Zimbabwe Transitional Forum

LEGAL COMMENTARY

National Transitional Authority (NTA)

For constitutional scholars, legal practitioners, and policy experts

AUTHOR
Phil N on behalf of the Zimbabwe Transitional Forum

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Section 2
Supremacy of the Constitution

Section 328
Amendment procedures the NTA seeks to uphold

Section 252
National Peace and Reconciliation Commission

1 Constitutional Basis for the NTA

The NTA framework is grounded in:

Section 2	Supremacy of the Constitution
Section 3	Founding values: rule of law, separation of powers, good governance
Section 281	Non-partisan traditional leadership
Section 62	Access to information
Section 67	Political rights
Sections 155–157	Electoral principles

> **The NTA seeks to restore compliance with these provisions.**

2 Unconstitutional Amendments

Amendments 2, and CAA3 raise constitutional concerns:

- Lack of public consultation
- Violation of Section 328 (amendment procedures)
- Expansion of executive power
- Weakening of judicial independence
- Politicisation of traditional leadership

The NTA proposes their **repeal** to restore constitutional integrity.

3 Separation of Powers

The NTA strengthens separation of powers by:

- Limiting presidential appointment powers
- Reinforcing parliamentary oversight
- Restoring judicial independence
- Establishing independent commissions

4 Electoral Reform

Key legal reforms include:

- Transition to Proportional Representation
- Diaspora voting mechanisms
- Independent ZEC appointment process
- Transparent results transmission
- Compliance with Sections 155–157

5 Transitional Justice

Re-establishing the TRHC aligns with:

- Section 252 (National Peace and Reconciliation Commission)
- International human rights norms
- AU Transitional Justice Policy

6 Land Reform Rationalisation

Legal priorities include:

- Publication of land audits
- Resolution of double allocations
- Establishment of tenure security
- Compliance with Section 72

7 Conclusion

IN SUMMARY

The NTA provides a **constitutionally grounded, legally coherent mechanism** to restore rule of law, institutional independence, and democratic legitimacy.