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**DESERETATION TOPIC**

***An assessment of the effectiveness of the consumer rights protection strategies in Zimbabwe,***

***Masvingo: A case study of Consumer Council of Zimbabwe***

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## ABSTRACT

*The major objective of this research was to assess the effectiveness of consumer rights protection strategies used by CCZ in Zimbabwe. The other objectives were to identify consumer rights awarded to consumers, strategies used to protect consumer rights, exploring the challenges faced by CCZ in protecting consumer rights and proffer recommendations to enhance consumer protection in Zimbabwe. The literature reviewed showed that there is much information about reasons leading to establishment of consumer rights and consumer rights protection strategies. This information then lays foundation as the researcher seek to assess how effective then are the strategies used to protect consumer rights. Qualitative and quantitative research designs were employed. On presenting data, graphs, tables and pie charts were used. The findings depicted that consumers have eight rights and consumer education, complaints handling and lobbying and advocacy are strategies used by CCZ to protect these consumer rights. The strategies used by CCZ were labelled ineffective highlighting issues like failure to lobby for a comprehensive consumer act, often referring cases to Small Claims Court, issues to do with accessing consumer education programs and consumer offices especially those in areas far from the major towns. The challenges that undermine CCZ effectiveness and efficiency was largely attributed to governments' failure to adequately fund the organisation, put in a legal framework inform of consumer act to back consumer rights although other problems were blamed on CCZ itself and consumer themselves. In this light the solutions to enhance consumer protection were directed to government, CCZ and consumers. The researcher concluded that CCZ consumer rights protection strategies are ineffective and this was explained by absence of comprehensive consumer protection act and digital consumer legislations to cope with ever-changing technological environment despite CCZ being in existence for thirty one years, centralization of consumer awareness programs and campaigns as well as CCZ oftenly referring cases to other consumer protection agencies notably the Small Claims Court.*

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## **DEDICATION**

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This dissertation is dedicated to my family.

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## ABBREVIATIONS

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CCZ	CONSUMER COUNCIL OF ZIMABWE
CI	CONSUMERS INTERNATIONAL
UN	UNITED NATIONS
UNGCP	UNITED NATIONS GUIDELINES FOR CONSUMER PROTECTION
USA	UNITED STATES OF AMERICA
NAFDAC	NATIONAL AGENCY FOR FOOD AND DRUG ADMINISTRATION CONTROL
WCRD	WORLD CONSUMER RIGHTS DAY



## **CHAPTER 1: INTRODUCTION**

### **1.1 Introduction**

This chapter provides a general introduction to the entire research. Highlighted in the chapter are the introduction, background information to the study, statement of the problem, research objectives, research questions which by the end of the research must be answered and justified. This chapter also captures significance of the study. Other issues highlighted in the chapter include anticipated limitations and delimitations.

### **1.2 Background to the study**

Before the mid-20<sup>th</sup> century consumers had little ground on which to defend themselves against misleading or deceptive practices, especially in America with regards to their interaction with suppliers of goods and services. The history of consumerism has its roots in United States of America (USA) and according to Berger (2013) consumerism is divided into three eras. The first era was marked by the Industrial Revolution in the 1900s. The second era was in the 1930s and finally the third era or modern consumer movement which then spread to other countries like Zimbabwe began in the 1960s. Modern consumer protection is linked to the then president of America John Kennedy and efforts of Ralph Nader and other consumer advocates who highlighted the existence of unsafe products and services and the need for greater government regulation to avoid such exploitation within the marketplace.

According to Consumers International (2012) and Makela and Peters (2004) consumerism developed basing on four fundamental rights by Kennedy and subsequently these rights have grown to eight by addition of basic need, redress, consumer education and healthy environment (Consumers International 2012). The four basic rights presented by Kennedy to United States of America Congress were right to safety, right to be informed, right to choose and right to be heard (Wikipedia 2015). According to Consumer Forum Website (2012) these rights served the interests of American consumer well but they did not cover the whole gamut because a global consumer did need apart from them well defined rights like basic needs, healthy environment

and redress. On this basis the United Nations (UN) through the United Nations Guidelines for Consumer Protection (UNGCP) of 1985 and 1999 further re-enforced these rights, (United Nations 2003).U.N expanded the four rights into eight.

The historic declaration in congress on March 15, 1962 of four basic consumer rights, right to choose, information, safety, and the right to be heard by the then U.S. A president Kennedy, also served as a morale booster to consumer movements and subsequent declaration of March 15 every year as World Consumer Rights Day (Vetrivel and Mohanasundari 2011). Consumer International (CI) started recognizing March 15 as World Consumer Rights Day, a day set to remember Kennedy's speech. Zimbabwe is a signatory to the United Nations Charter in which Consumer Protection Guidelines are articulated and enshrined as well as affiliated to C.I.

C.I formerly known as the International Organization of Consumer Unions (IOCU) then saw the need for global consumer voice and publish offices in different parts of the world, work in Africa began in the late 1980s leading to set up of regional offices in Zimbabwe in 1994 (Edwards 2005). In Zimbabwe C.C.Z. protect the consumers. Zimbabwean consumers were believed to be purchasing and consuming products with limited legal protection and hence the need for a fair, efficient and transparent marketplace for consumers and business in Zimbabwe. Origin of consumer movement in Zimbabwe is thus rooted in the noble cause of protecting and empowering consumers by monitoring product quality and services.

The Consumer Council of Zimbabwe, is a registered member of Consumers' International (CI) since 1981 (Consumers International 2012) .The organization traces its origins back to 1955 as the Salisbury Consumer Council and in its current form (CCZ) on the 5<sup>th</sup> of December 1985. The Consumer Council of Zimbabwe has its origins deeply rooted in the great and noble cause of protecting and empowering consumers by monitoring product quality and service to ensure total adherence to reasonably accepted standards Consumer Council Of Zimbabwe (2015). It was the natural endorsement of action, interest, local and regional concern, the varying and sometimes unpredictable increases in the costs of living as it affected the family and communities throughout Zimbabwe.

It all began in 1955 when the Vigilance Committee was formed by the then Rhodesian government in Bulawayo, aimed at meeting protective needs of the consumers and to produce better understanding between producers and consumers according to (Consumer Council of Zimbabwe 2012). The Vigilance Committee had a scheme in which an approved item, after testing could be awarded the vigilance badge of recommendation. It is significant that it was the aim, not only of the Vigilance Committee but also of the Salisbury Consumer Producer Council, to ensure that not only consumers get value for money but that primary producers and manufacturers produced items of high standards which could compete with imported processed foods and manufactured goods. Quality and prices received more attention than complaints arising from other factors.

The major movements that had the most direct influences in attaining a national organization were started by two major National Women's organizations whose concern stemmed from their respective communities on home economics. The Hillside Women's Institute took the lead in setting up a committee, which was 'constantly vigilant' about matters concerning the consumers. Other women's groups that joined include The National Council of Women, The Business of Professional Women, Association of University Women and Union of Jewish Women. For some time the effect of initiation of the Federation of Rhodesia and Nyasaland was being felt in Bulawayo and elsewhere, the main concern during these first two years was the price of basic foods including fresh fruits, vegetables, processed foods, dairy products as well as the quality of locally manufactured goods.

In the meantime, complaints were reaching Salisbury from all over the country and links were started with a view to form area committees, a concept passed on to the national body formed in 1975. It was in 1985 that the Consumer Council of Zimbabwe was formally registered as a welfare, non-profit making and non-governmental organization. Today the Consumer Council of Zimbabwe has its headquarters in Harare and five regional offices in Harare, Bulawayo, Mutare, Masvingo and Gweru. It is against this background that the study seeks to assess the effectiveness of consumer rights protecting strategies in the Zimbabwe.

### **1.3 Statement of the problem**

The Constitution of Zimbabwe (2013) emphasizes the need to uphold the Consumer Bill of Rights in the area of right to product safety, information access, environmental protection and social well-being in a bid to improve the quality of products and services supplied to them in the marketplace. However, a wide range of complaints have been reported to CCZ offices in Masvingo where the researcher undertook attachment which serves as clear evidence that despite consumer rights and consumer rights protection strategies in Zimbabwe consumer are still exploited and abused. Moreover, according to Minister Bimha cited in CCZ (2015) “Since 1980 there has been no solid act to protect consumers aside from pieces of legislations which cover consumer needs to a minimal degree. Due to this gap consumers have been exposed to the wrath of predatory markets and economies and exposed to harmful products with no legislation to fall back when in need of protection...”

In Zimbabwe some of the legislation adopted to protect consumers is the Competition Act. According to United Nations Conference on Trade and Development (2008) Zimbabwe formally adopted Competition Policy and Law in 1996 with enactment of Competition Act Chapter 14:28 however the act only came into force in 1998. More so, C.C.Z. which acts as the watchdog of consumers employs various strategies with the need to protect consumer rights. These strategies include consumer education, lobbying and advocacy, complaints handling and price surveys. The purpose of this study is thus assessing the effectiveness of strategies employed by C.C.Z. in its endeavour to protect consumer rights in Zimbabwe.

### **1.4 Research objectives**

In the following study the researcher seek to satisfy the following objectives:

1. To examine the rights awarded to consumers in Zimbabwe.
2. To outline strategies being used to protect consumers in Zimbabwe.
3. To assess the effectiveness of C.C.Z. consumer rights protection strategies in Zimbabwe.

4. To explore challenges faced in protecting consumer rights in Zimbabwe.
5. To proffer recommendations so as to enhance consumer rights protection in Zimbabwe.

## **1.5 Research Questions**

The study seeks to answer the following research questions:

1. What are the rights awarded to the consumers in Zimbabwe?
2. What are the strategies used to protect consumer rights in Zimbabwe?
3. Are C.C.Z. consumer rights protection strategies effective?
4. What are the challenges associated with consumer rights protection in Zimbabwe?
5. What are the suggested recommendations so as to enhance consumer rights protection in Zimbabwe?

## **1.6 Justification of the study**

### **1.6.1 Fill literature gaps**

The study seeks to fill the literature gap on consumer rights protection. Literature review shows various scholars citing the need for consumer rights and consumer rights protection, citing the benefits that can be derived from consumer rights protection, strategies of protection for instance consumer education, establishment of consumer courts. In addition, studies were conducted on assessing the level of consumer awareness with regards to consumer rights, laws, legislation and agencies notably in India but less emphasis was placed on the effectiveness of consumer rights protection in Zimbabwe hence laying foundation for this particular research.

### **1.6.2 Addition to existing stock of knowledge**

The study adds to the existing stock of knowledge to the ongoing discourse on consumer rights as readers are aware of events and people influential in the modern consumerism movement. This includes C.C.Z. formally registering in 1985, Zimbabwe joining other consumer organizations the world over to commemorate World Consumer Rights Day (WCRD) under different themes on the 15<sup>th</sup> of March every year. Literature also reveals issues to do with consumer education, lobbying and advocacy by C.C.Z. as well as consumer courts in Harare and other provinces in Zimbabwe and laws like Patients Charter Act.

### **1.6.3 To the researcher**

The research is a pre requisite to the fulfilment of the Bachelor of Science Honours Degree in Politics and Public Management at Midlands States University. The research will also act as a strong foundation in the journey of academics in which the researcher has already started.

### **1.6.4 To the students**

The university students from different faculties will benefit in their studies by using this research as literature to complement their knowledge in related fields. It will also help academic students as it will add discourse to the academic arena and also those who wish to research on the same discipline of consumer rights protection.

### **1.6.5 To the Organization (Consumer Council of Zimbabwe)**

The Organization (C.C.Z.) will benefit since this study will unearth hidden factors that causes the ineffectiveness of consumer rights protection strategies. C.C.Z. can make use of such information when implementing new projects hence improvements in carrying out their tasks and duties of protecting the Zimbabwean consumer.



## **1.7 Limitations**

The respondents were unwilling to participate. The respondents were suspicious of who the researcher is and not sure what their responses will be used for. This is because in this case the researcher is a politics student and the name itself raises a lot of questions concerning the real intention of the study. The researcher tried as much as possible to prove to the participants that the research is for academic purposes by means of showing school identity card, produce a letter from the educational institution which support that the researcher is a student and is actually doing an academic research in fulfilment of the Politics and Public Management Degree as well as giving contact details so that respondents can do a background research on the researcher in order to conclude that the actual purpose of the research is purely academic and nothing more .

Furthermore, the researcher faced challenges on determining how valid, accurate and reliable internet information is despite the advantages of speed and immediacy as far as accessing information is concerned. This is because if the information is outdated the findings are distorted and consequently the conclusions of the research. The researcher used information from sources that offers as much of the following information as possible, author's name, title, organizational affiliation, date of page creation, contact information and also educational ,training or experience in a field relevant to area under study.

The researcher faced challenges in issues related to accessing interviewees. The interviewees cancelled the meeting as a result of need to attend other business issues that would have arise on the particular day scheduled for the interview. The researcher checked with the responsible person for arranging appointments and rebooks another convenient date for the interview. This entails the researcher dancing according to interviewee tune since the researcher is the one with a lot to loose.

## **1.8 Delimitations**

Delimitations are characteristics that limit scope and define boundaries of the study. The point of focus in this research is to assess the effectiveness of C.C.Z. consumer rights protection

strategies in Zimbabwe. The study was limited to Zimbabwe and confined to Masvingo and using C.C.Z. as a case study and therefore any other areas other than Masvingo will not be covered.

### **1.9 Organization of the study**

The study will be divided into five distinct chapters and each trying to explain different areas of the study.

#### **Chapter 1: Introduction**

This chapter provides a general introduction to the entire research. It also includes introduction, background information to the study, statement of the problem, the research objectives, research questions and justification of the study.

#### **Chapter 2: Literature review and Conceptual framework**

In chapter two literature is reviewed. Literature review is an account of what is already known about the topic under study.

#### **Chapter 3: Methodology**

Chapter three is an explanation of how data was collected and analysed. This chapter therefore captures research design, methods of data collection, research instruments as well as data analysis techniques.

#### **Chapter 4: Presentation and analysis of findings**

In chapter four data from research findings was presented, analysed and interpreted.

#### **Chapter 5: Conclusion and Recommendations**

A summary of the entire study is provided in this chapter as well as conclusions and recommendations.

## **CHAPTER 2: LITERATURE REVIEW AND CONCEPTUAL FRAMEWORK**

### **2.1 Introduction**

This chapter focuses on dissecting the views of other writers concerning consumer rights protection. The chapter also captures research questions with the support of various scholars. The research questions to be answered has to do with identifying consumer rights, consumer rights protection strategies, the effectiveness of the strategies, problems faced by CCZ in trying to protect consumer rights as well as solutions to enhance consumer protection.

### **2.2 Definition of a consumer**

There has been a series of discussions on the actual definition of the ‘consumer’ (Akomoledé and Oladele 2006). Knight (2000) posits that everyone is a consumer. This is supported by Smita and Angadhar (2000) as they argued that every person is a consumer as he consumes economic goods and services. The two further emphasize that a person is a consumer even when he purchases services, make use of educational opportunities, obtains a legal advice from a lawyer or get tested from a medical practitioners.

The American Heritage Dictionary (2011) defines a consumer as one that consumes, especially one that acquires goods and services for direct use or ownership rather than for resale or use in production and manufacturing. A modern definition of the consumer, according to Akomoledé and Oladele (2006:16) is “... any person who purchases or is supplied goods, or uses or consumes goods and services at the end of a chain of production”. Two prominent features can be pointed out from this definition. The first is that the consumer is a buyer and/or user of a product or service, and the second is that the consumer is a member in fact, at the end of the production chain. This brings one to a conclusion that no matter what, everyone is a consumer from time to time and from one point or the other as they are the end users of goods and services.

### **2.3 Consumer rights definition**

According to West's Encyclopaedia of American law (2008) a right in a concrete legal sense refers to power, privileges, demand or claim possessed by a particular person by virtue of law. A right refers to the moral or legal entitlement to have or obtain something or some action by others. If people have a right to something, they are owed, it is their due Harper (2010) cited in (McGregor 2011). Consumer rights can therefore be best explained as freedom possessed or awarded to consumers in the marketplace. Consumers have rights in various areas and these areas cover the likes of health, educational and even the telecommunication sector to mention just a few.

### **2.4 Consumer rights awarded to consumers in Zimbabwe**

According to Consumers International(2011)consumers have eight rights that seek to ensure that consumers are not infringed in the marketplace by providers of goods and services. There is the right to satisfaction of basic needs which entails that consumers must have access to basic, essential goods and services. The basic needs cover adequate food, clothing, shelter, health care, education, public utilities, water and sanitation. This right is supported by one of the legislation successfully lobbied by CCZ, the Patients Charter Act which according to Ministry of Child and Social Welfare (2010) focuses on a number of basic health issues. One such issue is patient's right to access health system at time of need both as paying and non-paying patients.

In addition, is the right to safety. This means that a consumer has a right to be protected against products and services which tend to pose danger to health or life. The right to be informed is also among the eight consumer rights. The consumer must be provided with sufficient yet appropriate information in order to make well versed choices meaning that misleading advertising and labelling are against the right to be informed. CCZ protect this right through consumer education whereby consumers are educated on the information to look at before making a purchase for example manufacturing and expiry dates and ingredients used in the production process amongst other things.

Additionally, is the right to choose, which entails that a consumer must be provided with a variety of goods and services so that they can select what they want. The goods and services must be offered at competitive prices as well as satisfactory quality. Furthermore, there is the right to be heard meaning that consumers interests must be taken into consideration by the government in the process of crafting laws. This right is protected through lobbying and advocacy, CCZ campaign and influence the government to adopt legislation and policies for effective consumer protection. The right to redress points that consumers are entitled to be compensated in case the supplier sell expiry goods or mislead consumers through advertising or labelling. The CCZ through complaints handling make sure consumers are compensated in one of the three ways, return, exchange or refund.

Moreover, is the right to consumer education. The consumers are entitled to be equipped with consumer related knowledge as this enables them to make informed choices concerning goods and services. CCZ disseminate consumer related information through print and electronic media as well as seminars and workshops. The consumers will be educated about consumer rights, how CCZ offer consumer protection and how consumers themselves can protect their own rights. Lastly, is the right to a healthy environment. The right can be interpreted to mean that consumers are entitled to live in an environment that does not pose any harm to their health for example free from dangerous gases emitted into the atmosphere from industries or pollution of water sources by manufactures of goods.

## **2.5 Recognition of consumer rights internationally**

The key principles of consumer protection were first enshrined at an international level in United Nations Guidelines for Consumer Protection according to (United Nations conference on Trade and Development 2001). This highlights that in the international arena consumer rights are recognized through the works of the United Nations as in 1985 the U.N adopted a set guidelines on how best the governments can safeguard the interests and rights of their citizens, treated as consumers for the purpose of this study. The 1985 UNGCP were further revised in 1999 to keep up with the ever-changing economic and technological environment. The UNGCP are enshrined

in the U.N charter and Zimbabwe is a signatory to this charter. The guideline therefore serves as a policy framework for implementation at a national level (United Nations2003). Deutch (1995) posit that there is an increasing international recognition of consumer rights in international treaties, which shows the universal acceptance of such a right.

In support of the above mentioned factor is the fact of WCRD, which is celebrated on the 15<sup>th</sup> of March each and every year under different themes. WCRD was set by Consumers International and was first observed in 1983 to mark the importance of Kennedy's speech to the United States of America Congress in 1962. Kennedy's speech thus served as a morale booster to consumer movements and subsequent declaration of March 15 every year as world Consumer Rights Day (Vetrivel and Mohanasundari2011). The consumer organizations across the world in conjunction with Consumers International commemorate this day in different ways which includes street marching holding banners with consumer related information and distribution of pamphlets where the theme for that year is explained with the intention of raising consumer awareness.

## **2.6 Recognition of consumer rights at a national level.**

The world over, consumer organizations and groups in conjunction with their respective governments have put in place a wide range of mechanisms in a bid to guide against unscrupulous activities that can put the consumer at a disadvantage. In some countries consumer rights are constitutionally recognized. Government adopted pieces of legislation in order to guard against consumer exploitation. In addition to legislation, institutions can be set up in form of consumer courts to protect consumers. The court deals with consumer disputes and the main aim is to ensure that the two players in consumer issues thus consumer and supplier reach an amicable solution in case of a dispute.

A country like India is no exception as far as consumer protection is concerned. Government of India has provided various laws and legislations to protect the interest of consumers Dayal (2015) and some of these regulations are:

### **2.6.1 The Consumer Protection Act 1986**

The act provides various rights and responsibilities to consumers. In addition, there are three tier redressal agencies provided in the act where consumers can file a complaint and these are District forum, State Commission and National Commission. In this light, the Indian Consumer Protection Act protects the right to redress through establishment of the three redressal agencies in the country.

### **2.6.2 The Competition Act 2000**

The act was formed to encourage healthy competition and protect consumers from companies which hamper competition. The Indian Competition Act serves the same purpose as that of the Zimbabwean Competition Act of 1996. The list of pieces of legislation in India is endless. Moreover, 24<sup>th</sup> of December every year in India is now celebrated as the National Consumer Rights Day.

### **2.7 Factors necessitating consumer rights protection.**

Consumer protection is defined as legislation which protects the interests of consumers. This however excludes other forms of protection which are not statutory like protection from trade associations and voluntary consumer organization (Monye 2003). Upasana and Punit (2006) refers to consumer protection as a number of activities that are designed to protect consumers from a wide range of practices that can infringe on the rights that consumers are believed to pose in the marketplace. These activities stem from a broad and aggressive movement called consumerism, which is supported by consumers themselves particularly consumer advocates, business, organization and government to see that consumer rights are respected.

Consumer protection can also be treated as an extension of criminal law, considering commercial torts such as the manufacture and marketing of inherently dangerous products like exploding ovens, defective automobiles, or harmful pharmaceuticals, which can inherently damage the social order (Solli et al 2011). Consumer protection can be asserted through consumer activism as

well as through pro-active, educated consumers, who protect themselves Goldsmith (2009) and (McGregor 2005). Consumer protection thus can be best defined as an act of safeguarding the interests of consumer in matters relating to supply of goods and services, fraudulent and hazardous practices as well as environmental degradation.

### **2.7.1 Unethical business practices**

According to Bello et al (2012) in Nigeria, the quest for excess profit and the get-rich quick syndrome have led most businesses to engage in unethical practices, which have endangered the lives of consumers, leading to sporadic complaints from individual consumers. There seems to be no real organized mass movement of consumers to fight for the protection of the rights of the consumers. This has left the bulk of the work of consumer protection at the doorstep of the government.

The need to monitor prices and quality of goods and services to ensure a fair deal for the consumers within the marketplace also had positive impact as far as consumer rights protection movement is concerned in Zimbabwe. This was so because of unpredictable increases in the costs of living and how it affected the families and communities throughout Zimbabwe. To monitor issues of quality versus pricing are circumstances believed to be surrounding the setting up of the so called Vigilance Committee in Bulawayo, Zimbabwe during the 1950s.

The Vigilance Committee was set in Bulawayo by a group of white women who were so concerned with prices and quality of goods and services offered to them by the suppliers. The prices were so exorbitant as compared to the quality. Kennedy (1962) was as well against consumer exploitation as he remarked that, "If a consumer is offered inferior products, if prices are exorbitant, if drugs are unsafe or worthless, if the consumer is unable to choose on an informed basis, then his dollar is wasted, his health and safety may be threatened, and national interest suffers."

In support of the above point, in early period of the development of human society, man was near the nature and was completely dependent upon natural resources and products for his need.



An enormous increase in population and greater demands of the people to lead a better and comfortable life, the consumption rate increased manifold. There was always scarcity of products in the market resulting in enormous increase of price of essential commodities beyond the reach of a common man. The mass production and intense competition has further generated a fundamental imbalance in the marketplace leaving the consumer confused. The consumers were vulnerable to unfair deals by the supplier of goods and services. These circumstances led to the development of voluntary organizations. The consumer felt the need to unite and seek redress for their grievances, fight for their rights and demand a measure of accountability from the government and the business community (Gambhir 2007).

In addition, Sinclair (1906) supported and advocated for consumer rights protection particularly the American consumers. He stipulated that consumer rights were being exploited in the market place as he noted issues to do with safety, health, packaging and labelling with special reference to conditions in Chicago slaughter house. Sinclair argued that, "There would be meat in rooms stored in great piles, water from leaky roofs would drip over it ,thousands of rats would race about it" meaning providers of goods and services were no longer concerned about issues to do with consumer health and safety. The deplorable conditions in the American meat packaging industry exposed in Sinclair's novel 'The Jungle' in 1906 created an outrage and this led to creation of Food and Drug Administration and the first comprehensive inspection and regulation of food safety in the United States of America. In the United States government participation in consumerism dates as far back as 1906, when the Congress passed the Pure Food and Drug Act, as a check on the unsanitary meat-packing practices in the Chicago stockyards (Perreault and McCarthy 2002).

However, despite being a consumer rights advocates Sinclair actively oppose variety in consumer goods ignoring the differences in tastes and preferences. He felt variety in consumer goods was a waste of resources since he argued that, "The same kind of match would light everyone's fire and same shaped bread fill everyone's stomach" Sinclair (1906) .The one size fits all is thus debatable as one wonders, why should it be assumed that everyone needs same

things? One should always bear in the back of their minds that one man's meat is another's poison.

### **2.7.2 Response to effects of Industrial Revolution**

Historically, consumer protection was and still is a response to the era of Industrial Revolution and increasing complexity of goods and services which have the consumer at a disadvantage (Kanyip1997). Industrial Revolution led to the creation of hundreds of new products and brands that could be distributed across greater distance thus creating national market for the first time in America. This widens consumer consumption and choice. Average citizen was faced with problems as there was no way of judging quality or reliability of goods purchased, this created new role for the government in regulating the interplay between producers and consumers.

This is supported by Monye (2005) who argued that the general disability of consumer regarding his capacity to detect any defect in product on a visual inspection as to determine their fitness for purpose, gave rise to enactment of laws, rules, regulations and setting up of regulatory agencies with specialized manpower and knowledge to protect consumers as well as safeguard the economic health of the society. In addition, scholars like Schlink and Chase supported the protection of consumer rights. They argued that marketers of produces were using unfair practices in order to legitimately coerce consumers which include outright fraud in representing the quality and utility of products in advertising (Schlink and Chase 1927).

### **2.7.3 Changes in relationship between seller and buyer.**

The history of consumer rights protection in America for example began against the background of the 19<sup>th</sup> century common law 'Cavet Emptor' meaning let the buyer be aware (Waller et al 2012). It was believed that this principle used to govern the relationship between seller and the buyer. More so, in the era of open markets buyer and seller used to come face to face, seller exhibited his goods, buyer thoroughly examined them before purchasing and then purchased them. It was assumed that he would use all care and skill while entering into any transaction. It was believed that the personal relation between the buyer and the seller was one of the major

factors in their relations. This however changed as time goes on as with the growth of trade and its globalization the rule no longer holds much water (Singh and Chadah2008).

Further on account of complex structure of the modern goods, it was only the producer or seller who can assure the quality of goods. With manufacturing activity becoming more organized, the producers or sellers were becoming organized whereas the buyers were still weak and unorganized. In the age of revolutionized Information Technology and with the emergence of e-commerce related innovations the consumers were further deprived to a greater extent. As a result of these changes buyer were being misled, duped and deceived day in and day out (Singh and Chadah 2008).

#### **2.7.4 Protecting the economic interests of buyers**

In a country like India consumer protection has its deep roots in the rich soil of Indian civilization, which dates back to 3200 B.C. In ancient India, human values were cherished and ethical practices were considered of great importance. However, the rulers felt that the welfare of their subjects was the primary area of concern. They showed keen interest in regulating not only the social conditions but also the economic life of the people, establishing many trade restrictions to protect the interests of buyers (Prasad2008).

The reason behind setting up of consumer organization, agencies and consumer protection laws and regulations is thus springing from the idea that providers of goods and services were now turning a blind eye to quality control and safety yet in stores consumers sees well packaged, labelled and marketed food seemingly suitable for a king. The consumers are supposed to be king and business is expected to provide maximum possible satisfaction nonetheless in reality consumer are often abused and exploited hence need for protection. Rather than being treated as the king as often advertised by business, the consumer is “in actual practice treated as a slave or servant” (Vetrivel and Moohanasundari2011).

## **2.8 Strategies used to protect consumer rights by Consumer Council of Zimbabwe.**

Merriam Webster dictionary (2015) defines a strategy as a careful plan or method for achieving a particular goal usually over a long period of time. Strategies in relation to this study are methods used to protect consumer rights. Lobbying and advocacy, consumer education and complaints handling amongst others are the strategies to be discussed.

### **2.8.1 Lobbying and advocacy**

Arroy et al (2002) described lobbying as “A valuable educational function, because honest, well-informed lobbyists provide policymakers and their staffs with relevant information and incisive arguments and analysis bearing on matters of public debate”, Edgett (2002) defines advocacy as “The act of publicly representing an individual, organization, or idea with the objective of persuading decision makers to look favourably on or accept the point of view of the individual, the organization, or the idea” In this case lobbying and advocacy therefore entails campaigning and influencing the government to adopt legislation, policies and decisions for effective consumer protection.

As a watchdog, the C.C.Z. represents consumers by influencing government to enact laws that protect them, thus creating a platform for fair trading practices. Currently, C.C.Z. is working towards establishment of the Consumer Protection Act to enhance consumer protection in the country (Consumer Council of Zimbabwe 2015). Small Claims Court Act, 1992 Patients Charter and Competition Act 1996 are some pieces of legislation that the C.C.Z. has successfully lobbied for in Zimbabwe.

At an international level the consumer global voice called Consumers International’s consistent lobbying led to U.N adopting a set of guidelines in 1985 which were further revised in 1999. The guidelines address the needs and interests of consumers worldwide and provide a framework for governments on how to ensure protection of their so called consumers particularly those of developing and newly independent countries. However, the guidelines are not legally binding they only provide an internationally recognized set of basic objectives (United Nations 2003).

The guidelines cover seven areas which are as follows:

- ❖ Physical safety
- ❖ Protection and promotion of the consumer economic interest
- ❖ Standards for the safety and quality of consumer goods and services
- ❖ Distribution facilities for consumer goods and services
- ❖ Measures enabling consumers to obtain redress
- ❖ Measures relating to specific areas (food, water and pharmaceuticals)
- ❖ Consumer education and information program

Lobbying and advocating is not limited to consumer organizations and agencies but rather extends to individuals as well. 'Unsafe at any Speed' has been called the book that changed America and Nader the single person who has improved American society more than any other individual (Jensen 2000). Nader was the catalyst for a consumer rights movement whereby American citizens realized that corporations are accountable to their customers. Before he came along, the idea of "consumerism" was limited in scope to individual's pursuit of better prices (Bollier 1991).

In addition to his well-known interest in car-safety, Nader's involvement in citizen and consumer rights has ranged from the law, food safety, aviation, pollution, pension rights, federal regulation agencies, anti-trust legislation, insurance and more. Through his activism and that of legions of his followers Americans benefit from, "seatbelts, crash-worthy cars, better labelling on food, lower levels of lead in the environment, reduced auto insurance rates, non-smoking sections, cleaner water" (Jensen 2000, 222-223).

### **2.8.2 Consumer education**

Consumer education entails conscientising and sensitizing consumers on their rights and responsibilities, (Goldstein and Carolyn 2012). Customers need to learn a set of skills and behaviour relevant to the purchase, production, consumption or use of goods and services to be able to effectively participate in and contribute towards value creation (Meuter et al 2000).

Consumer education hence helps consumers to understand their role in the market place and aims to develop an awareness of rights and responsibilities of consumers.

Consumer education should be disseminated in a variety of ways, taking advantage of both online and offline resources. In the case of online resources it is however important to take the accessibility of information and communication technology into account, as well as the ability of targeted groups to use it. As the 1999 OECD Guidelines for Consumer Protection in the Context of Electronic Commerce suggest, stakeholders should use “all effective means to educate consumers and businesses, including innovative techniques made possible by global networks” (Organisation of Economic Co-operation Development 1999). Common tools to educate consumers include traditional media such as professional advice, seminars, advertising, and booklets Burton (2002), but these are increasingly complimented by interacting with or even competing with customer education via new media such as on-line videos, simulations, blogs and forums (Gruen et al 2006).

Focus desks are used by C.C.Z to disseminate consumer related information to consumers. According to Consumer Council of Zimbabwe (2014), Focus Desks are information desks set by C.C.Z staff at points where there is increased consumer traffic like at shopping malls where they meet directly with the public, discussing and imparting knowledge about consumer issues. The C.C.Z regional offices continued to carry out consumer education through Focus Desks to increase the visibility of the organization and also to provide consumers with an opportunity to learn more about the C.C.Z and consumerism. Staff gave consumer education to consumers going about their business and answered questions from the public. This can be noted as a way to raise consumer awareness.

In addition C.C.Z raises consumer awareness by means of media. According to CCZ (2015), C.C.Z launched a thirteen week program with a local radio station (Sport FM) to conscientise and sensitizes consumers about the existence of C.C.Z, its roles and functions and how it protects the rights of the consumers. The program also aimed at empowering the consumers to be proactive and be able to firmly stand up for themselves as one powerful voice. There was fifteen

minutes within the hour's program for phone-in questions from the public and some of the questions were used as topics for the coming weeks.

The organization therefore goes out to educate consumers on their rights and responsibilities through lectures, articles and advice in the print and electronic media, discussions, workshops, seminars to enable consumers to make informed decisions in the market place (Consumer Council of Zimbabwe 2015). Consumer education is thus a strategy used to uphold consumer right to consumer education by C.C.Z.

As a result of consumer education, consumers are advised that they should check for the following before making a purchase; faults, guarantee and warranty periods when purchasing electricals and furniture and the sell-by dates (Consumer Council of Zimbabwe 2006). Consumer education, awareness and information are thus all vital in consumer protection. According to Steffens (2010) consumer education is a veritable tool for improving the lives and safety of consumers. Like Steffens who supported consumer education as a means to ensure safety of consumers Chatterjee and Sahoo (2011) argued that to be informed the consumer needs to be educated and enlightened.

Ghosh (2000) also posits that consumer education is a powerful tool that can take consumers from the current disadvantageous position in the marketplace to one of strength. Singh and Grewal (2013) noted that consumer education and actions by government, consumer activities and associations are necessary for consumer protection. Additionally, Dickinson and Shaver (1982) highlighted consumer awareness as the first line of defence against consumer problems. This is even supported in the works of Thogerson. Thogerson (2005) noted that information is a means of consumer empowerment

Schmitz (2013) is of the view that requisite consumer information is vital for consumer empowerment and proper functioning of the market. In addition, Howels and Weatherwill (2005) argued that information is believed to play a big role in the consumer protection drawing an example of price information and labelling thus highlighting ingredients used in the

manufacturing and production processes of a certain product as fundamental in shaping the consumer purchasing decision, especially in a competitive environment. Lack of consumer awareness has thus been pointed as one of the major challenges for efficient consumer protection especially in developing countries (Zakaria2015).

### **2.8.3Complaints handling**

A complaint is an expression of dissatisfaction made either verbally or in writing about the standard of service, action or lack of action by an organization or company affecting an individual customer or a group of customers or clients (Barbeito2004). In the context of consumer protection complaints handling entails C.C.Z acting as arbitrator between the consumer and suppliers of goods and services. The role of the arbitrator would be to ensure the two reach an amicable solution which sees both parties not disadvantaged thus prudent investigations are done in order to arrive at the truth and ensure a fair conclusion to the dispute.

In the Zimbabwean scenarioif consumers are treated unfairly by a supplier or service provider, C.C.Z encourage the following general steps of action as an effective way to complain:

1. First, be clear of what the problem is then contact the company or seller where you had the problem. It would be good to have documentation (contracts, receipts) at hand. Always keep records of conversations made.
2. If you do not receive satisfaction, take the issue higher in the company. Contact any of C.C.Z regional offices.
3. If still unresolved, consumers are welcome to lodge complaints with C,C,Z using the website or visiting CCZ inperson (Consumer Council of Zimbabwe 2015) .Complaints handling can be linked to consumer right to get redress and right to be heard.

Consumer handling is thus instrumental in assistingZimbabwean consumersget redress whenever they are prejudiced in the marketplace. Complaints handling thus aims to ensure that a consumer receive positive results which can be in the form of repair, refund or exchange anddepending on



the nature and size of claims in dispute, some of the complaints are referred to the Small Claims Court if C.C.Z fails to satisfy the needs of a consumers.

## **2.9 Other consumer rights protection strategies cited by different scholars.**

In Zimbabwe consumer rights are protected by CCZ through lobbying and advocacy, consumer education as well as complaints handling. However, apart from these three strategies consumer rights can be protected through consumer courts which deals with disputes between suppliers of goods and services, the government by means of adopting consumer legislation as well as self-protection by the consumers themselves as will be discussed below.

### **2.9.1 Legislation**

According to Merriam Webster Dictionary (2015) legislation is defined as a law or set of laws made by the government. The aim of consumer related legislations is to ensure consumers are safe and not abused in the marketplace as it provides punishment for businesses that knowingly exploit consumers through ways like misleading advertisement and labelling amongst others. Legislation thus acts to prohibit unfair trade practices as well as empowering consumers to seek redress in case they are prejudiced by suppliers of goods and services.

Moreso, Nader believes that much of what is wrong with American society is the fault of big business and unfettered corporate greed, manipulation, and domination. His method of effecting social change and curbing corporate power has three components. First, he focuses on government, advocating for better enforcement of existing legislation to encourage corporate competition. Secondly, in relation to government, he advocates for the creation of new regulatory agencies to protect consumers. Finally, he encourages consumers to take action, come together, and fight for what is due to them (Klebanow and Jonas 2003).

Legislation as a way or method to protect consumer rights was supported by (Bell and Emory 1971). They argued that if business fails in its responsibility to help the consumer out of his disadvantaged position, "... then the government or other parties must act on the consumers'

behalf". Kennedy (1962) says the march of technology affecting, for example, the foods we eat, the medicines we take, and the many appliances we use in our homes have increased the difficulties of the consumer along with his opportunities, and it has outmoded many of the old laws and regulations and made new legislation necessary".

However, Himachalam and Chandra (1990) propounded that legislation alone could not safeguard the interests of consumers. They thus proposed that there should be awareness, education, understanding and realization of their rights and privileges on part of consumers. More so, although government has safeguarded the rights and interest of consumers through legislation consumer awareness through consumer education, actions by government, consumer activists and associations are also needed the most to make consumer protection a success.

Legislation can be noted as a strategy to protect the rights of a consumer within the marketplace but the important thing to note is how efficient and effective are these laws enforced or they are just paper tigers.

### **2.9.2 Self protection**

Consumerism has different components and first and foremost is self-protection by consumers. In order to protect themselves consumers are supposed to know their rights, in a position to stand and speak against any form of exploitation as well as get redress. This is guided by the fact that consumer's consciousness determines the effectiveness of consumerism. It is therefore important and the duty of the consumer to identify his rights and to protect them (Singh and Chadah 2008).

Donoghue and De klerk (2009) denotes what consumers should do if they are dissatisfied with products and services which includes boycotting the seller as well as complaining to the seller in order to get a redress. The two further argued that a consumer have a right to report to consumer protection agency or show dissatisfaction through negative word of mouth. Day and Landon (1977) support self-protection. The two are of the opinion that once dissatisfied with goods or services offered to them a consumer have various options at their disposal. Day and Landon (1977) postulates that a consumer can take private action by switching suppliers, boycotting the

product or service .The consumers can as well take public action by seeking redress directly from the retailer or manufacturer or indirectly bringing legal action ,complaining to media or registering a complaint with a consumer association.

In support of the above, CCZ (2012) argued that consumers have rights which must be protected and likewise consumers must exercise their rights by taking responsibility. The idea of self-protection has however been ignored by the consumer themselves. Donognue and De Klerk (2009) however blame it all on lack of consumer awareness. The two argued that consumers do not report their dissatisfaction to supplier because of lack of consumer awareness hence worsening the plight of consumers as suppliers are not aware of the dissatisfaction. The whole idea of self-protection can therefore only be possible, achieved or realized only if consumers are aware of their rights and how to exercise them for their own benefit within the marketplace.

### **2.9.3Setting up of Consumer Courts**

Consumer Courts are ways or rather say judiciary set ups by governments through which consumers get redress thus consumer courts deals with cases regarding consumer disputes and grievances. In countries like Zimbabwe, America and Brazil there was establishment of a consumer court. The consumer court is commonly known as the Small Claims Court. In the Zimbabwean context the Small Claims Court only deals with disputes that do not involve large amounts of money as the name implies. This however raises questions about the extent to which consumers rights are being safeguarded. The reason being that the court have limited jurisdiction hence cannot offer protection to each and every disadvantaged consumer as other cases involve large amounts of money.

### **2.10Effectiveness of consumer rights protection strategies used by C.C.Z.**

Erlendson (2002)and Productivity Commission (2013) define effectiveness as the extent to which objectives are met.Wojtczak (2002) defines effectiveness as a measure of the extent to which a specific intervention, procedure, regimen, or service, when deployed in the field in routine circumstances, does what it is intended to do for a specified population.

CCZ successfully lobbied for the establishment of the Small Claims Courts in the early 90s (established in 1992). Since the inaugural opening of the Small Claims Courts, C.C.Z had been lobbying the Ministry of Justice, Legal and Parliamentary Affairs to decentralize the Small Claims Courts and make them accessible to all consumers throughout the country. Small Claims Courts had been initially established in Bulawayo and Harare, and were recently decentralized to the remaining provinces. The decentralization of the Small Claims Courts is a positive development which will aid consumers in having their disputes resolved (Consumer Council of Zimbabwe 2012).

In addition, over the years CCZ has successfully lobbied for the following consumer protection legislation: Small Claims Court Act, 1992, Patients Charter and Competition Act, 1996 (Consumer Council of Zimbabwe 2015). This is considered as a major stride pertaining consumer rights protection as the rights of consumers in different areas like health, disputes between consumer and suppliers are safeguarded.

However, despite C.C.Z lobbying and advocating for consumer legislation in form of consumer protection act there is still no such act but only limited pieces of legislations. This means that consumer rights are being protected to a minimal degree as these pieces of legislation do not cover all consumer rights. In addition, four years have passed and the consumer protection bill has not been passed into law. The director of CCZ argued that “Zimbabwe lacks a definitive Consumer Protection Mechanism at law, with the result that.....most consumers are not aware of having consumer rights and those who are, do not get any meaningful redress due to the absence of the legal framework underpinning the respect of their consumer rights.” (Mangwiro 2014).

The effectiveness of CCZ as far as complaints handling is concerned is questionable. There is a lot that need to be done concerning complaints handling. Most of the cases reported to C.C.Z (Masvingo) were not handled to the satisfaction of the consumer and consumers were usually referred to the Small Claims Court. This was observed by the researcher since the researcher was involved in complaints handling department during the attachment period at C.C.Z.

Furthermore, through consumer education CCZ aims to raise consumer awareness such that consumers are in a position to understand their role in the market place, identify when and how they are being exploited and be able to take action that will bring about redress. However, as evidenced by the researcher during attachment period accessibility to CCZ consumer education campaigns and programs was limited, consumers near urban areas where the organisation has established its offices are the ones benefiting whilst consumers away from urban areas especially the rural populace are being marginalised. In addition, when handling complaints both the supplier and consumer were educated about consumer related issues as it manifests that most of the complaints were as a result of low level of consumer awareness on both parties.

In Nigeria for instance a study was conducted to measure consumer satisfaction with consumer protection agencies in Anambah state in Nigeria with special reference to the Nigerian Communication Commission (NCC), National Agency for Food and Drug Administration and Control (NAFDAC), Standard Organization of Nigeria and Consumer Protection Council (SONCPC). According to Monye (2006) enforcement of consumer rights in Nigeria was a serious problem. More so, according to Halliru (2012) argued that because these four agencies have mandate and functions that duplicate and overlap in some cases, interests of consumers are expected to be adequately protected. However of these agencies only NAFDAC has made significant impact in terms of spread, awareness and effectiveness as an average Nigerian consumer fully aware of what NAFDAC represents. This study however is not applicable to the Zimbabwean context.

### **2.11 Challenges faced by C.C.Z**

Achieving the intended results is often met with challenges or rather say obstacles depending on the environment in which one is operating. The challenges can be in different forms thus economically, socially or politically. In this study CCZ is believed to be facing problems which hinder the effectiveness and efficiency as far as consumer rights protection is concerned. The problems are directed to the government, CCZ itself and consumers themselves.

### **2.11.1 Domestic characteristics of a country.**

According to Matonho(2014) cited in Chen (2014) the Zimbabwean consumer rights movement currently faces severe difficulties as a result of the country's domestic characteristics. In particular, the "highly depressed economy and porous regional border posts" make Zimbabwean consumers especially vulnerable to consumer protection violations that can cause severe, and at times life threatening, injuries. For instance, it is a common practice in Zimbabwe to sell openly products such as dried fish and fresh meat. However, some vendors often are unaware of the dangers of contamination and food poisoning and continue to sell in the open air so long as the business is profitable. Furthermore, weak and permeable borders make it difficult for any regulatory oversight to ensure imported foods are properly labelled and monitored for quality.

### **2.11.2 No Consumer Act**

The director of CCZ argued that "Zimbabwe lacks a definitive Consumer Protection Mechanism at law, with the result that.....most consumers are not aware of having consumer rights and those who are, do not get any meaningful redress due to the absence of the legal framework underpinning the respect of their consumer rights."(Mangwiro2014).Absence of Consumer Act is thus another challenge faced by CCZ as Matonho (2014) cited in Chen (2014) argues that there are limited pieces of legislations governing consumer rights that have been implemented under the purview of ministries. Mwanawashe (2014) went on to argue that these few pieces of legislation protect consumers to a minimal degree and in fact, fall short of covering extensive protection from violations of consumer rights. Policy wise, the government has failed to institute sound consumer protection policies, or to enact modern consumer regulations despite numerous protestations from the watchdog(Chibvuri2007).

### **2.11.3 Limited funds**

Resources are vital in fulfilling the intended objectives be it of an organization, company or government. The resources can be financial, material and personnel. In 2007 for example there were delays in the disbursement of funds. A Voice for the voiceless (2007) noted that the

Consumer Council of Zimbabwe (CCZ) is yet to receive its ... budgetary allocation for 2007..., the consumer protection body is presently operating on a shoestring budget and continues to scrounge from leftovers of the \$19million advance it received ...Over the years, government has consistently failed to capacitate the important consumer watchdog with financial resources necessary to make it an effective organization (Chibvuri2007).

In support of lack of finance as a hindering factor towards realization of consumer protection the Consumer Council of Zimbabwe (CCZ) says its work is being hampered by lack of financial support resulting in its failure to effectively run programs like consumer education and related issues. Moyo(2015) and because of lack of funds C.C.Z rely on journalists to publish stories on them as they cannot afford to pay for space in the newspaper(A Voice for the voiceless 2007).Financial constraints hence work as an inhibiting factor to success of the consumer body's undertakings.

#### **2.11.4 Limited personnel.**

C.C.Z director argued that, "We are a country of 13 million consumers who should be served by nineteen C.C.Z staff members shared between Harare, Masvingo, Gweru, Mutare and Bulawayo and using cars which are over six years old (Muperi 2014).The issue of limited resources was as well evidenced by the researcher during the attachment period as three students had to attend to all consumer complaints be it walk in or telephone complaints. The issue of resources in this case human resources (labour) and material resources(vehicles) are acting as barriers to C.C.Z as far as consumer rights protection is concerned.

Generally,Kumar and Batra (1990) conducted a survey on consumer rights awareness and actions in small cities in India. The survey revealed that consumers were aware of their rights but only a few exercise them. The respondents argued that the reluctance to exercise their rights and responsibilities is not because they are inactive but rather as a result of unsatisfactory response of their voices. Other scholars noted ignorance as a factor behind consumer reluctance to fight injustices perpetrated by suppliers. Du Plessis et al (2007) observed that majority of consumers

do not exercise their rights to protect themselves against unprincipled business practices due to ignorance. Consumer ignorance and failure to receive satisfactory results from their voices are some of the factors that act as challenges faced by CCZ in trying to protect consumer rights.

## **2.12 Chapter summary**

The reviewed literature points out the reasons behind the establishment of consumer rights protection, organizations and individuals, who were influential in consumerism, the strategies that can be used to protect consumer rights. As the literature unfolds a study which measure effectiveness of consumers' agencies in Nigeria was noted however this is inapplicable to the Zimbabwean context as the operating environment is different. In brief the reviewed literature therefore lays the foundation of this study as the researcher seek to fill the literature gap on the effectiveness of consumer rights protection strategies with special reference to Zimbabwe.



## **CHAPTER 3: METHODOLOGY**

### **3.1 Introduction**

This chapter covers the research design which looks at both qualitative and quantitative approach, target population, population sample and sampling technique, methods of data collection, research instruments, data analysis as well as ethical consideration. In simpler terms chapter three summarizes the ways and means actually used to collect data used for the purpose of this study. The data analysis techniques which are content analysis, thematic analysis as well as Statistical Package for Social Science (SPSS) were captured as well.

### **3.2 Research design**

Parahoo (2006) defined research design as the plan that describes how, when and where data are to be collected and analysed. Burns and Groove (2009) argues that research design is a blueprint for conducting a study with maximum control over factors that may interfere with validity of the findings. A research design is a way of setting up conditions to gather information with which to answer research questions (Coolican 2006).

The case study approach was used by the researcher in order to collect information and it was qualitative and quantitative in nature. Creswell and Plano Clark (2007) argues that integrating methodological approaches strengthen the overall research design as strength of one approach offset the weaknesses of the other for example qualitative methods collect data on a relatively smaller sample as compared to quantitative. The researcher used a mixed research design because combination of both processes provides a better understanding of a research problem than either approach could do alone.

#### **3.2.1 Qualitative approach**

According to Neuman (2000) qualitative method is more concerned with soft data in the form of impressions, sentences, and symbols among other forms. Neuman(2000) went on to say that “This method aims at richness, texture and feeling of raw data”. This method was used in this

study since interviews were used in trying to describe and explain the effectiveness of consumer rights protection strategies employed by C.C.Z in Zimbabwe. According to Creswell (2003:133), qualitative research usually takes place in a natural setting, the researcher have to go to the site in person. The researcher make use of qualitative approach because of the following benefits, area under study can be examined in detail and depth as researcher had an opportunity to clarify and explain areas of ambiguities through the use of one on one interviews.

### **3.2.2 Quantitative approach**

According to Neuman (2000:151) quantitative method is more concerned with hard data, which means the data will be numerical in nature. Harallambos and Holbrn (2000) likewise support that quantitative data are usually in numerical form. Quantitative approach by means of using questionnaires was used in data collection. The researcher chose this method as data will be collected on a larger scale in a relatively short time and findings can be generalized to represent the whole population.

### **3.3 Sample Selection**

Population consists of all members of some defined group while a sample is a subset population (Coolican 2006). Population sample is a representative of the total population of a given area under study or a finite part of statistical population whose properties are studied to gain information about the whole (Webster 1985). When dealing with consumers as in this case it can be defined as respondents selected from a larger population for the purpose of a survey.

For the purpose of this study, the targeted population are the consumers both male and female excluding those below the age of eighteen even though they are consumers but most not in a position to articulate their rights hence not in a position to pinpoint when they are exploited or protected. Forty consumers were used as respondents. Both female and male consumer had an equal chance of being selected.

Probability sampling techniques were used with particular reference to simple random sampling. Probability sampling defined as having the distinguished characteristics that each unit in the population has a known non zero probability of being included in the sample (Henry 1990). Random sampling technique is when the respondents have the same probability of being chosen to belong to a sample. The researcher first defined the population target and determines the sample size because the researcher cannot get hold of every consumer as it entails surveying everyone since everyone is a consumer from time to time.

Simple random sampling was applied when choosing respondents of questionnaires. In this research both males and females were selected as both are consumers however those below the age of eighteen not included. The reason being that for instance children between seven and eleven years are consumers but might not be aware of what consumer rights are, consumer protection agencies, how they offer consumer protection hence not able to offer information that can be of use to the study as a result of their age.

The advantage of random sampling to this research is that each respondent have the equal and independent chance of being selected hence capture different views which is instrumental in assessment study. Random sampling was used in this research as it offers an advantage of eliminating the danger of researcher biasing selection process because of own opinions or desires. When bias is eliminated then results from this study may be generalized from sample to the whole population. However, using random sampling in this research has a challenge of choosing respondents more than once.

The researcher also used non probability sampling technique inform of judgmental or purposive sampling, this is where by subjects are chosen to be part of the sample with a specific purpose in mind. Judgmental sampling was used in this study when choosing respondents of interviews. It is worth noting that not all CCZ officials were interviewed but rather the Complaints Officer and Regional Manager. This was because for example the Complaints Officer is the one who works in the Complaints Department, the one responsible for protecting consumer rights through complaints handling and consumer education campaigns hence in a position to shed more light

on how the strategies used to protect consumer rights are implemented as well as their effectiveness and challenges they are facing as an organization in relation to consumer rights protection.

### **3.4 Methods of data collection**

Methods of data collection are techniques through which relevant information for the purpose of this study was collected. In the research both qualitative and quantitative methods were used. The methods of data collection to be explained below are documentary reviews notably the internet. More so, other data collection methods used in this study which are surveys and interviews are highlighted and explained.

#### **3.4.1 Documentary reviews**

Documentary reviews are the use of books, internet, government publications and organizational literature in research (Scott 2006). Documentary used can be electronic or in hard copy form. In this study the researcher chose to use the internet. The advantages of using the internet is the speed and immediacy in accessing information although the questions of reliability, validity and accuracy are raised, the researcher make it a point to use information from sources that offers as much of the following information as possible author's name, date of page creation, contact information as well as educational and experience in a field relevant to information under study. The internet is also a great tool in accessing recent activities hence being used.

#### **3.4.2 In-depth Interviews**

According to O'Leary (2004) interviewing is a method of data collection that involves researcher asking respondents basically open-ended questions. Interview is a formal way in which interviewer asks questions with the need to gather facts and information to use in the explanation or understanding of a certain phenomenon, interviews uses interview guides as the instrument. The researcher used interviews because they are useful in investigating issues in depth as researcher tailor the question asked to respondent in order to get as much information as

possible. The advantage of interview to this study was that ambiguities were clarified and also capturing of social cues like voice and body language of interviewee was of paramount importance as the cues can convey extra information that was added to verbal answers. Interviews thus capture both verbal and non-verbal cues.

However, just like other data collection methods an interview has got limitations. To this specific study one such limitation is that participants may be unwilling to participate. The reasons for unwillingness to participate was fear as not sure of who is the researcher or the intention of the study and how information provided will be used. The researcher dealt with such a short come by means of assuring them protection of their identity through upholding the ethical consideration of confidentiality.

### **3.4.3 Questionnaires**

Coolican(2006) defines a questionnaire as a set of questions that have scales that are designed to generate data that is appropriate for further analysis. Questionnaires were used in data collection and they were both closed and open-ended questions in nature. Open-ended questions were used to exonerate more information from the consumers that is personal. The researchers make use of questionnaires as it allows collection of a large amount of data in a relatively short period of time. Using questionnaires rather than interviews was to ensure participation. Participants may not like to be identified for having taken part in a research therefore a questionnaire can be effective to gather information (Marshall 2005). The advantage of using questionnaires to this study is that respondents do not write their names on the document and thus privacy and confidentiality are ensured. In addition, using questionnaire limits biasness as identical or same set of questions were given to various respondents.

However, there is a problem of social desirability bias. The researcher worried about the respondents as participants respond to a survey question in a way that reflects not how they truly feel and believe but how they think they should, that is trying to portray a positive picture of themselves. People may read differently into questions and therefore reply basing on their own

interpretation of the question. For instance, what is 'effective' to someone maybe 'ineffective' to someone else, hitherto there is a level of subjectivity that is not acknowledged.

### **3.5 Data analysis**

Data analysis means to organize, provide structure and elicit meaning. Analysis of data is an active and interactive process (Polit et al 2001:383). The data collected was analysed using content analysis, thematic analysis and Statistical Package for Social Science (SPSS). Data analysis is therefore a process of drawing meaning from the findings in order to give conclusions to this study.

#### **3.5.1 Content analysis**

Content analysis is study of recorded human communications and content analysis is essentially a coding operation (Babbie2013) .In simpler terms content analysis is analysing recurrent ideas or ideas that are being repeated. Contentanalysis therefore considers frequency. In this study for example the ideas that were being repeated was the fact that CCZ consumer rights strategies were ineffective because there is no consumer protection act up to date,consumer cases were not handled satisfactory but referred to Small Claims Court and consumer offices are established in major towns of the provinces in Zimbabwe living the rest disadvantaged. Therespnses were then grouped in order to come up with the frequency on those arguing for example in favour of absence of consumer protection act.

#### **3.5.2 Thematic analysis**

Braun and Clarke (2006)refer to thematic analysis as a method for identifying, analysing, and reporting patterns (themes) within data.Thematic analysis is another way that was used to analyse data collected in this research. The contents that are related were grouped under different subheadings and then interpreted in order to come up with an explanation of the collected data in this study. This entails the researcher first reading through the findings,grouping related information and lastly search for a suitable theme for the grouped information.For example on

the research question that has to do with the challenges faced by CCZ in trying to protect consumer rights the researcher draws four themes thus limited funds, absence of consumer protection act, limited personnel and consumer ignorance

### **3.5.3 Statistical Package for Social Science (SPSS)**

Statistical Package for the Social Sciences is a powerful, user-friendly software package for the manipulation and statistical analysis of data (Landau and Everitt 2004). The researcher first put data into categories in order to note the frequency in responses to various questions used. The information was then entered into the computer and presented using graphs, pie charts and tables. The effectiveness or ineffectiveness of consumer rights protection strategies were presented in this way.

### **3.6 Ethical considerations**

According to Trochim (2006) ethics were created to try to protect the rights of their participants. In general terms ethics refers to the application of moral rules and professional codes of conduct in collection, analysis, reporting and publication of information about research respondents in particular active acceptance of subjects, right to privacy, confidentiality and informed consent.

The first principle is informed consent. According to Best and Kahn (2006) this principle requires that no participant should be forced or coerced into participating in research but rather participate voluntarily. The research uphold this ethic by means of asking for permission to interview or give questionnaires to the respondents, telling the respondents that the purpose of the research is to fulfil requirements of the Bachelor of Social Science Honours degree in Politics and Public Management. This was done so that participants have a complete understanding of the purpose of research as well how the research is of importance to the society as a whole and to fellow students at Midlands State University. Participants were also notified that they are free and have a right to decline if they deem it necessary and reassured that decline will not affect any services they receive as a Zimbabwean citizen.

In addition, another ethic is that of not inflicting harm on the participants. Participants must not be put in a situation where they might be at risk of harm as a result of their participation. Harm can be described both as physical and psychological. The research did not threaten or instil fear by lying about what might happen to respondents if they fail to participate in this particular research. The researcher avoided any other situations that puts participant at a disadvantage by means of humiliation, physical discomfort and embarrassment. To avoid harm the researcher avoid bringing in discussion sensitive issues, shout at respondent for not understanding the questions as a result of level of education.

Furthermore, confidentiality and anonymity are other ethics that are applied to protect privacy of participants (Mcnamara1994). Anonymity is where by participant remain anonymous throughout the study even to the researcher as there is use of questionnaires and with confidentiality the participant is only known to the researcher as in the case with interviews that were conducted. The researcher ensure identity of respondents is sealed or protected through use of pseudo names like respondent X or Y. Doing this ensure high rate of respondents as others would not want to be identified as having taken part in a research for various reasons like sabotage of their jobs and relationship with management at the workplace.

Deception is yet another ethic that the researcher take into consideration whilst doing the research. Deception happens when researcher provides misleading or withholding information to participants regarding the actual purpose of the research. The researcher thus avoid using deceptive practices and fully inform participants about important aspects of the study for example the intention of the research like identifying strategies used in consumer rights protection and how successful are such strategies in the Zimbabwean context.

### **3.7Chapter summary**

In Chapter three various aspects were captured. It was in this chapter that the researcher indicated that the research design to be use is quantitative and qualitative in nature, the ways used to collect information in the field citing the advantages and disadvantages of such methods



to this study. In general terms chapter three is an explanation of how data was collected, organized and analysed to draw meaning.

## CHAPTER 4: DATA ANALYSIS AND PRESENTATION

### 4.1 Introduction

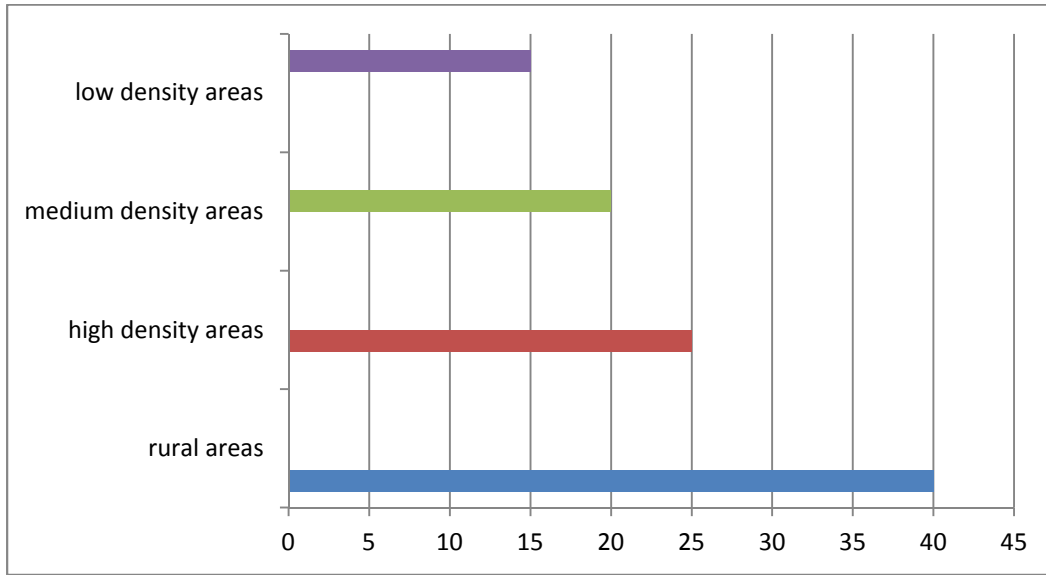
This chapter seeks to present, analyse and interpret the data obtained from the questionnaires administered and interviews conducted by the researcher. The findings are presented according to research questions. The obtained data is presented using graphs, tables and pie charts with brief explanations below in order to attach meaning and draw conclusions. This chapter is therefore a summary of the findings in relation to the topic under study.

**Table 1: Response rate**

<b>Sample size</b>	<b>Returned questionnaires</b>	<b>Response rate</b>
40	35	88 %

Forty questionnaires were distributed and a total of thirty five were satisfactorily completed and returned which is 88 % overall response rate. Two interviews were conducted and all the questions were answered. The table above summarises the response rate from the questionnaires.

**Fig 4.1: Residence area of respondents**



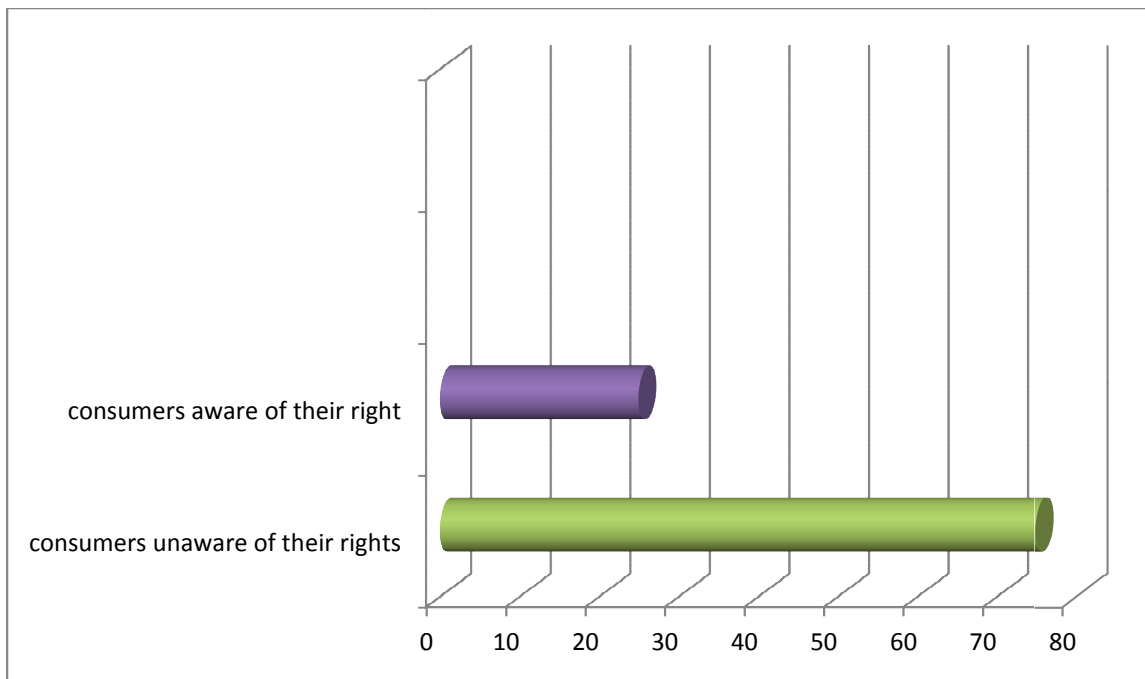
**Source: Research data**

As illustrated by Figure 4.1, 40% of the respondents were from rural areas, 25% from high density, 20% from medium density and 15% from low density areas. The majority of respondents were from rural areas (40%) of which most of them pointed that they are not aware of CCZ and the services offered to protect their rights as consumers. This shows that accessibility to CCZ consumer education campaigns and programmes as well as offices had an impact on the effectiveness of consumer rights protection strategies.

## 4.2 Presentation and analysis of findings

### 4.2.1 The consumer rights

**Fig 4.2: Level of awareness of consumer rights**



**Source: Field data**

Fig 4:2 indicates that 75% of the respondents were unaware of the consumer rights leaving only 25% aware of the rights.

The study sought to understand the rights awarded to consumers in Zimbabwe. From the responses, it was established that 25% of the respondents were aware of consumer rights. In line with this respondent X highlighted that, “They are eight basic consumer rights.” This is in line with Consumers International (2011) as the organization put forward that consumers have rights that seek to ensure that consumers are not abused in the marketplace and these rights are right to satisfaction of basic needs, right to safety, right to be informed, right to choose, right to be heard, right to redress, right to consumer education and right to a healthy environment. The research findings also reviewed that 75% of the respondents were unaware of consumer rights.

This can be because accessibility to CCZ offices and consumer awareness programmes is limited. The consumer's ability to access both CCZ offices and consumer education programmes is therefore important to ensure effectiveness and efficiency of consumer rights protection. Level of consumer awareness as illustrated by figure 4.2 is enough evidence that a lot needs to be done to raise consumer awareness and ensure a better protected consumer in Zimbabwe.

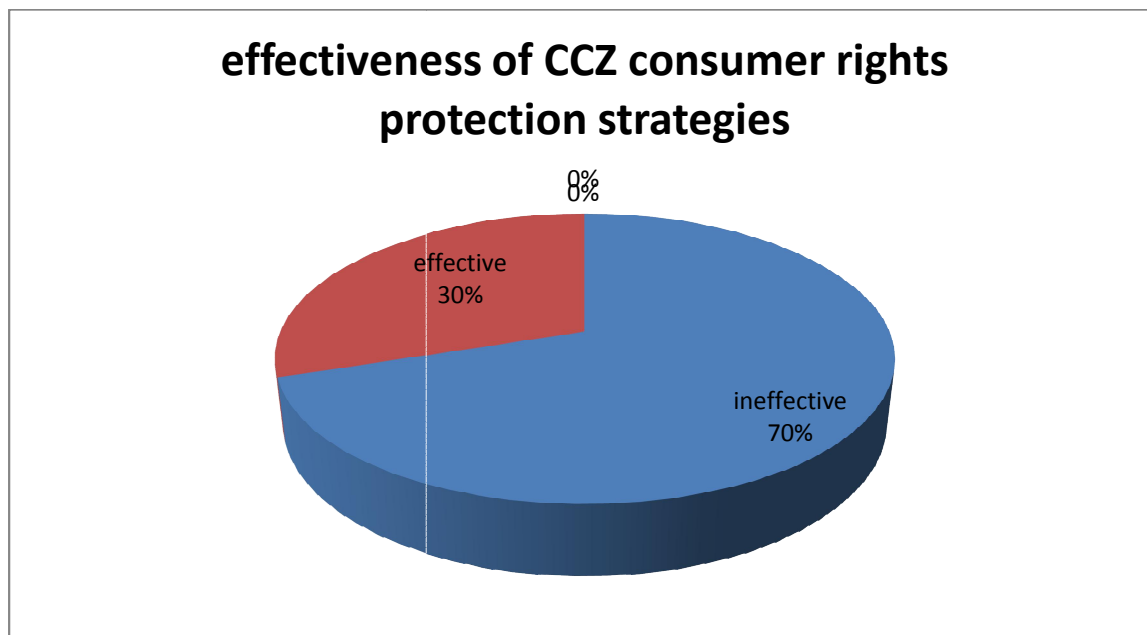
#### **4.2.2 Strategies used to protect consumer rights in Zimbabwe**

The research findings revealed that three strategies are being used by CCZ to protect consumer rights. In line with the findings respondent Y pointed out that, "CCZ safeguard consumer rights through consumer education, complaints handling and lobbying and advocacy." Consumer education as a strategy is supported by Steffens (2010) as he argued that consumer education is a veritable tool for improving the lives and safety of consumers as well as Singh and Grewal (2013) who noted that consumer education and actions by government, consumer activities and associations are necessary for consumer protection. This therefore proves that consumer rights protection strategies are means designed and implemented by CCZ to achieve the desired goals and results which is protection of consumer rights.

In addition, respondent X suggests that, "Apart from the three strategies used by C.C.Z legislation, setting up consumer courts as well as self-protection by consumers themselves are other important methods that can safeguard consumer rights." In line with this are Day and Landon (1977) who supported self-protection as the two postulates that a consumer can take private action by switching suppliers and boycotting the product or service. The consumers can as well take public action by seeking redress directly from the retailer or manufacturer or indirectly bringing legal action and complaining to media or registering a complaint with a consumer association. In this regard the researcher noted that consumer rights protection strategies are directed to consumer organisations, government and consumers in general. Consumer protection is thus not the responsibility of consumer organizations only but the involvement of government and consumers themselves is also important.

#### 4.2.3 The effectiveness of consumer rights protection strategies

Fig 4.3 Effectiveness of the strategies



Source: Field data

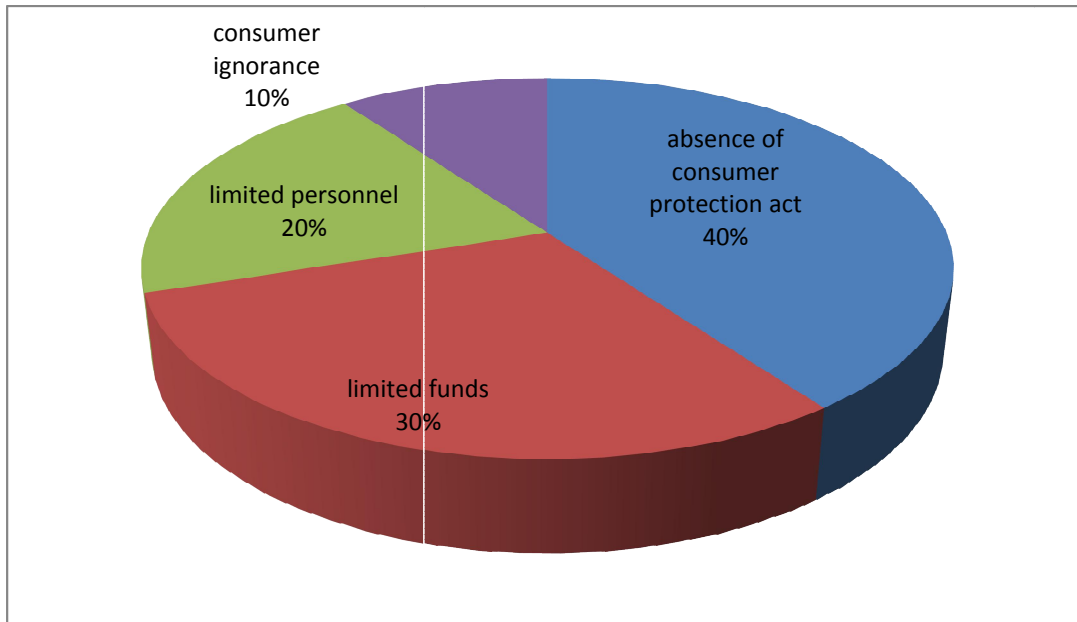
As illustrated by figure 4.3, 70% of the respondents argued that strategies used by C.C.Z were ineffective. In line with this respondent X highlighted that, “CCZ is ineffective because it has been in existence for thirty-one years but to this date only pieces of legislation which protect consumers to a minimal degree are in existence, C.C.Z lobbying and advocacy is failing to cultivate positive results in form of a comprehensive consumer protection act.” In support respondent Y highlighted that, “CCZ had failed to provide adequate personnel and offices to deal with consumer complaints in the region and consumer education was more concentrated in areas much closer to the major towns in which the organization has established its offices leaving the rest with limited or no clue of how C.C.Z offer consumer protection as well as consumer responsibilities.” This is supported by Zakaria (2015) as he proposed that lack of consumer awareness has thus been pointed as one of the major challenges for efficient consumer protection

especially in developing countries. This therefore proves that effectiveness of a project or policy is guaranteed by various, different yet interrelated factors.

The research also depicted that 30% of the respondents were of the view that C.C.Z strategies were effective. This is in line with respondent Y who pointed that, “C.C.Z managed to lobby for different consumer protection legislations and influence the decentralization of consumer courts to the remaining provinces as initially they were established in Bulawayo and Harare.” This tally with CCZ (2015) arguing that over the years CCZ has successfully lobbied for the following consumer protection legislation: Small Claims Court Act, 1992 and Patients Charter. The decentralization of the Small Claims Courts is a positive development which will aid consumers in having their disputes resolved (Consumer Council of Zimbabwe 2012). It is therefore crystal clear that effectiveness is measured by the ability to achieve the intended results.

#### 4.2.4 Challenges faced by CCZ in protecting consumer rights.

**Fig 4.4: Challenges faced by CCZ**



**Source: Research data**

Fig 4.4 shows problems faced by C.C.Z as stated by respondents. The problems were mostly directed to the government although the organisation itself as well as consumers was blamed. According to the research findings, 40% of the respondents argued that operating in the absence of a consumer act is a problem to CCZ. This tally with respondent X who commented that, "CCZ is operating in the absence of a legal framework underpinning the respect of consumer rights and this promotes the business to exploit consumers for their financial benefits." This assumption is in line with Matonho (2014) cited in Chen (2014) who elaborated that there are limited pieces of legislations governing consumer rights that have been implemented under the purview of ministries and these few pieces of legislation protect consumers to a minimal degree and in fact, fall short of covering extensive protection from violations of consumer rights. This is evidence enough that problems or challenges to CCZ manifests in different forms thus, political, social and economic and they are an unavoidable thing in the real world.

As illustrated by figure 4.4, 30% of the respondents argued that limited funds is another challenge affecting CCZ activities. In line with this respondent Y highlighted that, Government has consistently failed to disburse funds in time." This tend to work in the same line with Moyo (2015) who noted that Consumer Council of Zimbabwe (CCZ) says its work is being hampered by lack of financial support resulting in its failure to effectively run programs like consumer education and related issues. Limited funds can therefore be viewed as hindering the organization's activities like consumer education as the organization require money to carry out consumer awareness programs on radio or television and any other consumer related activities. This shows that financial dependence affect the manner in which activities are done thereby establishing a link between availability of adequate resources be it financially, materially or personnel and realization of the organizations or companies intended goals. .

The study also revealed that 20% of the respondents argued that limited personnel is a challenge to CCZ. In line with this respondent Y highlighted that, "Comparing what needs to be done to ensure consumer awareness C.C.Z. personnel is limited." This compares very well with CCZ

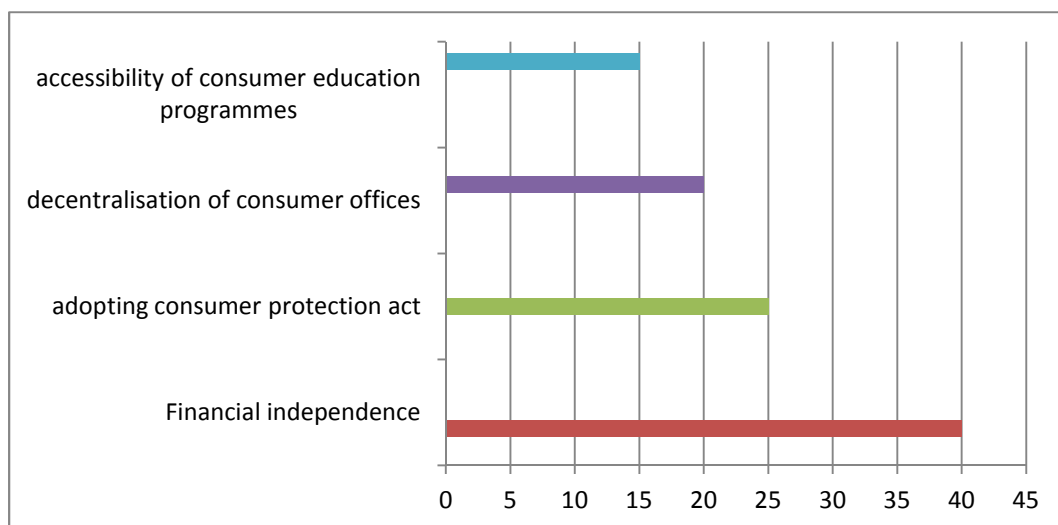


director as she once argued that, “We are a country of 13 million consumers who should be served by 19 CCZ staff members shared between Harare, Masvingo, Gweru, Mutare and Bulawayo and using cars which are over six years old(Muperi2014).Limited resources be it financial or personnel has a negative impact as far as achieving organizational objectives is concerned. In this case limited personnel is hampering the effectiveness and efficiency of the CCZ to reach out to all consumers in order to raise consumer awareness to ensure consumers are not exploited in the marketplace.

According to the findings10% of the respondentsproposed that consumer ignorance is a challenge to effectiveness and efficiency of CCZ. In line with this respondentYpointedthat, “Consumersdo not report cases of exploitation or abuse in order to get redress as they term it time consuming.”Findings here compares very well with Du Plesses et al (2007) who elaborate that majority of consumers do not exercise their rights to protect themselves against unprincipled business practices due to ignorance. This therefore proves that a culture of silence adopted by consumers do have impact on the effectiveness and efficiency of consumer protection.

#### 4.2.5 Solutions to enhance consumer rights protection in Zimbabwe.

**Fig 4.5: Proposed solutions**



**Source: Raw data**

Fig 4.5 illustrates what consumers saw as the solutions to problems faced by CCZ. The study revealed that 40% of the respondents argued that C.C.Z must attain financial independence. In relation to this respondent Y noted that, “Financial independence allows CCZ to fully carry out its mandate.” The findings compares very well with Chibvuri(2007) who mentioned that, “Over the years, government has consistently failed to capacitate the important consumer watchdog with financial resources necessary to make it an effective organization.” This is enough evidence that financial constraints must be addressed for CCZ to effectively and efficiently protect the so called consumer rights.

The research findings also reviewed that 25% of the respondents are of the opinion that the Zimbabwean government must adopt consumer protection ct. This tally with respondent X who

highlighted that, “Consumer act will guarantee prosecution of suppliers of goods and services who engage in unethical business practices.” This compares well with Mangwiro(2014) who alluded that, “Already in the region, South Africa, Malawi and Zambia have enacted such definitive legislation, proving that it is possible to give consumer rights legal standing.” 20% of the respondents noted that satellite offices should be established in smaller towns. Establishment of satellite offices is to ensure that CCZ services are accessible to almost every consumer in the region.

Additionally, 15% of the respondents were of the view that consumer awareness programs and campaigns must be spread out to areas away from major towns or places where CCZ has established its offices. This tends to work hand in hand with respondent X who highlighted that, “Accessibility to consumer education programs raise consumer awareness since most consumers are exploited because they lack the knowledge to identify abuse in the marketplace.” It therefore holds much water to argue that political, social and economic solutions must be put in place if the concept of consumer rights protection is to be a success. However, it is also of importance to remember that solutions will yield needed results if only effectively and efficiently implemented.

According to research findings respondent X and Y argued that effective consumer protection in Zimbabwe begins with consumers themselves. They noted that self-protection was vital in protection of consumer rights which is exercised through reporting cases of abuse and exploitation to consumer rights protection agencies and organizations so that businesses engaging in unethical practices like selling expired products can be punished and consumers get value for their money. Culture of silence and consumer ignorance should not be tolerated by consumers if they need consumer rights to be protected effectively and efficiently.

### **4.3 Chapter summary**

This chapter focused on the presentation, analysis and interpretation of data obtained in the field by the researcher. The presented findings were obtained through questionnaires administered and interviews conducted. Presentation methods such as graphs, tables and charts were used with

brief explanations included below the graphs, charts and tables in order to allow readers to understand easily. The findings were presented according to the themes and it is from the findings that the researcher was in a position to draw conclusions and recommendations to both the government and CCZ.

## **CHAPTER 5: CONCLUSIONS AND RECOMMENDATIONS**

### **5.1 Introduction**

This chapter presents the conclusions and recommendations that have been arrived at during the course of the research. Chapter four thus includes summary of the findings, conclusion of the findings as well as recommendations to Consumer Council of Zimbabwe and the Zimbabwean government. In addition, a summary which gives the researcher's final position regarding the effectiveness of CCZ consumer rights protection strategies is also included in this chapter.

### **5.2 Summary of findings**

**5.2.1** On the rationale of consumer rights, the study established that consumer rights serve the purpose of protecting consumers from exploitation and abuse within the marketplace by suppliers of goods and services. In the study eight basic consumer rights were identified and these are the right to satisfaction of basic needs, right to safety, right to be informed, right to be heard, right to redress, right to consumer education, right to choose and right to a healthy environment.

**5.2.2** The study revealed that three strategies are being used by C.C.Z to protect consumer rights and these are consumer education, complaints handling and lobbying and advocacy. The strategies were tools used by CCZ to influence government policy wise, raise consumer awareness and solve consumer-supplier dispute and if possible compensate consumers in case they were exploited or abused in the marketplace.

**5.2.3** The researcher found that the strategies used by CCZ to protect consumer rights were ineffective as argued by majority of the respondents. This was explained by the fact that despite consistent lobbying and advocacy CCZ is still operating in the absence of a comprehensive consumer protection law but only pieces of legislation which protect consumers to a minimal degree. In relation to consumer education the issue of accessibility is limited as most of consumer awareness campaigns and programs are centralized in towns or areas close to major

urban centres were the CCZ has established its offices leaving the rest disadvantaged. According to the findings the communication tools used to disseminate consumer related information did not cater for all notably the blind and illiterate. As far as complaints handling is concerned most cases were referred to Small Claims Court as well as making consumers pay before a case is handled leaving most consumers with no option but not to pursue the case anymore due to financial constraints.

**5.2.4** Additionally, the study revealed that CCZ is facing challenges in trying to protect the so called consumer rights. These challenges are directed to the government, CCZ itself and consumers themselves. The challenges are that CCZ is operating in an environment with no consumer protection act, limited finance as the government disburse funds insufficient to cater for CCZ consumer rights protection related activities, limited personnel, consumer ignorance and corruption at border posts allowing substandard goods to enter and flood the Zimbabwean market.

**5.2.5** The proposed solutions so as to enhance consumer rights protection in Zimbabwe was for CCZ to be financially independent, satellite offices to be established in smaller towns. The government had to work on Consumer Protection Act, a law that will criminalizes suppliers of goods and services that engage in practices that exploit and abuse consumers as the limited pieces of legislations governing consumer rights protect consumers to a limited extent. In addition, consumers need to report cases of abuses in the marketplace rather than adopting a culture of silence.

### **5.3 Conclusion of study**

**5.3.1** The study concluded that due to the unethical business practices in the marketplace which saw the consumers suffering at the end of chain of production consumer rights were established. Unethical business practices encompass but not limited to misleading advertisements and labelling, exorbitant prices and selling expired goods. In this light, consumer rights were established to ensure a fair deal in the marketplace for both the supplier and consumer.

**5.3.2** The research established that it is not only the CCZ through its consumer rights protection strategies that can offer protection to consumers. The government and consumers themselves also have a role to play to ensure consumer rights protection in the marketplace. It is therefore worthy noting that consumer rights protection is not the responsibility of CCZ only but rather the government and consumers have to be involved in the process since it is in unity that great things can be achieved.

**5.3.3** The research findings reviewed that strategies used to protect consumer rights are ineffective to a larger extent. This is because there is no consumer act which gives consumers legal backup in Zimbabwe despite consistent lobbying and advocacy, consumer's ability to access consumer education campaigns and programs is limited and low levels of consumer awareness are the results. In relation to complaints handling most cases were referred to Small Claims Court showing that CCZ is failing to deal with disputes between suppliers of goods and services. However, the strategies were not labelled totally ineffective given the fact that it was through lobbying and advocacy that a number of consumer legislations were established as well as decentralization of consumer courts.

**5.3.4** Furthermore, the study concluded that CCZ is failing to protect consumer rights effectively and efficiently due to a number of reasons and factors. The challenges faced by CCZ were mainly directed to the Zimbabwean government, the CCZ itself and consumers. This highlights that even the solutions to enhance consumer rights protection should include the efforts of the government, the organization and consumers in general for a better protected consumer in Zimbabwe.

**5.4.5** The research concluded that in order to enhance consumer rights protection in Zimbabwe there are various aspects that need to be addressed. These aspects are politically, economically as well as socially. In the contemporary world what it requires is for any organization or company to solve its problems, rather than trying to run away from them if they ever dreamt of achieving the intended objectives as problems are part and parcel of day to day lives.

## **5.4 Recommendations**

**5.4.1** Consumer Council of Zimbabwe need to be made a statutory body thus established as a result of parliamentary act thereby enabling the organization to prosecute offenders. CCZ must be given powers to fine or take legal action against those found infringing consumer laws, the researcher strongly recommends that the Consumer Council of Zimbabwe be awarded arresting powers. Consumer Council of Zimbabwe has no power to prosecute, therefore it faces difficulties in solving some cases which it will refer to other stakeholders like Small Claims Court.

**5.4.2** Protecting consumers must not be the responsibility of one or single organization, as the case in Zimbabwe. It will be much better to have both state run and independent consumer organizations meaning that the different consumer organizations complement each other's work, clearly evidenced closer home thus in South Africa making the South African consumers among the best protected on the continent.

**5.4.3** CCZ must not raise funds by making consumers pay before cases are handled as this will only work to drive away its customers. There must be creation of a fund where businesses and banks contribute towards the upholding of customer rights.

**5.4.4** CCZ should make sure that the communication tools used to disseminate consumer related information cater for at least every group which makes up the overall population for example the illiterate, blind and deaf as they are also consumers.

## **5.5 Summary**

The research sought to assess the effectiveness of CCZ consumer rights protection strategies in Zimbabwe. The researcher concluded that the strategies used by CCZ to protect consumer rights were ineffective and the government, the organisation itself as well as consumers in general are contributing to the ineffectiveness. If no changes politically, economically and socially are done consumers will continue to be exploited. However, according to the results of the research it



is of paramount importance not to wholly rule CCZ as an toothless bulldog as it through lobbying and advocacy for example that CCZ managed to influence government to establish consumer protection legislations in use at the moment and decentralization of Small Claims Court to other provinces as before it was in Harare and Bulawayo. The study reviewed that in a bid to ensure a fair deal in the marketplace for both the supplier and consumer CCZ faces various challenges of which some were beyond its control however solutions were offered in order to enhance consumer rights protection.

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## **Appendix 1: Research Questionnaire for consumers in Masvingo**

My name is Pamellachikondowa. I am a fourth year student at Midlands State University pursuing a Bachelor of Science in Politics and Public Management Honours degree.

I am hereby carrying out a research on “**Assessing the effectiveness of consumer rights protection strategies used by Consumer Council of Zimbabwe,**” in fulfilment of my degree programme. Be assured that all information provided will be strictly confidential and for academic purposes only. For privacy and security reasons it is advisable not to write your name or personal details.

**Instruction**

Please put a tick in the boxes provided or write in the space provided as the case maybe.

***(1) Age***

Age(years)	18-28	29-39	40-50	51-61	Over 62

***(2) Sex***

Male	Female

***(3) Level of education***

Primary	Secondary	Tertiary	Other

***(4) Which class does your area of residence belong to?***

High density	Medium density	Low density	Rural

***(5) Are you aware of Consumer Council of Zimbabwe?***

YES	NO

***(6) If yes how did you come to know of Consumer Council of Zimbabwe?.....***

.....

***(7) Do you know your rights as a consumer?***

YES	NO

***(8) List consumer rights that are protected by Consumer Council of Zimbabwe.***

.....  
 .....

***(9) What are the methods used by CCZ to protect the rights of a consumer?***

.....  
 .....

***(10) Are the method used by CCZ to protect consumer rights in Zimbabwe effective?***

YES	NO

***(11) Explain your answer to question 10.....***

.....  
 .....  
 .....

*(12) Is CCZ facing any problems in protecting consumer rights?*

YES	NO

*(13) If your answer is yes what are the problems?*

.....  
.....  
.....

*(14) Suggest solutions to proposed problems.*

.....  
.....  
.....

*(15) Apart from CCZ who else can protect the rights of a consumer in Zimbabwe and how?*

.....  
.....  
.....

*(16) Any other comments regarding Consumer Council of Zimbabwe?*

.....  
.....

**Your participation is greatly appreciated. Thank you!**

**Appendix 2: Interview Guide**

**Name of your Organization**

.....

**Position in the organization**

.....

**Date** .....

My name is PamelaChikondowa and lam currently pursuing a degree in Politics and Public Management at Midlands State University. In fulfilment of my degree programme I am doing a research on *assessing theeffectiveness of consumer rights protection strategies used in Zimbabwe with special reference to CCZ.*

The interview will take at least 20-30 minutes. Feel free to respond to the questions, to the best of your knowledge and opinion as the answers provided shall be for academic purposes only and would be treated with outmost confidentiality.

**Questions**

- (1) Consumer Council of Zimbabwe is the only organization or umbrella body in Zimbabwe dealing in consumerism and consumer rights issues and it seeks to promote the rights of the consumers through sustainable consumer awareness and protection. The organization watches out for unscrupulous business practices throughout the country with its five regional offices that are located in Bulawayo, Gweru, Mutare, Masvingo and Harare. In brief what are the consumer rights protected by CCZ?
  
- (2) We understand that Consumer Council of Zimbabwe strives to become a visible and highly effective consumer empowerment and protection organization in the country that unconditionally upholds the interests of consumers. As the Complaints Department within CCZ what are the methods/strategies that you use in trying to protect consumer rights?

- (3) In trying to promote and protect consumer rights in Zimbabwe CCZ has engaged various strategies which are consumer education, lobbying and advocacy and complaints handling amongst others. In your own view how effective are the methods or strategies mentioned?
- (4) Thomas Paine once argued, "Not in numbers but in unity that our great strength lies, when there is team work and collaboration wonderful things can be achieved." How does CCZ work with other stakeholders as far as consumer rights protection is concerned?
- (5) The huge task of protecting consumers should not be sole responsibility of Consumer Council of Zimbabwe only. Besides CCZ who else can protect the rights of a consumer in Zimbabwe and explain how they can offer such protection?

*End of interview questions*

*Appendix 3: Interview Guide*

*Name of your Organization*

.....



***Position in the organization***

.....

***Date***.....

My name is Pamellachikondowa and I am currently pursuing a degree in Politics and Public Management at Midlands State University. In fulfilment of my degree programme, I am doing a research on ***assessing the effectiveness of consumer rights protection strategies used in Zimbabwe with special reference to CCZ.***

The interview will take at least 20-30 minutes. Feel free to respond to the questions, to the best of your knowledge and opinion as the answers provided shall be for academic purposes only and would be treated with outmost confidentiality.

***Questions***

- 1) The only organization that deals with consumer issues in Zimbabwe is the CCZ, a quasi-government organization whose principal objective is to be a watchdog for consumers. In brief tell us about the history of CCZ.
  
- 2) In life we understand everything happens for a purpose. In the United States government participation in consumerism dates as far back as 1906, when the Congress passed the Pure Food and Drug Act, as a check on the unsanitary meat-packing practices in the Chicago stockyards. In Zimbabwe what were the reasons behind the establishment of consumer organization in form of CCZ?
  
- 3) Consumer Council of Zimbabwe is the only organization or umbrella body in Zimbabwe dealing in consumerism and consumer rights issues and it seeks to promote the rights of the consumers through sustainable consumer awareness and protection. The organization watches out for unscrupulous business practices throughout the country with its five

regional offices that are located in Bulawayo, Gweru, Mutare, Masvingo and Harare. In brief what are the consumer rights protected by CCZ.

- 4) We understand that Consumer Council of Zimbabwe strives to become a visible and highly effective consumer empowerment and protection organization in the country that unconditionally upholds the interests of consumers. In this regard explain the strategies being employed by CCZ in trying to protect consumer rights?
- 5) In trying to promote and protect consumer rights in Zimbabwe CCZ has engaged various strategies which are consumer education, lobbying and advocacy and complaints handling amongst others. In your own opinion how effective are these strategies as far as consumer rights protection is concerned?
- 6) Lack of financial support has been cited as one of the factors affecting CCZ to effectively and efficiently run programs like consumer education and related issues. Apart from inadequate funding what other challenges are being faced by CCZ in its quest to protect consumer rights?
- 7) There have been arguments that the CCZ could be more effective if it were born through an act of Parliament. It is often argued that this would give it the much-needed teeth to rein in, fine, sue or deal decisively with those found contravening consumer laws. What are your recommendations or solutions that you think can enhance the performance of CCZ thereby effectively protecting consumer rights in Zimbabwe?
- 8) For some time now, consumers and observers alike have brutally condemned the Consumer Council of Zimbabwe (CCZ), the country sole consumer watchdog as an ineffective and toothless entity. In this regard how has CCZ contributed to the benefit of the society in which it operates?

*End of interview questions*

