

Bills Put Zimbabwe Under Martial Law

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Mugabe critics say new legislation is designed to silence dissent.

President Robert Mugabe is consolidating his grip on Zimbabwe through new autocratic laws that analysts say are calculated to cripple opposition to the veteran leader's 26-year-rule and muzzle criticism over the imploding economy.

Mugabe's multi-pronged strategy to silence dissent includes attempts to spy on private email and telephone messages, the jamming of private radio stations broadcasting to Zimbabwe, and restricting civic and opposition groups by branding legitimate resistance to Mugabe's rule "terrorism".

Alois Chaumba, the national director of the Catholic Commission for Justice and Peace, said three new bills expected to be pushed through when parliament resumes in August will effectively put the country under undeclared martial rule, as Mugabe seeks to curb growing opposition to his rule spawned by Zimbabwe's worsening economic hardships.

"It would seem there is a state of siege from the way the state apparatus is being used to deny people their freedoms," said Chaumba.

Justice Minister Patrick Chinamasa has tabled the three laws – the Interception of Communications Bill, the Suppression of Foreign and International Terrorism Bill and the Non Governmental Organisations Bill – all of which which now await Mugabe's assent.

Brian Raftopoulos, a senior lecturer at the University of Zimbabwe's Institute of Development Studies, said the legislative package is clearly designed to consolidate Mugabe's grip on power. "It is meant to create the impression that the government is watching its opponents and that it is aware of every move they make," he said. "This represents a movement towards some kind of new fascism."

The Interception of Communications Bill, published on June 9, will give Mugabe's government unfettered authority to monitor phones and emails sent from both land- and internet-based addresses. Mugabe claims the bill is meant to protect national security and fight crime. Under this legislation, the government will establish a communications monitoring centre which will "monitor and intercept certain communications in the course of their transmission through a telecommunication, postal or any other related service system".

Critics say the bill is part of a renewed government crackdown, which also includes tough policing and political intimidation, designed to outlaw criticism and entrench Mugabe's rule in the face of the growing swell of opposition to his draconian policies.

"This is a well calculated move to crush any dissenting views," said constitutional law expert Lovemore Madhuku, who chairs the National Constitutional Assembly, a broad alliance of civic groups agitating for constitutional reform. "It is a challenge to all the forces fighting for democracy in Zimbabwe. This should not be seen in isolation. It is a broad-based move to keep opponents in check. One can actually call it intimidation, at best."

The Suppression of Foreign and International Terrorism Bill, which has already sailed past its first reading

in parliament, is another proposed law in a cocktail of legal instruments that analysts say would further curtail most basic freedoms. The law will see those convicted of working to overthrow Mugabe jailed for life.

It comes in the wake of the brief detention earlier this year of opposition members and police officers, who later had charges against them of stockpiling arms and plotting to assassinate President Mugabe dropped. The authorities had accused the men of working with a UK-based organisation called the Zimbabwe Freedom Movement which was said to be plotting to end Mugabe's 26-year rule.

The anti-terrorism bill is certain to sail through parliament, where Mugabe's Zanu-PF party enjoys a comfortable majority.

In this year's alleged assassination plot on Mugabe, a Zimbabwe court denied bail to Peter Hitschmann, a former soldier for the country's pre-independence white government, who will soon face trial. Some political analysts saw the arrest as an attempt to put pressure on Mugabe's opponents. The state says an array of weapons found in the eastern city of Mutare were meant to be used to disrupt Mugabe's 82nd birthday celebrations held there in February.

Mugabe, in power since independence from Britain in 1980, accuses the opposition of working with western countries to try to oust him from power through "mercenary activities".

The draft terrorism law defines mercenary activity as "an act aimed at overthrowing a government or undermining the constitutional order, sovereignty or territorial integrity of a state, or private military-related assistance in an armed conflict between two or more states or within a state".

Analysts say the terrorism bill could be used by government to jail critics, including journalists working for foreign media.

Mugabe has branded private radio stations broadcasting from outside the country "terrorist organisations". The government has been jamming broadcasts from Voice of America's Studio 7 radio station, almost the sole source of reasonably independent information for the rural poor.

While the authorities have flatly denied jamming the broadcasts, media experts say the jamming signal is originating from Thornhill Air Force Base, near Gweru, using equipment provided by China. A statement issued by the Media Monitoring Project of Zimbabwe, MMPZ, said Studio 7 broadcasts were "suffocated by a steady droning sound similar to that used to jam SW Radio Africa and Radio Voice of the People frequencies last year". SW Radio and Voice of the People are two banned independent radio stations that try to beam broadcasts into Zimbabwe from outside the country.

Condemning what he termed "totalitarian tyranny of thought", MMPZ executive director Andy Moyse said the latest jamming of Studio 7, combined with the proposed "snoopers' charter" allowing interference with private mail and internet communications, represented the "final steps in the total control of all information received by Zimbabweans".

With his new package of legislation, Mugabe also intends to curtail activities of civic society. The bill on non-government organisations, NGOs, seeks to repeal the Private Voluntary Organisations Act and give the government broad powers to close down groups considered to be critical of its policies by imposing restrictive registration formalities. NGOs dealing with human rights and governance would be denied

access to outside financial assistance in a bid to curtail their contacts with international organisations. Organisations found to be in breach of these regulations would be subject to criminal prosecution.

“The proposed NGO law will have the effect of criminalising civil society organisations, especially those working in the field of human rights and governance by making them liable to prosecution for legitimate and peaceful activities of promoting human rights in Zimbabwe,” said the Madhuku.

Madhuku added there was little to be gained from challenging the constitutionality of these laws, given that government has already shown it will not obey court rulings that do not fit with its programme.

Mugabe has also published the Judicial Service Bill, which is aimed at improving the working conditions of a new coterie of judges pliant to the presidential will.

Joseph Gumbo is the pseudonym of an IWPR journalist in Zimbabwe.

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