

## A CRITIQUE OF THE KEY LEGISLATIVE FRAMEWORK GUIDING CIVIL LIBERTIES IN ZIMBABWE

J Mapuva\* and L Muyengwa\*\*

### SUMMARY

The dynamic and controversial nature of Zimbabwean politics has manifested itself through several undemocratic practices, including restrictive legislation which sought to diminish participatory spaces and/or curtail civil liberties. Corruption, gross human rights violations and arbitrary decision-making processes have created a rift between citizens and the state. This has further created space for the establishment of pro-democracy civil society movements which have sought to mobilise citizens towards the restoration of democracy. The desire to cling to power by the ruling elites has seen the enactment of restrictive legislation that seeks to curtail and impinge on civil liberties and restrict the political landscape in favour of the ruling elites. Key legislative framework presented in this paper is within the areas of media and access to information, individual rights and freedoms, as well as legislation pertaining to the conduct of elections. In some cases, colonial legislation that politicians claimed to have repealed was reincarnated, as the post-colonial dispensation asserted its authority over its defenceless people.

**KEYWORDS:** Legislative framework; Zimbabwe; civil liberties; elections; human rights violations

---

\* Dr Jephias Mapuva. Dip Ed UZ; B Ed UZ; BA Hons UNISA; MPA UWC; PhD UWC. Currently a researcher within the same University (jmapuva@uwc.ac.za).

\*\* Loveness Muyengwa-Mapuva. National Diploma - Accounting; Higher National Diploma - Accounting; Dip Educ (Zimbabwe); LLB (UWC). Currently LLM candidate and graduate lecturer in the Faculty of Law at the University of the Western Cape (lmuyengwa@uwc.ac.za).