for me to state that one of the reasons leading to the delay in the handover of the report was the attempt at one point by the Technical Committee to handover the report to me instead of His Excellency the President who is the appointing authority of the Technical Committee. I objected to such handover and I returned the documents to the office of the Chairperson of the Technical Committee pending my consultation on the handover date with His Excellency the President as stated earlier.

MR SPEAKER,

Some stakeholders have expressed anxiety on the progress regarding the constitutional-making process. Some of them have made public statements insinuating lack of political will or good faith on the part of the government. We have as government received such statements with utmost dismay. Like I have stated before on many fora, the constitutional-making process which is currently underway is one of the programmes in the Patriotic Front manifesto which was launched in March, 2011 for the period 2011-2016, which is the period for our first term in office from September, 2011. The Patriotic Front manifesto is a comprehensive social and economic programme for the government. It is intended to uplift the welfare of our people by addressing all their needs. These needs range from health, education, agriculture, housing and the promotion of the rule of law and constitutionalism among others.

MR SPEAKER,

Yes, the Zambian people need a comprehensive constitution which should address some lacunas in the current constitution in line with the demands of the tenets of democracy in the 21st century. But our people also demand that this government guarantees them food security, a good healthcare system, employment opportunities, social security after retirement and education opportunities up to tertiary level. All these aspects of people's lives are corollary to the demand for a comprehensive constitution. None of them would stand as a single pillar to the exclusion of the other.

It is in this vein that we should all understand the position taken by His Excellency the President in his pronouncements on the constitution.

MR SPEAKER,

It is not true or correct to suggest that our country has become polarized as regards the constitutional-making process. It is also not true to further suggest that there

exists one group of stakeholders which is championing the process on the one hand with the government resisting such a demand against the people's interest on the other. What is true is that the Patriotic Front government remains committed to the constitutional-making process to the extent that the programme remains wholly owned by and is also representative of the views of all the citizens of this country irrespective of their station in life.

MR SPEAKER,

We as government appreciate the fact that in a democracy like ours, the people will express their views through different avenues on how the government should undertake various programmes. This is what democracy entails. However, we should be careful and guard against projecting puritanism in such instances. Democracy constitutes a prism for all stakeholders including the government. Nowhere is such caution better expressed than in the reply by Abraham Lincoln to the Pennsylvania delegation on 5th March, 1861 after his swearing-in as President when he said "We should bear this in mind, and act in such a way as to say nothing insulting or irritating. I

would inculcate this idea, so that we may not, like Pharisees, set ourselves up to be better than other people.”

MR SPEAKER,

The Patriotic Front government has a national development agenda unlike what we have seen in the past years. The Constitutional-making process is part of this agenda.

MR SPEAKER,

I thank you Sir.