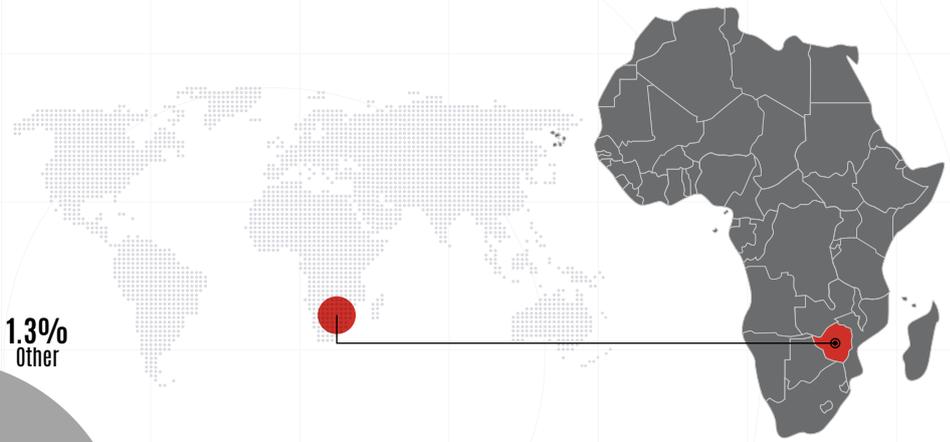
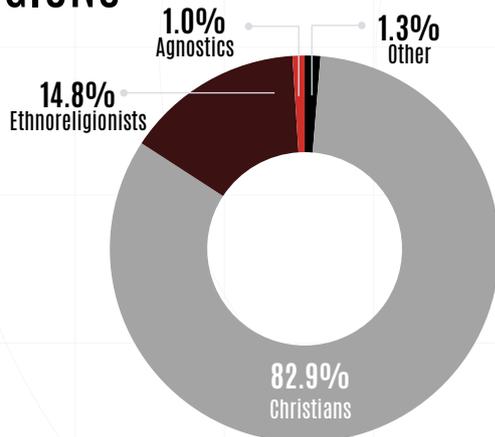


ZIMBABWE

RELIGIONS



LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

Religious freedom and the right to practise religious beliefs are enshrined in Zimbabwe’s 2013 constitution.¹ In its preamble, the document recognises “the supremacy of Almighty God, in whose hands our future lies” and asks for his “guidance and support”. Article 3 (1, d) acknowledges “the nation’s diverse cultural, religious and traditional values” and the rights associated with these. Article 60 (1, a and b) guarantees to all citizens “freedom of thought, opinion, religion or belief” as well as the “freedom to practise and propagate and give expression to their thought, opinion, religion or belief, whether in public or in private and whether alone or together with others.” Article 60 (4) goes on to say: “No person may be compelled to take an oath that is contrary to their religion or belief or to take an oath in a manner that is contrary to their religion or belief.” Article 60 also covers religious education. Section 3 states: “Parents and guardians of minor children have the right to determine, in accordance with their beliefs, the moral and religious upbringing of their children, provided they do not prejudice the rights to which their children are entitled under this Constitution, including their rights to education,

health, safety and welfare.”² Article 60 (4) also recognises the right of religious communities to “establish institutions where religious instruction may be given, even if the institution receives a subsidy or other financial assistance from the State.”³

Formally, the Zimbabwean constitution considers human rights and freedoms as fundamental, but they are limited whenever the role of the ruling party, ZANU-PF,⁴ is called into question. For instance, the Public Order and Security Act (POSA)⁵ of 2002 places restrictions on freedom of assembly and association. The authorities have used this law to treat any kind of gathering, including religious ones, as “political”. Human rights organisations allege that police have frequently used POSA in the past to suspend religious meetings.⁶

In 2019, the new Zimbabwean government, which took office in 2017 under Emmerson Mnangagwa, a former Mugabe loyalist, replaced POSA with the Maintenance of Peace and Order Act (MOPA).⁷ Zimbabwe’s opposition parties are strongly critical of MOPA⁸ accusing the government of using democratic reforms to institute a law that is hardly less repressive than POSA.⁹ Critics state that both the 2002 and 2019 laws are comparable to the Law and Order Maintenance Act (LOMA)¹⁰ enacted by the pre-independence white racist Rhodesian regime led by

Ian Smith¹¹ to suppress the country's African nationalist opposition.¹²

INCIDENTS AND DEVELOPMENTS

In 2020, Zimbabwe marked 40 years of independence. Traditionally, religion and the living observance of faith have deep roots in Zimbabwean society. In addition to the Anglican Church and various Protestant communities, the Catholic Church plays a special role. Around 8 percent of the population identifies as Catholic.¹³

Following independence in 1980, the Church's position towards the Zimbabwean government was relatively untroubled, however, this did not prevent Catholic bishops from issuing pastoral letters critical of the government's increasingly authoritarian style. The government and the ruling party, in turn, attempted to manipulate the Church and use her for their own purposes.¹⁴ Under Robert Mugabe, government representatives on occasion assumed centre stage at large Church events seeking influence with Catholic voters, but in an environment of increasing human rights violations, the promises rang hollow.

The Church's position today continues to remain precarious. The bishops are obliged to cooperate with the government because the Church operates an important network of schools and hospitals filling a sorely needed gap in public services. Yet, the bishops, dedicated to truth, peace, reconciliation and justice are repeatedly thrust into conflict with the authoritarian state, colliding over issues like freedom of assembly, intolerance, and discrimination. With deepening poverty, inflation running at over 800 percent, and food insecurity, anti-corruption protests erupted resulting in a government crackdown on 31 July 2020.¹⁵ Since then, President Emmerson Mnangagwa has sought to intimidate protesters through terror. The violence against peaceful demonstrations gave rise to a countermovement that used the hashtag #ZimbabweanLivesMatter inspired by the global #BlackLivesMatter movement.¹⁶

The rift in the relationship between the Church and state deepened with the issuing of a pastoral letter by the Zimbabwe Catholic Bishops' Conference (ZCBC) on 14 August 2020 addressing the social ills and government crackdown.¹⁷ "Fear runs down the spine of many of our people today. The crackdown on dissent is unprecedented,"¹⁸ said the bishops. Further the letter, read out to all parishes, stated, "Our government automatically labels anyone thinking differently as an enemy of the country: that is an abuse."¹⁹ The Apostolic Nuncio in Harare, the Catholic superiors of religious orders of Zimbabwe and the

South African Catholic Bishops' Conference immediately voiced their solidarity with the Zimbabwean bishops,²⁰ as did the Zimbabwe Anglican Church, which released a similarly critical pastoral letter.²¹

The government's reaction was harsh. The head of the ZCBC, Archbishop Robert Christopher Ndlovu of Harare, was subjected to a severe personal attack by the Information Minister, Monica Mutsvangwa, who criticised the Catholic bishops' communication as being "an 'evil message' that would fuel a 'Rwanda-type genocide'."²²

According to the Zimbabwean missionary, Father Oskar Wermter SJ, there is no room today for the Church in state media and that it is presently difficult for Catholic bishops to freely and impartially address the public in their pastoral letters. The situation is such that a well-known German-born Zimbabwean journalist writing for a party newspaper recently published slanderous articles about the Church, accusing it of racism.²³

The current situation, observes Fr. Wermter, represents a step backwards compared to the 1980-2000 period, when the Church had a far greater freedom and presence in the media. Advertising space, for example, can no longer be purchased in the state media, not even for pastoral letters, and priests run afoul of the ruling party if they read critical pastoral messages, or have others read them.²⁴

In its latest attempt to justify this renewed crackdown on the population, the government claims the repressive measures are necessary to control the spread of COVID 19. However, a growing number of Church leaders view these measures not only as a means to counter the pandemic, but also as an attempt by the government to keep critical voices in check.²⁵

PROSPECTS FOR RELIGIOUS FREEDOM

In theory, freedom of religion is protected in Zimbabwe, but in practice it is not. State authorities respect religious freedom until religious leaders question the state and any potential abuse of power. In this regard, little has changed since the end of the Mugabe era and no improvements can be expected. On the contrary, drawing from the pastoral letter²⁶ released in August 2020 by the Catholic bishops in defence of human rights, a stance backed by other churches,²⁷ there are many reasons to anticipate a further deterioration in relations between state and Church.

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- 19 Ibid.
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