



LEVEL UP!

Constitution Clubs Members' Handbook

High Schools Edition

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CONTENTS

PURPOSE OF THE HANDBOOK	1
STRUCTURE OF THE HANDBOOK	2
INTRODUCING THE CONSTITUTION CLUB (CC)	4
WHAT IS A CONSTITUTION CLUB (CC)?	5
HOW DOES A CC OPERATE?	5
HOW CAN ONE BECOME A CC MEMBER?	5
LEVEL 1 (A): THE CONSTITUTION AND CONSTITUTIONALISM	7
1. WHAT IS A CONSTITUTION?	8
a) Acts of Parliament	9
b) Statutory Instruments	9
c) By-Laws	10
2. WHAT IS CONSTITUTIONALISM?	10
a) The Separation of Powers	10
b) The Rule of Law	11
The Constitution and Constitutionalism Challenge	13
LEVEL 1 (B): THE CONSTITUTION AND CONSTITUTIONALISM	15
1. HOW WAS THE CONSTITUTION OF ZIMBABWE MADE?	16
a) Key steps involved in the development of the Constitution of Zimbabwe	17
2. HOW DO WE CITE THE PROVISIONS OF THE CONSTITUTION OF ZIMBABWE?	22
3. WHAT ARE THE KEY PROVISIONS OF THE CONSTITUTION OF ZIMBABWE?	23
a) Preamble	23
b) Bill of Rights	23
c) The Three Arms of Government	24
d) Independent Commissions	24
4. HOW CAN THE CONSTITUTION OF ZIMBABWE BE AMENDED?	25
The Constitution of Zimbabwe Challenge	26

LEVEL 2: CHILDREN'S RIGHTS	28
1. WHAT ARE HUMAN RIGHTS?	29
2. WHAT IS THE STATE SUPPOSED TO DO CONCERNING HUMAN RIGHTS?	30
3. WHAT ARE THE CHARACTERISTICS OF HUMAN RIGHTS?	30
4. WHAT ARE THE DIFFERENT TYPES OF HUMAN RIGHTS?	31
5. WHAT ARE THE SOURCES OF HUMAN RIGHTS?	32
6. CHILDREN'S RIGHTS	34
a) Children's Rights at the International Level	34
b) Children's Rights at the Continental Level	36
c) Children's Rights at the National Level	39
The Children's Rights Challenge	43
LEVEL 3: GENDER EQUALITY	45
1. WHAT IS GENDER?	46
2. WHAT IS GENDER DISCRIMINATION?	46
3. WHAT IS GENDER EQUALITY?	47
4. WHAT DOES THE CONSTITUTION OF ZIMBABWE SAY ABOUT GENDER EQUALITY?	47
5. WHAT THE RIGHTS OF WOMEN AND GIRLS?	48
a) The Rights of Women and Girls at the International Level	48
b) The Rights of Women and Girls at the Continental Level	49
c) The Rights of Women and Girls at the National Level	51
6. WHY SHOULD EVERYONE BE CONCERNED ABOUT GENDER EQUALITY AND THE RIGHTS OF WOMEN AND GIRLS?	52
The Gender Equality Challenge	53

LEVEL 4: CIVIC RIGHTS AND DUTIES	55
1. WHAT IS A CITIZEN?	56
2. HOW DOES ONE BECOME A ZIMBABWEAN CITIZEN?	56
3. WHAT ARE THE RIGHTS OF CITIZENS?	57
a) The Civic Rights of Zimbabweans	57
b) The Political Rights of Zimbabweans	58
c) Is there Political Space for children?	58
4. WHAT ARE THE DUTIES OF CITIZENS?	59
5. WHAT DOES IT MEAN TO BE AN ACTIVE CITIZEN?	59
6. WHAT DOES AN ACTIVE CITIZEN DO?	60
The Civic Rights and Duties Challenge	62
FINAL LEVEL: BEING A CC MEMBER	64
1. WHAT ARE THE BENEFITS OF BEING A CC MEMBER?	66
2. WHAT ARE THE RESPONSIBILITIES OF CC MEMBERS?	66
3. WHAT ACTIVITIES CAN CC MEMBERS DO?	67
USEFUL CONTACTS	68
Zimbabwe Human Rights Association (ZimRights)	68
Chapter 12 Independent Commissions	68
USEFUL RESOURCES	70
Calendar of important dates	70
Sample Of A High School CC Constitution	71
SOLUTIONS TO THE CHALLENGES	81

PURPOSE OF THE HANDBOOK

This handbook is not meant to serve as yet another textbook which students have to study. Instead, it is meant to serve both as a learning resource and a reference tool for students who are members of a Constitution Club (CC).

The handbook equips members of a CC with the necessary knowledge for them to be able to educate their peers and also undertake club activities aimed at promoting the goals of the CC. The handbook is therefore also a training tool which teachers can use for the instruction and induction of CC members.

Even though the handbook cannot replace primary sources of information such as the Constitution of Zimbabwe as well as various regional and international human rights instruments, it provides an adequate synoptic overview of such materials for students who might not have access to the primary documents. It also functions as a reading guide, which teaches students how to navigate their way through the provisions of the national constitution.

Design for both individual learning and group training, the handbook can be read by individual CC members or be explored by the students in groups. Beyond this, the handbook is meant to give students information about what it means to be a CC member, the purpose of CCs and this handbook is not meant to serve as yet another textbook which students have to study. Instead, to stimulate the creativity of CC members in coming up with innovative club activities.

STRUCTURE OF THE HANDBOOK

The handbook is gamified in such a manner that allows readers to actively engage with the topics in a fun and easy-to-read way. Mimicking gaming progression, the handbook is divided into five levels. It provides essential information which is presented as '*tips*' and revision exercises which are presented as '*challenges*' at the end of each level. Within each level students are also presented with a list of '*cheat sheets*' which are materials for further reading pertinent to the topics covered within the respective levels.

Level 1 (A)

Level 1(A) canvasses basics concerning constitutions and the concept of constitutionalism. In this level, students will learn about the definition and essential functions of a constitution, as well as the principles of constitutionalism, which underpin the constitution. In Level 1 (B), students will be introduced to the Constitution of Zimbabwe. They will learn about how the Constitution of Zimbabwe. How it was made, its key elements and how it can be amended.

Level 2

Level 2 introduces students to the concept of human rights, the different sources, types and characteristics of human rights. Students will engage with not only the Constitution of Zimbabwe but also be made aware of key regional and international human instruments. The focus on this level will be on children's rights.

Level 3

Level 3 draws the students' attention to the concept of gender equality. This section also introduces students to the rights of women and girls.

Level 4

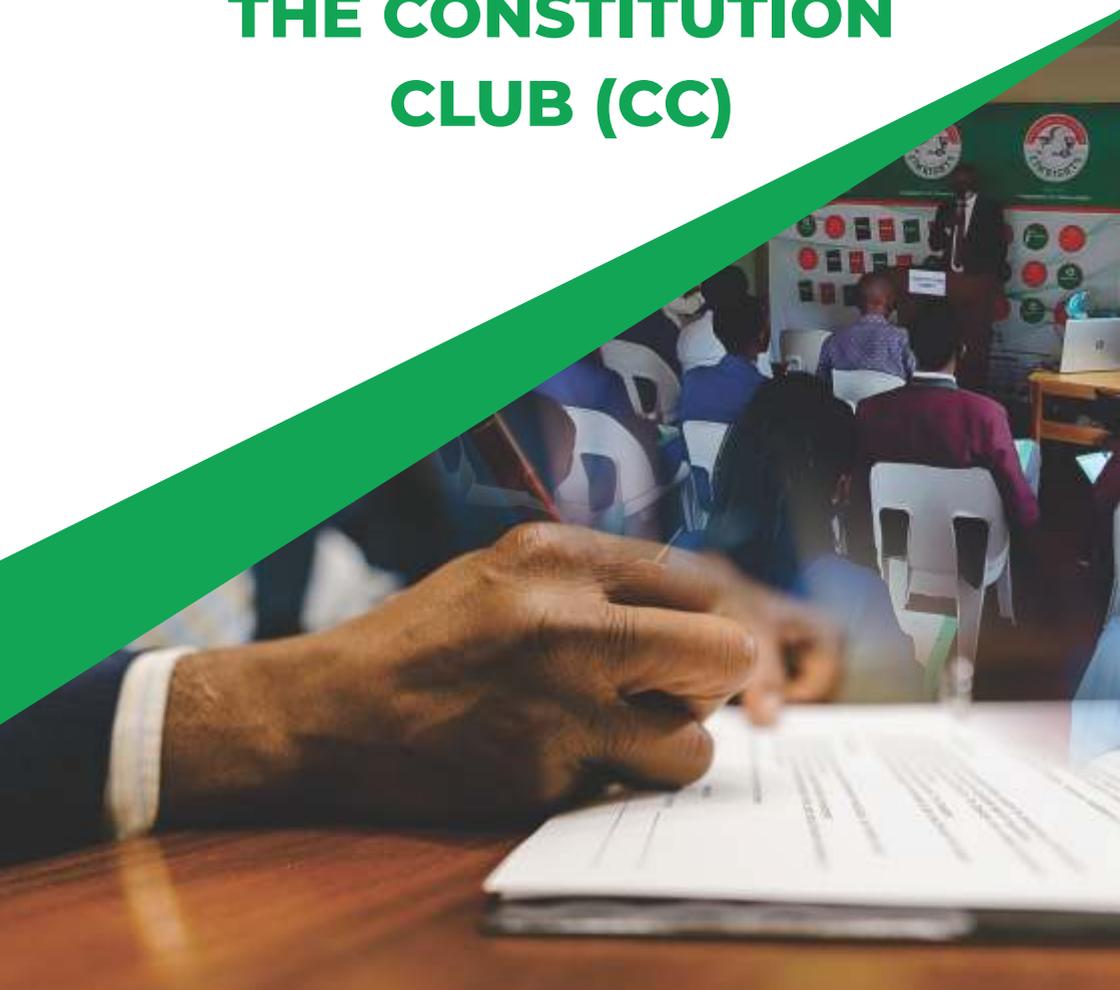
Level 4 deals with civic rights and duties with the aim of urge students who become CC members to be active citizens at their school and within their community.

Final Level

The Final Level in this handbook presents a CC member as being a consolidation of the knowledge gained throughout the four preceding levels. The CC member is depicted as a Constitutionalist, Child Rights Defender, Gender Equality Champion and an Active Citizen.

Appended to this guide is a calendar of important days, as well as the contacts of key institutions such as the Zimbabwe Human Rights Association (ZimRights) and Chapter 12 Independent Commission. A sample High School CC Constitution is also included to guide students as they draft their CC constitutions.

INTRODUCING THE CONSTITUTION CLUB (CC)



WHAT IS A CONSTITUTION CLUB (CC)?

A CC is a club that is run, owned and administered by students with the aim of achieving the following objectives:

- to promote knowledge among students about the Constitution of Zimbabwe;
- to educate students about constitutionalism, children's' rights, gender equality, the rights of women and girls, civic rights and duties;
- to foster a sense of patriotism and civic responsibility among students;
- to support government efforts to promote constitutional literacy in schools and universities; and
- to provide a free and safe space for students to contribute towards improving their communities.

HOW DOES A CC OPERATE?

CCs are owned, managed and run by students under the close supervision of a Club Advisor, who is a member of the teaching staff at the educational institution where they are hosted.

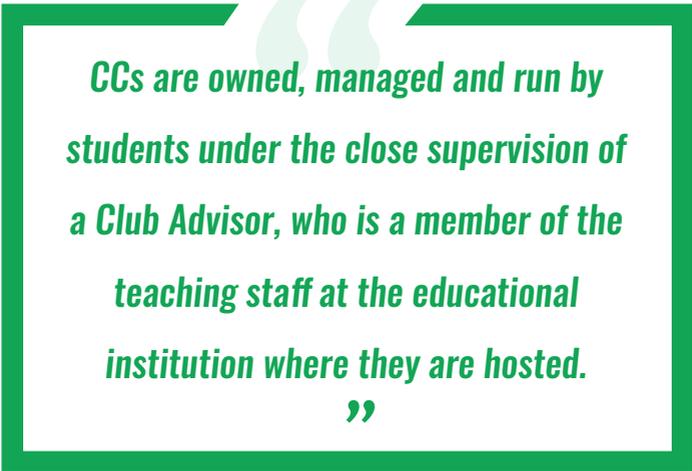
The Club Advisor will ensure that the CCs in all their activities and operations adhere to the policies and regulations set by the Ministry of Primary and Secondary Education; the Ministry of Higher and Tertiary Education, Science and Technology Development; as well the rules of the educational institution where the club is hosted.

All CCs countrywide will be under the oversight of an Honourable Judge of the Constitutional Court of Zimbabwe who will serve as the Patron of all Ccs.

HOW CAN ONE BECOME A CC MEMBER?

The first step towards becoming a CC member is *to join a CC at your schools.*

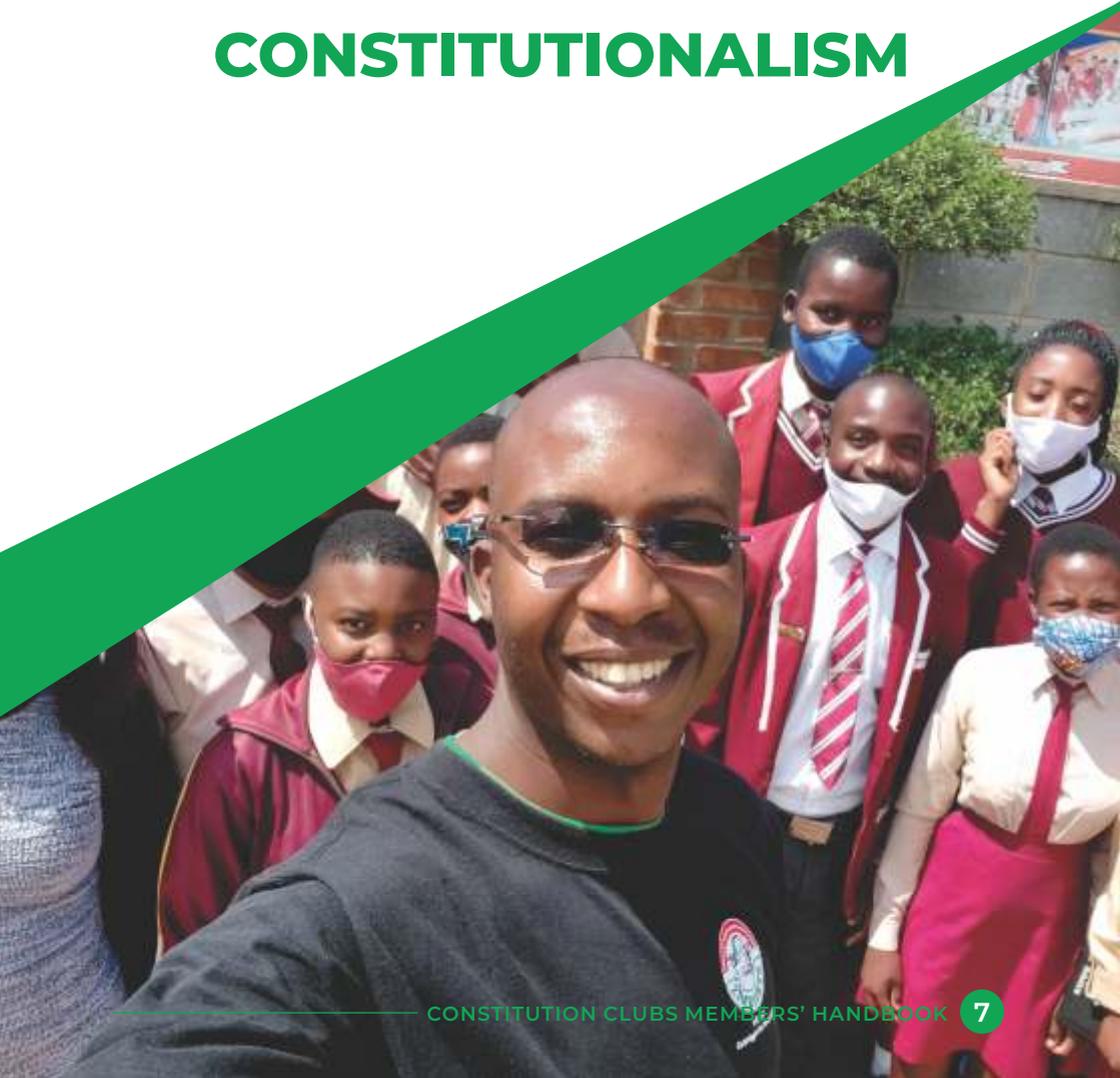
After joining the CC, this handbook will guide you through your exciting expedition as you **LEVEL UP** to being a CC member.



CCs are owned, managed and run by students under the close supervision of a Club Advisor, who is a member of the teaching staff at the educational institution where they are hosted.

LEVEL 1 (A)

THE CONSTITUTION AND CONSTITUTIONALISM



GOALS

- To understand what a Constitution.
- To understand the concept of constitutionalism and the principles which underpin it.

INSTRUCTIONS

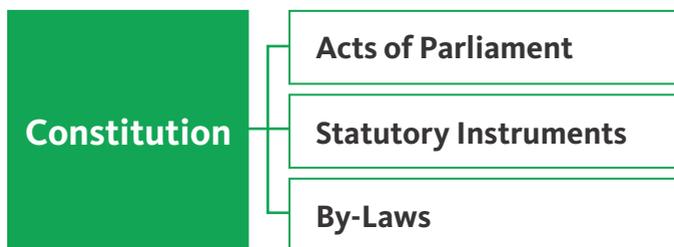
Study the tips provided below carefully before attempting the subsequent challenges. To proceed to level two, all players must complete the challenge.

TIPS

1. WHAT IS A CONSTITUTION?

Most organisations and institutions are governed by a constitution. A constitution provides rules that guide how an institution operates. Countries also have national constitutions. A national constitution is made and owned by the people of any given country. A national constitution provides for the principles, laws and institutions that form the government or state. A national constitution also determines the powers and duties of the different components of government. In this regard, a national constitutional serves as the supreme law of the country. It binds every person, governmental body and private entity, including companies and other private institutions.

National laws are modelled after the provisions of the national constitution. Any law that goes against the constitution is regarded as invalid and is referred to as *unconstitutional*. As shown in the diagram on the next page, a national constitution is the mother of all other forms of law, which form the legal system of a country.



a) Acts of Parliament

Acts of Parliament are the laws that are made by Parliamentarians. The national constitution cannot provide for every minute detail concerning how government institution function. An attempt to put all the details concerning how for example how the education system in Zimbabwe operates within the national constitution would make it very bulky and lengthy. Instead, Parliamentarians make a law, through a process that is technically referred to as *enactment*, creates a law such as the Education Act [Chapter 25:04] that addresses specific issues concerning the education system in Zimbabwe. It is important to remember that all Acts of Parliament should comply with the provisions of the national constitution.

b) Statutory Instruments

Statutory instruments are usually referred to using the abbreviation 'S.I.'. Statutory Instruments are a form of law made by statutory or government bodies to govern their day-to-day operations. For example, the Education Act we discussed above provides for a Ministry of Education which is the statutory or government institution entrusted with the administration of the education system in Zimbabwe. The Ministry of Education is then empowered to also make its own laws, which regulate in more details the operation of schools in Zimbabwe. Such laws made by the Ministry of Education are what is

referred to as Statutory Instruments. You should always remember that all statutory instruments should comply with Acts of Parliament as well as the national constitution.

c) By-Laws

By-Laws are usually a set of laws created by a municipal authority, council or any other government department. Within a statutory body, there may be different departments, which work to fulfil the purpose of the statutory body. These government departments can make by-laws to regulate their internal operations as well as their interaction with the public. By-laws must always be in line with Acts of Parliament and the national constitution.

2. WHAT IS CONSTITUTIONALISM?

Constitutionalism is the idea that the government's authority comes from the people and should be used and limited by a constitution. This means that the government and its different institutions do not just do whatever they want but must work in terms of what is written in the national constitution. A person who advocates for constitutionalism can be described as a constitutionalist. A constitutionalist supports the following two main principles of constitutionalism:

a) The Separation of Powers

The national constitution divides government into three elements namely,

- the Legislature,
- Judiciary and
- Executive.

These three branches of government should work separately.

The Legislature is made of Parliament, which as we discussed already, is responsible for making laws called Acts of Parliament.

The Judiciary is composed of the judges of the courts in Zimbabwe tasked with interpreting the law and making judgments concerning how the law should be understood and applied.

The Executive is led by the President and includes the police responsible for enforcing the law by arresting those who do not comply with the law.

The separation of powers of government helps to ensure that the state is run properly and that government authority or power is not concentrated in one government institution. By creating three separate elements of government, the three arms of government can *check and balance* each other. For example, if the Executive is doing something that goes against the constitution, the judiciary can make a judgement to order the Executive to stop doing what it was doing. Similarly, if the legislature makes a law that is contrary to the national constitution, the judiciary can rule that such a law is invalid because it is unconstitutional. Likewise, if the judiciary conducts itself in a manner that goes against the constitution, the Executive can hold it to account.

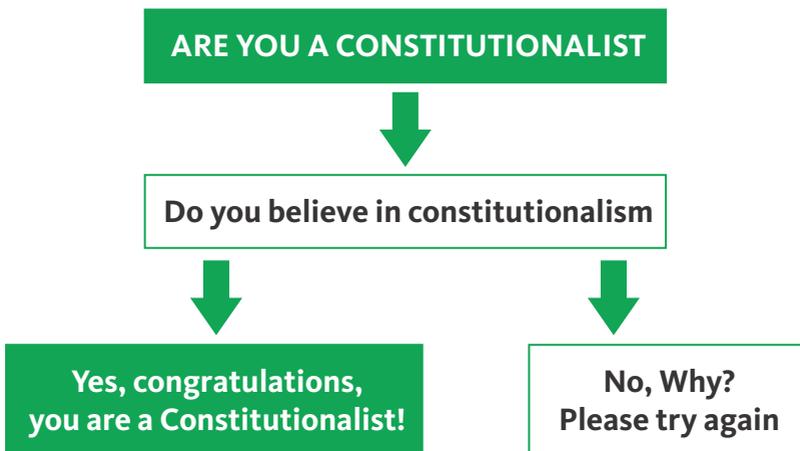
b) The Rule of Law

As we discussed earlier, the national constitution is the supreme law of the land. The rule of law principle goes further to state that the exercise of power by the government *should not be arbitrary* but should be based on the law. In addition to this, the rule of law principle also states that it is unfair to punish

someone for violating a law which was either not in existence when the person committed the acts they are being punished for. In this regard, laws must be clear and accessible to members of the public.

A simple example of the rule of law in practice can be seen in the manner in which school authorities deal with late-comers. Before punishing late-comers, the school authorities set rules, which specify the time when classes start. The school authorities also make sure that the time when school starts is the same for all students at the school, within the same class or sitting. All students are also informed of the time that has been set for classes to start.

After all these steps, if a student comes to the school after the time set for the commencement of classes, the school authorities can then classify the student as a late-comer and designate appropriate punishment for them violating the school rules. Similarly, within the state, laws should be created to apply equally to all people, are made public so that everyone knows then before anyone is arrested for violating the law.

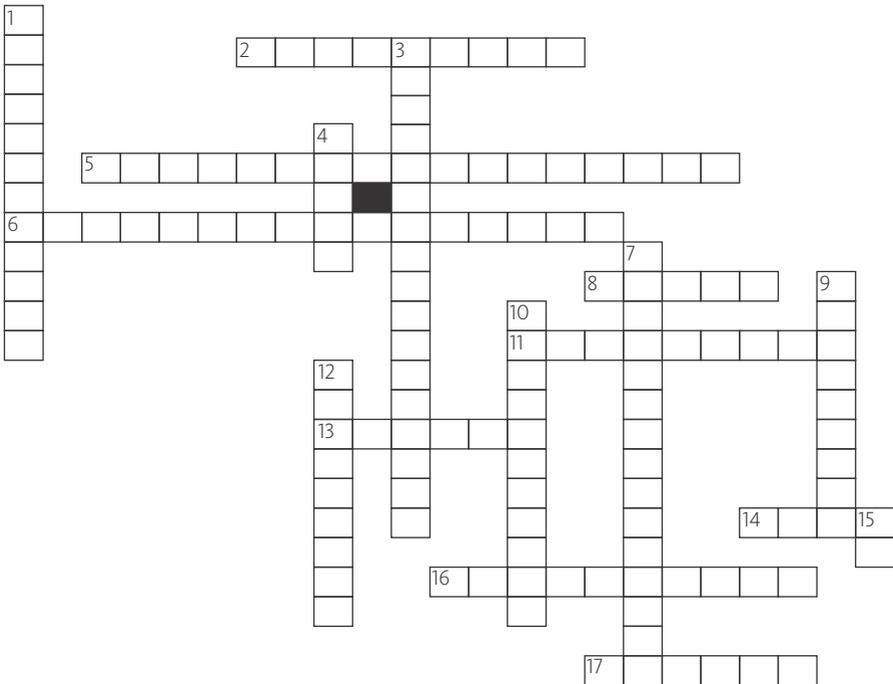


Cheat Sheets

In addition to the tips already provided above, here is a list of documents you can use as ‘*Cheat Sheets*’ to help you to solve the challenge at the end of this level:

- The Constitution of Zimbabwe
- A Citizen Guide to Understanding Constitutionalism in Zimbabwe (ZimRights)

The Constitution and Constitutionalism Challenge



Across

2. We interpret the law!
5. An advocate for constitutionalism
6. A term used to refer to laws that are contrary to the constitution
8. Number of elements of government
11. State arm responsible for enforcing laws
13. A set of laws created by a municipal authority, council or any other government department
14. Laws made by the Parliament
16. Another word for the legislature
17. Makers and owners of the national constitution

Down

1. The supreme law of the land
3. The idea that the government's authority comes from the people and should be used and limited by a constitution
4. Another word for government
7. Three words to describe why we need separation of powers (5-3-7)
9. Leader of the Executive arm of government
10. State arm responsible for making laws
12. In terms of the rule of law principle, the exercise of State power should not be...
15. Abbreviation of Statutory Instruments

**Solutions are provided at the end of the handbook*

LEVEL 1 (B)

THE CONSTITUTION AND CONSTITUTIONALISM



GOALS

- To understand how the Constitution of Zimbabwe was made.
- To be able to cite the provisions of a constitution properly.
- To know the key provisions of the Constitution of Zimbabwe.
- To be aware of how the Constitution of Zimbabwe can be amended.

INSTRUCTIONS

Study the tips provided below carefully before attempting the subsequent challenges. To proceed to the next level, all players must complete the challenge provided at the end of this level.

TIPS

1. HOW WAS THE CONSTITUTION OF ZIMBABWE MADE?

Before the adoption of the current Constitution of Zimbabwe, an old Constitution which had been a product of the *Lancaster House Conference of 1979* was in place. The old constitution had several problems and had to be amended *nineteen times*.

The development of the current Constitution of Zimbabwe was led by the *Constitution Parliamentary Committee (COPAC)*. COPAC was a committee of the Parliament of Zimbabwe that was entrusted with the responsibility to lead the drawing up a new constitution for Zimbabwe by the Government of National Unity (GNU) between 2009 and 2013. COPAC was established in April 2009 based on *Article VI of the Global Political Agreement (GPA)* which was signed on 15 September 2008.

a) Key steps involved in the development of the Constitution of Zimbabwe

The process leading up to the adoption of the Constitution of Zimbabwe involved 10 main steps which are summarised below:

Step 1

The signing of the GPA

The first major landmark in the constitution-making process was the signing of the GPA in September 2008. It set out the foundation for drafting a new constitution for Zimbabwe, requiring the process to be people-driven, people-owned, inclusive and democratic.

Step 2

Appointment of the Parliamentary Constitution Select Committee

In April 2009, the Parliamentary Constitution Select Committee (COPAC) was appointed to spearhead the process of coming with a new constitution for Zimbabwe. It is representative of the composition of parliament that is three main political parties that form the GPA- ZANU (PF), MDC-T and MDC and a chief. A Secretariat was also put in place to support the work of COPAC.

Step 3**The First All Stakeholder's Conference**

In July 2009, COPAC convened the First All Stakeholder's Conference. The conference brought together representatives of civil society organisations, political parties and other groups to decide how civil society would participate in the process and identifying issues that should be covered in the new constitution. A total of 17 thematic areas to be covered by the new Constitution were agreed upon. The following thematic areas were agreed:

- Founding Principles
- Arms of State
- Systems of Government
- Citizenship and Bill of Rights
- Women and Gender Issues
- Youth
- Disabled/disability
- Media
- War Veterans
- Land, Natural Resources and Empowerment
- Labour
- Elections, Transitional Mechanisms and Independent Commissions
- Executive Organs of the State (Public Service, Police Defence, Prison Commission)
- Public Finance
- Traditional Institutions and Customs
- Religion
- Languages and Culture

COPAC developed 26 talking points around the 17 thematic areas which were used to collect views from Zimbabweans on what should form the new Constitution.



Step 4

Outreach Consultation

Public consultation to gather the views of Zimbabweans started in June 2012 and were concluded in October 2010. A total of 4 943 meetings were held in all 1 957 wards. The outreach process was managed by 70 outreach teams with an average of 14 members in a team. 70% of the outreach team members were from civil society while 30% were from political parties. COPAC also received data from 52 institutions, special meetings with parliamentarians, children and people living with disabilities. Zimbabweans living in the diaspora contributed their views through the website.



Step 5

Data Uploading

The data uploading phase entailed converting data from hard copy into electronic format, filing all the data from the outreach process according to the different formats (hard copy, electronic, video, audio). This process also ensured that tight security was put in place to ensure views gathered from Zimbabweans were not tempered with.

Step 6**The Sitting of Thematic Committees**

The Sitting of Thematic Committees commenced on the 3rd of May 2011. The process entailed compiling and organizing data which was gathered during the outreach consultation as well as written and website submissions. The Thematic Committees were responsible for identifying common issues and classifying views submitted. They operated under guidance from the Select Committee.

In line with the spirit of inclusivity, representatives of political parties, civil society and chiefs formed the teams that worked on the Thematic Committees. Of these, 70% were from civil society while 30% were from political parties. Each of the Thematic Committees was supported by a researcher, a data analyst and an expert in constitutional affairs.

Step 7**Drafting of the new Constitution**

Three Principal Drafter assisted by 17 technical experts under the instructions of the Select Committee drafted the new constitution. Instructions to the drafters derived from the views received in the outreach process.

Step 8

The Second All Stakeholder’s Conference

Once the draft Constitution was in place, it was tabled to a Second All Stakeholder’s conference. The conference brought together representatives of different stakeholders to review and make recommendations on the draft Constitution.



Step 9

Draft Constitution debated in Parliament

After the Second All Stakeholder’s Conference, the Parliamentary Select Committee reported to Parliament on its recommendations over the content of the new Constitution for Zimbabwe and presented a draft constitution.



Step 10

The Referendum

The draft Constitution recommended by the Select Committee was submitted to a referendum. The referendum was a voting process by which Zimbabweans expressed whether they wanted the new Constitution or not. The referendum was held on 16 March 2013, and almost 95% of more than 3.3 million voters those who voted in the referendum approved the draft Constitution. This then led

to the Parliament of Zimbabwe enacting the approved draft constitution as the new Constitution on 9 May 2013.

www.kubatana.net

2. HOW DO WE CITE THE PROVISIONS OF THE CONSTITUTION OF ZIMBABWE?

The Constitution of Zimbabwe is divided into *eighteen Chapters*.

Each Chapter is divided into *Parts* and within the different Parts of the national constitution, specific provisions are ordered as *Sections* which are numbered consecutively throughout the entire constitution. It is also possible to find Sections divided into Sub-sections and *Sub-section* further divided into *Paragraphs*.

If you want to cite or make reference to a cluster of provisions within the national constitution you specify the Chapter or Part where such provisions are found. If you want to cite only a specific Section of the national constitution you do not necessarily need to refer to the Chapter or Part within which it is located, instead, you can just directly refer to the particular Section number. Correctly citing the provisions of any constitution is important because it allows others to be able to locate the provisions you are referring to.

As you read through the handbook try to locate the specific provisions of the Constitution Zimbabwe which are cited, so that you can get used to navigating your way through our national constitution.

3. WHAT ARE THE KEY PROVISIONS OF THE CONSTITUTION OF ZIMBABWE?

The Constitution of Zimbabwe is a very comprehensive document. It covers a lot of issues in its *eighteen Chapters*. Every Zimbabwean should take time to read through the national constitution to understand all its provisions. However, in summation some of the main provisions of the Constitution of Zimbabwe are listed below:

a) Preamble

The introductory section of a constitution is what is referred to as the '*Preamble*'. The Preamble of the Constitution of Zimbabwe starts with the following opening line, "*We the people of Zimbabwe*". This opening line is important as it signals that the national constitution was made by and belongs to all the people of Zimbabwe. The Preamble also tells of the country's history of the Chimurenga / Umvukela or national liberation struggles which gave birth to an independent Zimbabwe. In so doing, the Preamble of the Constitution of Zimbabwe honours the heroes and heroines who fought for the country's liberation. It also expresses our national pride arising from the richness of our natural resources and the vibrancy of our traditions and culture.

b) Bill of Rights

Another important provision in the Constitution of Zimbabwe is the Bill of Rights. *Chapter 4 of the Constitution* is what is called the *Bill of Rights*, which is a portion within the Constitution that lists all the human rights of Zimbabweans. The concept of human rights as well as the specific rights which all Zimbabweans have in terms of the Constitution will be discussed in Level 3.

c) The Three Arms of Government

As we discussed in Level 1, the principle of separation of powers calls for the creation of the *Legislature, Judiciary and Executive* as the *three arms of government*. In the same light, *Chapter 5* of the Constitution of Zimbabwe establishes the *Executive arm* of the state, which is led by the President and is responsible for enforcing the law. *Chapter 6* of the Constitution of Zimbabwe creates the second arm of government in the form of the *Legislature*. The Legislature as we already discussed is made of the Parliament of Zimbabwe. It is important to note that, the Parliament of Zimbabwe is divided into *two components*, namely, *the Senate and the National Assembly*. The Legislature is responsible for enacting laws in Zimbabwe. *Chapter 8* of the Constitution of Zimbabwe provides for the creation of the *Judiciary* which runs all the courts of law in Zimbabwe. The Judiciary is responsible for interpreting the law in Zimbabwe and ensuring that all laws are in line with the national constitution.

d) Independent Commissions

Besides the three arms of the state discussed above, the Constitution of Zimbabwe in Chapter 12 provides for what are called Independent Commissions. These are independent institutions created by the law to work independent from government influence or political control, to achieve specific national goals or purposes. Independent commissions are autonomous in their operations and only report to the Parliament of Zimbabwe. Independent commissions are there to serve and protect all Zimbabweans.

There are five Independent Commissions provided for in Chapter 12 of the Constitution of Zimbabwe and their names and respective functions are as listed on the next page:

- **Zimbabwe Electoral Commission (ZEC)** – addresses all concerns related to national elections in Zimbabwe.
- **Zimbabwe Human Rights Commission (ZHRC)** – deals with human rights violations and abuse of power by public officials.
- **Zimbabwe Gender Commission (ZGC)** – works to ensure gender equality.
- **Zimbabwe Media Commission (ZMC)** – focuses on issues concerning the media.
- **National Peace and Reconciliation Commission (NPRC)** – addresses past and current national conflicts as well as works to prevent conflicts and disputes from arising in the future.

The provisions of the Constitution of Zimbabwe discussed above are only a fraction of the several issues covered by our national constitution. As a result, every Zimbabwean needs to keep learning more about the rich provisions of our national constitution.

4. HOW CAN THE CONSTITUTION OF ZIMBABWE BE AMENDED?

The Constitution of Zimbabwe is a very important document its provisions are meant to last for several years. As a result, it is not easy to amend the national constitution. The term '*amend*' is a legal term used to describe any changes to subtract or add anything to the national constitution. If the proposed amendment to the constitution relates to Chapter 4 of the Constitution of Zimbabwe, which as we discussed above is the Bill of Rights, a referendum

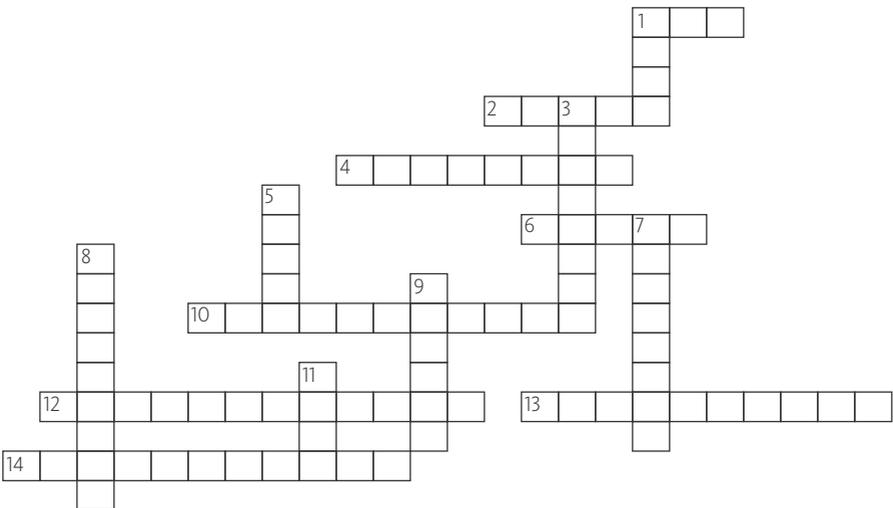
must be held for Zimbabweans to vote on whether or not they want the suggested amendment. However, if an amendment is proposed for any other section of the national constitution which is not Chapter 4, at least two-thirds of the members of Parliament must vote in favour of the suggested amendment for it to be approved.

Cheat Sheets

Besides the tips provided above, if you get stuck resolving the challenge that awaits you at the end of this Level, also read the following documents:

- The Constitution of Zimbabwe
- A Citizen Guide to Understanding Constitutionalism in Zimbabwe (ZimRights)
- A Citizens' Guide to Understanding the Zimbabwe Human Rights Commission (ZimRights)

The Constitution of Zimbabwe Challenge



Across

1. Acronym for the Chapter 12 commission responsible for ensuring gender equality in Zimbabwe.
2. Abbreviation of the Parliamentary Committee that led the making of the Constitution of Zimbabwe.
4. Total number of Chapters in the Constitution of Zimbabwe.
6. To add or subtract from provisions of the constitution.
10. The opening line of the Constitution of Zimbabwe (2-3-6).
12. A portion within the Constitution that lists all the human rights (4-2-6).
13. The voting process by which Zimbabweans expressed whether they wanted the new Constitution or not.
14. Type of commissions established in Chapter 12 of the Constitution of Zimbabwe.

Down

1. Acronym for the Chapter 12 commission responsible for dealing with human rights violations and abuse of power by public officials.
3. The introductory section of a constitution.
5. Chapter of Constitution of Zimbabwe that provides for the creation of the Judiciary.
7. Number of times the old constitution of Zimbabwe was amended.
8. Fraction of the total number of members of Parliament required to amend provisions of the constitution except Chapter 4.
9. One of the two components of the Parliament of Zimbabwe.
11. Total number of commissions established in Chapter 12 of the Constitution of Zimbabwe.

**Solutions are provided at the end of the handbook*

LEVEL 2

CHILDREN'S RIGHTS



GOALS

- To understand the concept of human rights.
- To know the key characteristics of human rights.
- To be aware of human rights provided in Bill of Rights within the Constitution of Zimbabwe.
- To know the rights of children protected within the Constitution of Zimbabwe.
- To be aware of the main international and regional human rights instruments that protect the rights of children.

INSTRUCTIONS

Study the tips provided below carefully before attempting the subsequent challenges. To proceed to the next level, all players must complete the challenge provided at the end of this level.

TIPS

1. WHAT ARE HUMAN RIGHTS?

Human rights are *basic entitlements* which we all have simply because we exist as human beings. We all have these rights because of our inherent human dignity, regardless of nationality, sex, national or ethnic origin, colour, religion, language, or any other status.

Inherent human dignity means the value we all have because we are human.

2. WHAT IS THE STATE SUPPOSED TO DO CONCERNING HUMAN RIGHTS?

The rights which all citizens have, give rise to three main obligations for the government to:

- **Respect** – this means that the State should not interfere and disturb citizens from enjoying their rights.
- **Protect** – this means that the State must protect citizens and communities against violation of their rights.
- **Fulfil** – this means that the State must take real steps and actions that are aimed at ensuring that citizens enjoy their rights.

3. WHAT ARE THE CHARACTERISTICS OF HUMAN RIGHTS?

By their very nature human rights bear the following five characteristics:

- **Universal** – this means that all people all over the world are all equally entitled to the same human rights.
- **Inalienable** – this means that human rights may not easily be taken away unless the law provides for it. For example, a person who has been found guilty by a court of law can be sentenced to imprisonment and therefore have their right to liberty restricted. It is important to note though that, even when a person has been arrested it doesn't mean that they lose all their rights. An arrested person's rights are limited only to the extent necessitated by their condition of detention and incarceration.

- **Interconnected** – this means that all human rights are linked, such that, the fulfilment or violation of one right affects the fulfilment of other rights as well.
- **Indivisible** – this means that no right can be treated in isolation from other rights. No one right is more important than others but all rights carry equal value.
- **Non-discriminatory** – this means that all human rights should be enjoyed by all persons without any distinction, exclusion, restriction, or preference based on race, colour, age, national or ethnic origin, language, religion, sex, or any other status.

4. WHAT ARE THE DIFFERENT TYPES OF HUMAN RIGHTS?

Human rights can be grouped into three main classes. It is important to note that the classification of rights is not meant to serve as a reflection of the comparative value and importance of the rights concerned. All human rights bear equal value. The classification of human rights into different types arises from their nature of issues which they address and also from the order in which the different rights were recognised at the international level. As such, human rights can be put within three main classes:

i. Civil and Political Rights

These are rights which mostly deal with physical and civil security. Civil and political rights are mainly aimed to protect the individual from the state and are meant to ensure that people are allowed to participate freely in civil and political life. Example of civil and political rights include freedom from

torture, slavery, inhumane treatment and arbitrary arrest; and freedom of thought, conscience, and religion; freedom of assembly and association.

ii. Economic, Social, and Cultural Rights

These are rights that relate to the provision of services and social needs required for people to live a decent life. Examples of such rights include the right to work, the right to food and water, the right to housing, and the right to education.

iii. Group/Collective Rights

Whereas most of the rights listed above are held and enjoyed individually, group rights affect people as a collective. Examples of such rights include peoples' right to self-determination; economic, social and cultural development; general satisfactory environment; national and international peace and security.

5. WHAT ARE THE SOURCES OF HUMAN RIGHTS?

Human rights are protected at *three levels*, namely, *the international, continental and national levels* as shown below:

- **International level** – human rights are provided and protected by the United Nations covenants, which are agreements that bind States. Key UN human rights instruments include the Universal Declaration of Human Rights; International Covenant on Economic, Social and Cultural Rights; and International Covenant on Civil and Political Rights.

- **Continental Level** – the human and peoples' rights of all African people are guaranteed in the African Charter on Human and Peoples' Rights and other instruments which bind all African States.
- **National Level** – the rights of all Zimbabweans are recognised in terms of the Constitution of Zimbabwe Amendment (No.20) Act 2013. Chapter 4 of the Constitution is what is called the Bill of Rights, which is a portion within the Constitution that lists all the rights of Zimbabweans. The Bill of Rights in the Constitution of Zimbabwe includes the following rights:



- Right to life
- Right to personal liberty
- Rights of arrested and detained persons
- Right to human dignity
- Right to personal security
- Freedom from torture or cruel, inhuman or degrading treatment or punishment
- Freedom from slavery or servitude
- Access to information
- Freedom of assembly and association
- Freedom to demonstrate and petition
- Freedom of conscience
- Freedom of expression and freedom of the media
- Language and culture
- Freedom of profession, trade or occupation
- Labour rights
- Freedom from arbitrary eviction
- Right to education
- Right to health care



- Right to food and water
- Rights of women
- Rights of children
- Rights of the elderly
- Rights of persons with disabilities
- Rights of veterans of the liberation struggle
- Equality and non-discrimination
- Right to privacy
- Freedom from forced or compulsory labour
- Freedom of movement and residence
- Political rights
- Right to administrative justice
- Right to a fair hearing
- Rights of accused persons
- Property rights
- Rights to agricultural land
- Environmental rights
- Marriage rights

6. CHILDREN'S RIGHTS

Children's rights are protected at all the three levels discussed above, namely the international, continental and domestic levels international level. A child in terms of the law is every boy and girl under the age of eighteen years.

a) Children's Rights at the International Level

At the international level, the rights of children are protected by *the United Nations Convention on the Rights of the Child (UNCRC)*. The UNCRC provides the following:

- **Survival Rights:** include the child's right to life and the needs that are most basic to existence, such as nutrition, shelter, an adequate living standard, and access to medical services.
- **Development Rights:** include the right to education, play, leisure, cultural activities, access to information, and freedom of thought, conscience and religion.
- **Protection Rights:** ensure children are safeguarded against all forms of abuse, neglect and exploitation, including special care for refugee children; safeguards for children in the criminal justice system; protection for children in employment; protection and rehabilitation for children who have suffered exploitation or abuse of any kind.
- **Participation Rights:** encompass children's freedom to express opinions, to have a say in matters affecting their own lives, to join associations and to assemble peacefully. As their capacities develop, children should have increasing opportunity to participate in the activities of the society, in preparation for adulthood.

The UNCRC also includes four '*general principles*' relating to children which are as follows:

- that all the rights guaranteed by the UNCRC must be available to all children without discrimination of any kind (article 2);
- that the best interests of the child must be a primary consideration in all actions concerning children (article 3);

- that every child has the right to life, survival and development (article 6); and
- that the child's view must be considered and taken into account in all matters affecting him or her (article 12).

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b) Children's Rights at the Continental Level

In the African continent, the rights of children are guaranteed by the African Charter on the Rights and Welfare of the Child (African Children's Charter). The African Children's Charter provides for the following:

- **Rights of Children** – the rights of children provided in the African Children's Charter include:
 - the right to non-discrimination (article 3);
 - the right to life (article 5);
 - the right to a name, nationality and to be registered at birth (article 6);
 - the freedom of expression (article 7);
 - the right to religion (article 9);
 - the right to privacy (article 10);
 - the right to education (article 11);
 - the right of every mentally or physically disabled child to receive special measures of protection (article 3);
 - the right to health (article 14);
 - the freedom from torture (articles 16 and 17);
 - the right to parental care and protection (article 19).

- **General Principles** – the best interest of the child shall be the primary consideration in all actions concerning the child (article 4[1]);
 - a child's view is to be heard and taken into consideration in all judicial and administrative proceedings affecting a child (article 4[2]);
 - protecting children from economic and sexual exploitation (articles 15 and 27);
 - special protection is to be accorded to children in relation to the administration of juvenile justice, (article 17);
 - material assistance is to be given to parents and legal guardians in relation to a child's nutrition, health, education, clothing and housing (article 20);
 - elimination of harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child (article 21);
 - protecting children from being recruited to fight in armed conflict (article 22);
 - protecting internally displaced and refugee children (article 23);
 - and the prevention of abduction, sale of, or trafficking in children (article 29).

- **Responsibilities of Parents** - parents and other persons entrusted with the upbringing and development of children have three main responsibilities, which are namely:

- i. to ensure that the best interests of the child are their basic concern at all times;
- ii. to secure, within their abilities and financial capacities, conditions of living necessary to the child's development;
- iii. to ensure that domestic discipline is administered with humanity and in a manner consistent with the inherent dignity of the child.

- **Responsibilities of Children (article 31)** – children do not only have rights but they also have responsibilities towards their families, communities, society and the State. The six responsibilities of children stated in the African Children's Charter are the following:
 - to work for the cohesion of the family, to respect their parents, superiors and elders at all times and to assist them in case of need;
 - to serve the national community by placing their physical and intellectual abilities at its service;
 - to preserve and strengthen social and national solidarity;
 - to preserve and strengthen African cultural values in their relations with other members of the society, in the spirit of tolerance, dialogue and consultation and to contribute to the moral well-being of society;
 - to preserve and strengthen the independence and the integrity of their country; and
 - to contribute to the best of their abilities, at all times and all levels, to the promotion and achievement of African Unity.

c) Children's Rights at the National Level

The Constitution of Zimbabwe also protects the rights of children, provides general principles relating to how children should be treated and establishes what the government must do to ensure that children enjoy their rights. A law made by the Parliament of Zimbabwe called the *Education Amendment Act, 2020* also provides for some specific rights relating to education.

- **Rights of Children** - the rights of children in Zimbabwe are provided in *section 81* of the Constitution of Zimbabwe. In terms of the national constitution, a child is, as we already discussed above, *every boy and girl under the age of eighteen years*. The rights of children provided in section 81 of the Constitution of Zimbabwe include the following rights:
 - i. to equal treatment before the law, including the right to be heard;
 - ii. to be given a name and family name;
 - iii. to be provided promptly with a birth certificate;
 - iv. to family or parental care, or appropriate care when removed from the family environment;
 - v. to be protected from economic and sexual exploitation, from child labour, and maltreatment, neglect or any form of abuse;
 - vi. to education, health care services, nutrition and shelter;
 - vii. not to be recruited into a militia force or take part in armed conflict or hostilities;
 - viii. not to be compelled to take part in any political activity; and

ix. for children found to have violated the law, to be detained for the shortest appropriate period, to be detained separately from adults, and to be treated in a manner and kept in conditions, that take account of the child's age

- **General Principles** - section 81 of the Constitution of Zimbabwe also states in all matter involving the best interest of the child shall be the most important consideration. To guarantee that the best interests of children upheld, the national constitution provides that the High Court of Zimbabwe is the upper guardian of all children. The High Court of Zimbabwe together with other courts work to ensure that children are protected by the law.
- **Responsibilities of the government** - the duties or responsibilities of the government of Zimbabwe concerning children's rights are provided in section 19 of the Constitution of Zimbabwe. These responsibilities are for the government to ensure that:
 - i. the best interests of the child are of primary importance in all its policies and measures.
 - ii. children enjoy family or parental care, or appropriate care when removed from the family environment.
 - iii. children have shelter and basic nutrition, health care and social services;
 - iv. children are protected from maltreatment, neglect or any form of abuse;

- v. children have access to appropriate education and training;
- vi. children are protected from exploitative labour practices; and
- vii. children are not forced to work that is inappropriate for their age or places at risk the children's well-being, education, physical or mental health or spiritual, moral or social development.

- **Specific Rights relating to Education** – section 75 of the Constitution of Zimbabwe provides that every Zimbabwean has the right to basic State-funded education. Building on this right to basic State-funded education, the Parliament of Zimbabwe created the Education Amendment Act, 2020 defines '*basic education*' as education from early childhood education up to the fourth form and also provides the following rights that relate to education:
 - i. The government is supposed to provide sanitary ware and other menstrual health facilities to girls in all schools to promote menstrual health.
 - ii. Every child is entitled to compulsory basic state-funded education, (this is subject to the government having enough resources) and any parents who deny their child access to basic state-funded education shall be arrested for committing a criminal offence.
 - iii. No child in government and private schools should be excluded from school on the basis of pregnancy. This is not an encouragement for girls to fall pregnant! It is

meant to allow an opportunity for girls who unfortunately fall pregnant to continue with their education.

iv. School authorities should discipline children in a manner that respects the human dignity of pupils and does not amount to physical or psychological torture, or cruel, inhuman or degrading treatment.

v. Schools and the state must provide infrastructure and other facilities required by learners with a disability.

vi. Pupils should not be excluded from school because of the non-payment of school fees.

ARE YOU A CHILD RIGHTS DEFENDER?



**Do you believe in children's rights
and are you willing to act to
promote your rights and
that of others?**



**Yes, congratulations, you
are a Child Rights Defender!**



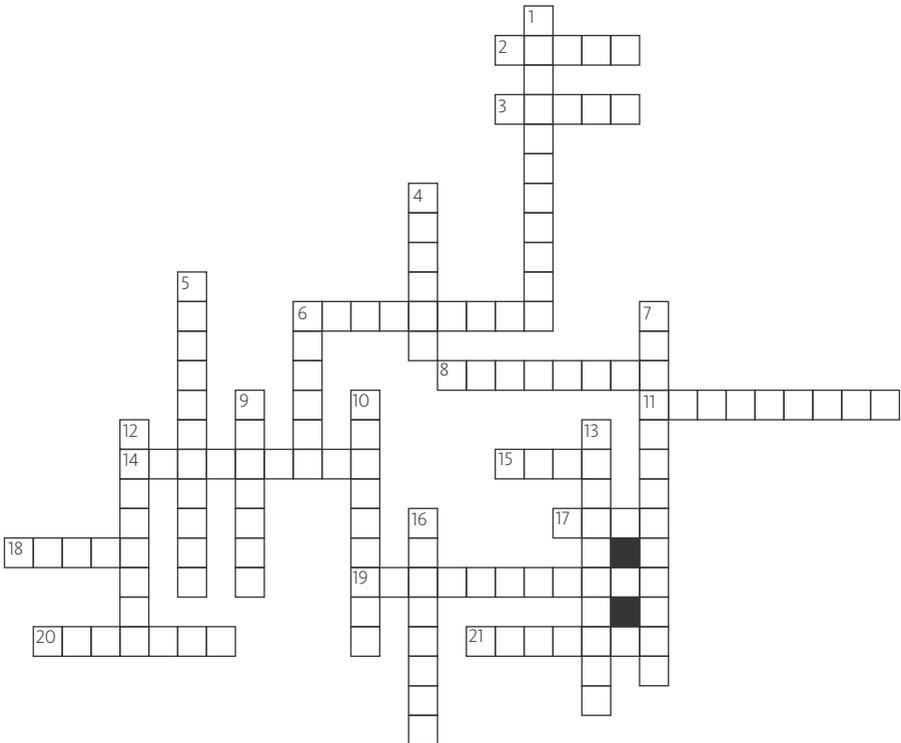
**No, Why?
Please try again.**

Cheat Sheets

Besides the tips provided above, if you get stuck resolving the challenge that awaits you at the end of this Level, also read the following documents:

- United Nations Convention on the Rights of the Child (UNCRC).
- African Charter on the Rights and Welfare of the Child.
- The Constitution of Zimbabwe.
- The Education Amendment Act, 2020.

The Children's Rights Challenge



Across

2. Abbreviation for the main United Nations instrument that protects the rights of children.
3. One type of human rights is ... and political rights.
6. The section which provides children's rights in the Constitution of Zimbabwe.
8. Children have responsibilities to their ...communities, society and the State.
11. Article...(6-3) of the African Children's Charter provides for the responsibilities of children.
14. One of the five characteristics of human rights.
15. Parents and the family should provide ... to the child.
17. Every Zimbabwean child has the right to a ...
18. Every boy and girl under the age of eighteen years.
19. Every Zimbabwean child has a right to be provided promptly with a birth...
20. The discipline of children should respect the human ... of children.
21. One word to describe the State's duty not to interfere with the enjoyment of rights by its citizens.

Down

1. This means that no right can be treated in isolation from other rights.
4. Basic education is from early childhood education up to the ... form.
5. Basic entitlements for all human beings (5-6).
6. Besides their parents, children should also respect superiors and...
7. The...(4-9) of the child is the primary consideration in all matters that concern children.
9. The rights of children include the right to ...
10. The Constitution of Zimbabwe protects children from being forced to participate in ... activities.
12. The High Court of Zimbabwe is the upper... of all children in Zimbabwe.
13. A child found to violate the law should be detained... from adults.
16. Parents who deny their child access to basic state-funded education can be ...

**Solutions are provided at the end of the handbook*

LEVEL 3

GENDER EQUALITY



GOALS

- To understand the concepts of gender and gender equality.
- To be aware of the main international and regional human rights instruments that protect the rights of women and girls.
- To be aware of the key provisions of the Constitution of Zimbabwe that protect the rights of women and girls.

INSTRUCTIONS

Study the tips provided below carefully before attempting the subsequent challenges. To proceed to the next level, all players must complete the challenge provided at the end of this level.

TIPS

1. WHAT IS GENDER?

Even though gender is based on sex, the two terms mean different things. *Sex* refers to the biological differences which relate to one being female or male. *Gender* goes beyond just looking at a person as a girl or boy, woman or man, to also include the social roles assigned to people based on their sex.

2. WHAT IS GENDER DISCRIMINATION?

Discrimination refers to the unjust or prejudicial treatment of different categories of people especially on the grounds of race, age, sex, or disability. Gender discrimination is a form of discrimination that is characterised by the unequal treatment or perceptions of individuals based on their gender. According to the United Nations, Women and girls represent half of the world's population and, therefore, also half of its potential. However, in most societies, including in Zimbabwe women and girls are not treated as equals to their male counterparts. This is wrong!

3. WHAT IS GENDER EQUALITY?

According to the United Nations, gender equality is not only a fundamental human right but is also a necessary foundation for a peaceful, prosperous and sustainable world. *Gender equality* refers to the state of equal access to resources and opportunities by both girls and boys, men and women. Gender equality also calls for the involvement and equal participation of all people regardless of gender in education, economic activities, decision-making, leadership and all other aspects of life.

4. WHAT DOES THE CONSTITUTION OF ZIMBABWE SAY ABOUT GENDER EQUALITY?

The Constitution of Zimbabwe in section 3(1) (g), provides that gender equality is one of the founding values and principles upon which Zimbabwe is formed. This shows how important gender equality is for our nation to prosper. Section 17 of the Constitution of Zimbabwe also emphasizes the need for full gender balance in the Zimbabwean society which should be achieved by ensuring that:

- i. women (this includes girls) fully participate in all spheres of Zimbabwean society based on equality with men or boys;
- ii. both genders are equally represented in all institutions and agencies of government at every level;
- iii. women constitute at least half the membership of all Commissions and other elective and appointed governmental bodies established by or under this Constitution or any Act of Parliament; and
- iv. women have access to resources, including land, based on equality with men.

5. WHAT THE RIGHTS OF WOMEN AND GIRLS?

Women and girls are entitled to all the right enjoyment by their male counterparts. However, in addition to enjoying the same rights as everyone else, women and girls also have specific rights which are aimed at rectifying and presenting gender discrimination and imbalances. *These rights of women and girls are human rights and should be everyone's concern!*

The rights of women and girls are protected at all the three levels discussed above, namely the international, continental and domestic levels international level.

a) The Rights of Women and Girls at the International Level

At the international level, the rights of women and girls children are protected by the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) which applies to women of all ages to also include girls. Girls are also protected by the UNCRC which we discussed above, that protects all children. CEDAW provides the following:

Rights of Women and Girls Internationally

CEDAW in Article 1-16 provides for rights of women as well as what governments must do to end discrimination against girls and women. The rights of women include:

- i. the right to vote and join and form political organisations (article 7);
- ii. the right of women to represent the country at international level (article 8);

- iii. equal rights with men to keep and change their nationality and to grant their nationality to their children (article 9);
- iv. right to access to education opportunities for women and girls equal to that afforded to men and boys (article 10);
- v. Women have an equal right to work with men, which includes pay, promotions, training, health and safety (article 11);
- vi. the right to family planning services (article 12);
- vii. the right to family benefits, bank loans and to participate in recreational activities, sports and all aspects of cultural life (article 13);
- viii. protection from discrimination of rural women (article 14);
- ix. the right of women to be treated equally before the law (article 15); and
- x. the right to be treated as equals with their husbands in marriage, childcare and family life.

b) The Rights of Women and Girls at the Continental Level

The importance of the rights of women and girls is recognised in Africa. African states have adopted the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, which is popularly known as the '*Maputo Protocol*' because it was adopted in Maputo, Mozambique.

The Maputo Protocol specifically states that the rights of women also apply to girls. It also provides most of the rights already found in CEDAW and adds the following rights which are particularly relevant to women and girls in Africa:

Rights of Women and Girls in Africa

The rights of women and girls provided in Maputo Protocol include but are not limited to the following:

- i. the right to dignity and protection of women from all forms of violence, particularly sexual and verbal violence (article 3);
- ii. the right to life and access to rehabilitation and reparation for victims of violence against women (article 4);
- iii. the right to protection from all forms of harmful cultural practices (article 5);
- iv. protection from child marriages which occur when a person under the age of eighteen years is married (article 6);
- v. the right to equality before the law and equal protection and benefit of the law (article 8);
- vi. the right to participate as equals with men in political activities and decision-making processes (article 9);
- vii. the right to a peaceful existence and the right to participate in the promotion and maintenance of peace (article 10);
- viii. the right to education and training (article 12);
- ix. the right to equal opportunities in work and career advancement and other economic opportunities;
- x. the right to health of women, including sexual and reproductive health (article 14);
- xi. the right to nutritious and adequate food as well as access to clean drinking water (article 15)
- xii. the right to equal access to housing (article 16); and the right of women with disabilities to freedom from violence, including sexual abuse, discrimination based on disability and the right to be treated with dignity (article 23).

c) The Rights of Women and Girls at the National Level

The Constitution of Zimbabwe in section 56 states that women and men have the right to equal treatment, including the right to equal opportunities in the political, economic, cultural and social sphere. This means that women and girls enjoy equally all the human rights of Zimbabweans discussed earlier. In addition to the rights enjoyed by all Zimbabweans, the national constitution also provides for the following specific rights of women and girls:

Rights of Women and Girls in Zimbabwe

Section 27 of the Constitution of Zimbabwe provides for the right of girls to be afforded the same opportunities as boys to obtain an education at all levels.

Section 65 of the national constitution also states that women and men have the right to equal pay for equal work done and that women also have the rights to fully paid maternity leave for a period of at least three months.

Section 80 of the Constitution of Zimbabwe also provides for the rights of women and girls, which in addition to the same rights enjoyed by all citizens discussed above, also include:

- i. recognition of the full and equal dignity of women with men;
- ii. equal opportunities for women in political, economic and social activities;
- iii. the rights of women to custody and guardianship of children; and
- iv. protection from all laws, customs, traditions and cultural practices that infringe the rights of women.

6. WHY SHOULD EVERYONE BE CONCERNED ABOUT GENDER EQUALITY AND THE RIGHTS OF WOMEN AND GIRLS?

According to the United Nations Children’s Fund (UNICEF), when girls and women exercise their rights, it benefits everyone, including boys and men. Educated, healthy and skilled girls and women, and also boys and men, come together to build a better future for themselves, their families, communities and nations.

Also, as discussed above, all human rights are *interrelated and interdependent* which means the violation of the rights of women and girls also leads to violation of the human rights of all people. Men and boys should therefore not ignore the rights of women and girls because a progressive society can only be possible when the rights of both women and men, girls and boys are protected, respected and fulfilled.

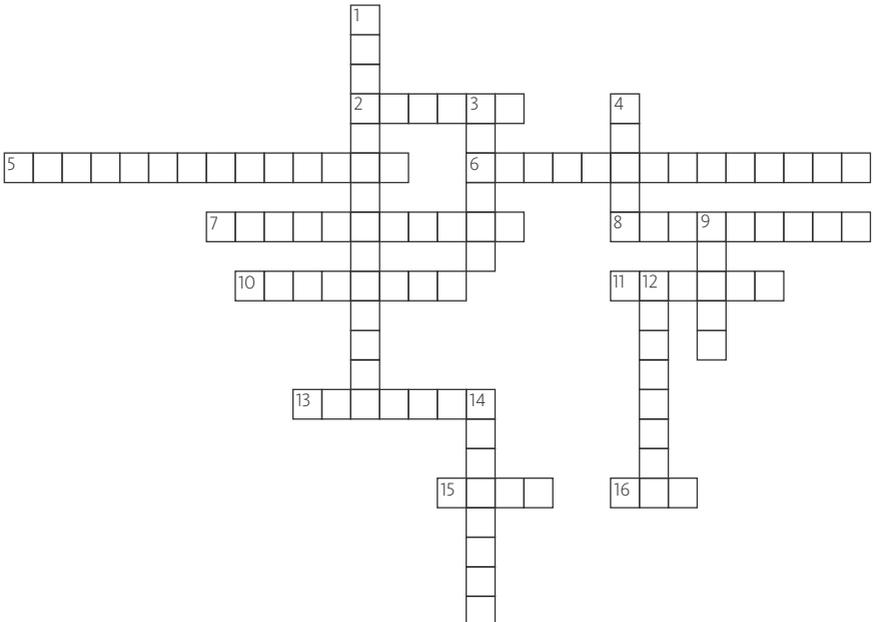


Cheat Sheets

Besides the tips provided above, if you get stuck resolving the challenge that awaits you at the end of this Level, also read the following documents:

- The Constitution of Zimbabwe.
- Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

The Gender Equality Challenge



Across

2. Abbreviation for the United Nations Children's Fund.
5. The unjust or prejudicial treatment of different categories of people.
6. The state of equal access to resources and opportunities by both girls and boys, men and women (6-8).
7. The rights of women and girls are ... (5-6).
8. Section 27 of the Constitution of Zimbabwe provides for the right of girls to ..
10. Child marriages occur when a person under the age of ... years is married.
11. The social roles assigned to people based on their sex.
13. Section 17 of the Constitution of Zimbabwe emphasizes the need for full gender ...
15. In terms of the Constitution of Zimbabwe, women should constitute at least ... of the membership of all state institutions.
16. The biological differences which relate to one being female or male.

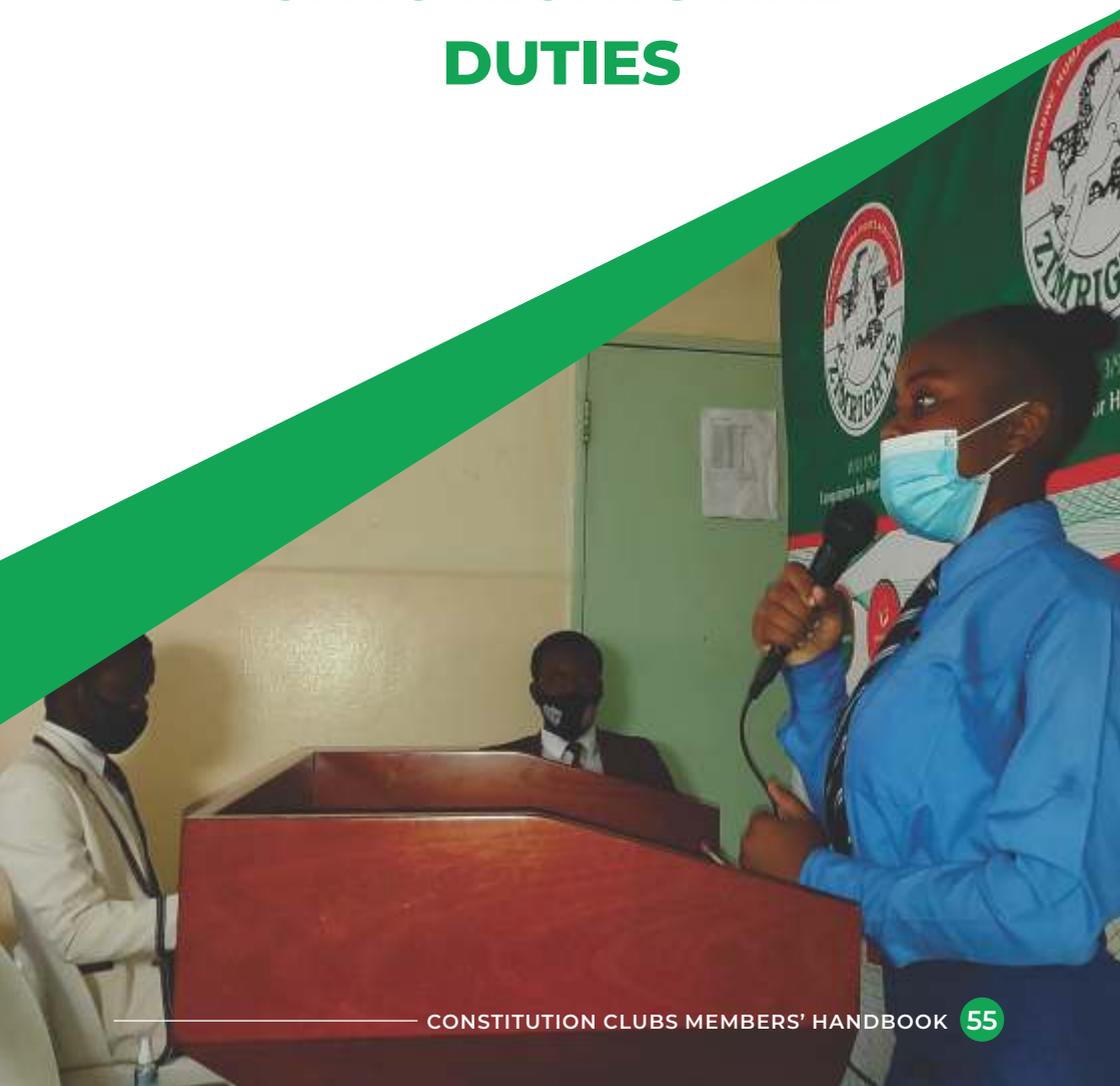
Down

1. Protocol A popular name given to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (6-8).
3. Section ... of the Constitution of Zimbabwe is specifically focused on the rights of women.
4. Number of levels at which the rights of women and girls are protected.
9. Abbreviation for the Convention on the Elimination of All Forms of Discrimination against Women.
12. Who should be concerned about the rights of women and girls.
14. Women have a right to ... (5-3) for equal work done.

**Solutions are provided at the end of the handbook*

LEVEL 4

CIVIC RIGHTS AND DUTIES



GOALS

- To understand what it means to be a Zimbabwean Citizen.
- To be aware of civic rights and duties of all Zimbabweans provided in the Constitution of Zimbabwe.
- To know what it means to be *an active citizen*.

INSTRUCTIONS

Study the tips provided below carefully before attempting the subsequent challenge. To proceed to the next level, all players must complete the challenge provided at the end of this level.

TIPS

1. WHAT IS A CITIZEN?

A citizen is a person who belongs to a particular country, is protected by the laws of that country and is granted full rights and responsibilities as a member of the nation or community.

2. HOW DOES ONE BECOME A ZIMBABWEAN CITIZEN?

In terms of section 35 of the Constitution of Zimbabwe, a person can become a Zimbabwean citizen through any one of the following three ways:

- **Birth** - this means that if you are born in Zimbabwe or outside Zimbabwe by Zimbabwean parents, you qualify to be a Zimbabwean citizen. The national constitution also grants citizenship by birth to any children below fifteen years of age found in Zimbabwe, whose parents are unknown.

- **Descent** - this means that, if either your parents or any of your grandparents are Zimbabweans, you also qualify to be a Zimbabwean citizen.
- **Registration** - this means that any person can apply to be registered as a Zimbabwean citizen if they have been married to a Zimbabwean for at least five years or has lawfully stayed in Zimbabwe for at least ten years or if the person is a child that is adopted by a Zimbabwean citizen.

3. WHAT ARE THE RIGHTS OF CITIZENS?

All Zimbabwean citizens are entitled to enjoy all the rights provided in the Bill of Rights of the Constitution of Zimbabwe, discussed earlier.

Zimbabwean citizens should enjoy these rights regardless of race, colour, tribe, place of birth, ethnic or social origin, language, class, religious belief, political affiliation, opinion, custom, culture, sex, gender, marital status, age, pregnancy, disability or economic or social status, or whether they were born in or out of wedlock.

In addition to the rights already discussed earlier, all Zimbabwean citizens have specific rights which directly relate to them being citizens and these are referred to as *civic rights*.

a) The Civic Rights of Zimbabweans

The civic rights of all Zimbabweans include the right to:

- i. the protection of the State wherever they may be;
- ii. passports and other travel documents; and
- iii. birth certificates and other identity documents issued by the State.

b) The Political Rights of Zimbabweans

As we discussed earlier, in terms of *Section 81(1)(h)* of the Constitution of Zimbabwe, every child has the right not to be compelled to take part in any political activity. However, when a Zimbabwean citizen becomes eighteen years of age, they become entitled to the *political rights* which are listed in *section 67* of the Constitution of Zimbabwe. The political rights of Zimbabwean citizens include the right:

- i. to free, fair and regular elections;
- ii. to make political choices freely;
- iii. to form, to join and to participate in the activities of a political party or organisation of their choice;
- iv. to campaign freely and peacefully for a political party or cause;
- v. to participate in peaceful political activity;
- vi. to vote in all elections and referendums to which this Constitution or any other law applies, and to do so in secret; and
- vii. to stand for election for public office and, if elected, to hold such office.

c) Is there Political Space for children?

Even though children cannot vote or contest in elections, they still have space to contribute to how their country is governed. This is because children still enjoy the rights to the:

- right to freedom of assembly and association (*section 58*),
- right to demonstrate and to present petitions (*section 59*);
- freedom of conscience (*section 60*),
- freedom of expression (*section 61*), and
- the right to access to information (*section 62*) provided in the Constitution of Zimbabwe for all Zimbabwean citizens.

These rights create political space for children to actively engage with the State and any other stakeholders concerning issues that affect them, their families and their communities. This means that children also enjoy the right stated in *section 67(d)* of the Constitution of Zimbabwe, to participate, individually or collectively, in gatherings or groups or in any other manner, in peaceful activities to influence, challenge or support the policies of the Government or any political or whatever cause.

4. WHAT ARE THE DUTIES OF CITIZENS?

"Ask not what your country can do for you, ask what you can do for your country!" (J.F.Kennedy)

Zimbabwean citizens do not only have rights but also have responsibilities or duties. The duties of Zimbabwean citizens are provided in section 35 (4) of the Constitution of Zimbabwe and are listed as follows:

- i. to be loyal to Zimbabwe;
- ii. to observe this Constitution and to respect its ideals and institutions;
- iii. to respect the national flag and the national anthem; and
- iv. to the best of their ability, to defend Zimbabwe and its sovereignty.

5. WHAT DOES IT MEAN TO BE AN ACTIVE CITIZEN?

An active citizen is a citizen who actively takes responsibility and initiative in areas of public concern. An active citizen does not only care about themselves but is also concerned about the well-being of others, the environment, their community and the society. An active citizen is committed to improving the quality of life of those around them.

6. WHAT DOES AN ACTIVE CITIZEN DO?

An active citizen does the following:

- **Cares** – being an active citizen means that you care about those around you and your community. An active citizen does not ignore issues which affect their community but has an active interest in what is going on in their community. They care enough to take action to improve their well-being and that of their neighbours and peers. At school, an active citizen looks out for their welfare as well as that of other students and teachers at the school. In communities, active citizens care about the standard of life of those living in their area.
- **Volunteers** – an active citizen is always ready and willing to help those in need. An active serves their community willingly. As an active citizen, you can volunteer to help at a local orphanage, assist a local organisation working to achieve a good cause, clean up your environment by picking up litter, plant trees in your local community, help the elderly in your area, or provide any other service needed within your community.
- **Participates** – an active citizen participates in democratic and developmental community processes. This means that if a citizen is of age, they should actively participate in national elections by voting or contesting as a candidate. As already discussed above, even though children cannot vote or contest in elections, they can also be active citizens who participate in national processes. For example, children can share their views concerning laws and government policies during policy consultations within their communities. Children can also write and petition the Parliament of Zimbabwe, the Chapter 12 Independent Commissions we discussed above, or any other government institution to express their concerns.

- **Leads** – an active citizen leads and mobilises their peers to collectively take action aimed at addressing issues affecting their community. Children can organize themselves to provide a service to their community or to collectively express their concerns relating to issues affecting them. This does not mean that an active citizen is just an agitator or a person who simply urges others to protest or rebel. Instead, an active citizen, provides responsible leadership, which is based on integrity, the inclusion of the views of others and willingness to resolve issues amicably and efficiently.

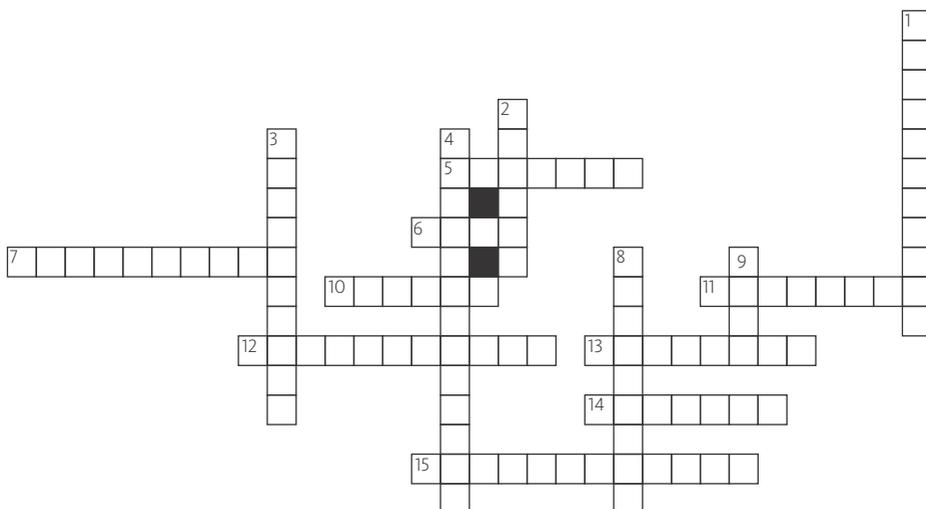


Cheat Sheets

Besides the tips provided above, if you get stuck resolving the challenge that awaits you at the end of this Level, also read the following documents:

- The Constitution of Zimbabwe.

The Civic Rights and Duties Challenge



Across

5. A person who belongs to a particular country and is protected by the laws of that country.
6. A foreigner has to be married to a Zimbabwean for at least... years to be granted citizenship.
7. Freedom protected in section 61 of the Constitution of Zimbabwe.
10. The ... of Zimbabwean citizens are provided in section 35 (4) of the Constitution of Zimbabwe.
11. A travel document which all Zimbabwean citizens have a right to get from the State.
12. Type of leadership that is based on integrity.
13. Age at which a person is allowed to vote in Zimbabwe.
14. Any child in Zimbabwe below this age, whose parents are unknown, can be granted citizenship.
15. One of the three ways a person can become a Zimbabwean citizen.

Down

1. Specific rights which directly relate to one being a citizen (5-6)
2. All Zimbabweans have a duty to respect the national...
3. Provides a service to one's community or helps at a local orphanage.
4. A citizen who takes responsibility and initiative in areas of public concern (6-7).
8. Type of rights provided in section 67 of the Constitution of Zimbabwe.
9. Concern for oneself or community.

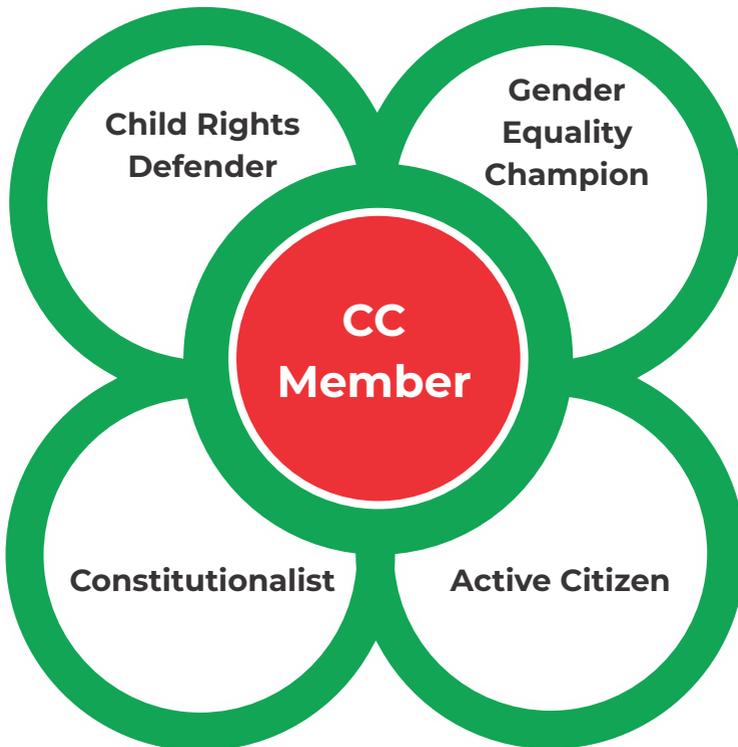
**Solutions are provided at the end of the handbook*

FINAL LEVEL

BEING A CC MEMBER



*Congratulations, you have managed to navigate through all the challenges to arrive at this final level. Now you have **LEVELLED UP!** You have earned all the components required for you to be a complete member of the Constitution Club (CC) as illustrated below:*



1. WHAT ARE THE BENEFITS OF BEING A CC MEMBER?

As a CC member you get the following:

- An opportunity to join an ever-growing community of CC members in several other schools all over Zimbabwe;
- Access to important knowledge which you will need not only in your studies but in life outside the school;
- A free and safe space to learn in a fun way, work and play with other students;
- Opportunities to interact with eminent personalities and organisations which work for the promotion of constitutionalism and human rights in Zimbabwe;
- Access to several learning resources beyond what you would ordinarily not find at your school;
- A chance to actively contributing to improving your school and your community;
- Opportunities to gain first-hand experience concerning how key government institutions and NGOs work through internships, traineeships and site visits; and
- A chance to interact, dialogue, debate, compete and exchange ideas with students from other schools.

2. WHAT ARE THE RESPONSIBILITIES OF CC MEMBERS?

As a CC member you are expected to do the following:

- Be a Constitutionalist, Child Rights Defender, Gender Equality Champion, and an Active Citizen at your school and within your community;
- Practise what you preach! Conduct yourself in a manner that is line with the values and objectives of CC; and

- Participate fully in CC activities.

3. WHAT ACTIVITIES CAN CC MEMBERS DO?

The CC allows you space to unleash your creativity! You should use your imagination to creatively come up with activities which your CC can do to promote constitutional awareness, knowledge of rights, gender equality and active citizenship among your peers and in the communities in which you live.

The first activity which CC members should do is to use the sample High School CC Constitution provided at the end of this guide to come up with their own club constitution.

Examples of other activities which you can do include the following:

- Essay writing, poster design and art competitions on themes arising from the constitution and human rights.
- Organise events to commemorate important days such as the International Day of the African Child (for a list of important dates, please see the calendar of important dates provided at the end of this handbook).
- Inter-schools constitutional quiz and debate competitions.
- Inter-schools debates and moot court competitions.
- Educational trips and study tours.
- Internships/traineeships with relevant human rights organisations.

- The *Zimbabwe Human Rights Association* (ZimRights) is always available to support you and help you achieve your objectives.

USEFUL CONTACTS

Zimbabwe Human Rights Association (ZimRights)

HEAD OFFICE

ZimRights House,
Alverston Court, 90 S. V.
Muzenda Street, Harare
Tel: (+263) 242 707278
(+263) 242 705898
E: info@zimrights.org.zw

BULAWAYO OFFICE

4 ESAT House, Fort Street,
12th & 13th Ave, Bulawayo
Tel: (+263) 2922 61826
(+263) 2922 63721
E: bulawayo@zimrights.org.zw

MASVINGO OFFICE

ZIMRE Centre, Cnr
Hughes / S. Mazorodze,
2nd Floor, Masvingo
Tel: (+263) 3922 66224
(+263) 772 318 047
E: masvingo@zimrights.org.zw

CHAPTER 12 INDEPENDENT COMMISSIONS

Zimbabwe Human Rights Commission

HEAD OFFICE

144 Samora Machel Avenue, Harare
Tel: +263 24 2705268/426 or 2703596/616 or 2701811
TOLL-FREE: 08080245. Mob/Whatsapp: 0771 838 654-6

BULAWAYO OFFICE

49 J.M Nkomo (between 3rd and 4th Avenue), Bulawayo
Tel: +263 2922 64170-73. TOLL-FREE: 08080245.
Mob/Whatsapp: 0771 838 654-6

Zimbabwe Electoral Commission

HEAD OFFICE

Mahachi Quantum Building, 1 Nelson Mandela Avenue
P. Bag 7782 Harare Zimbabwe
Phone: +263 242 756252 / 759130 / 774095
Email: inquiries@zec.org.zw
www.zec.org.zw

National Peace and Reconciliation Commission

HEAD OFFICE

7th Floor, First Mutual Building
99 Jason Moyo Avenue, Harare
Tel: +263 242 792676-9, 792469, 792390, 791757
Email: info@nprc.org.zw

BULAWAYO OFFICE

6th Floor, First Mutual Building
Cnr 9th Ave & Joshua Nkomo Street, Bulawayo
Tel: +263 292 70101, 70105, 70099

Zimbabwe Media Commission

MEDIA CENTRE

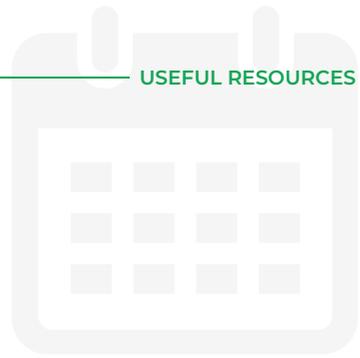
1 Pennefarther Avenue
Rainbow Towers Grounds, Belvedere, Harare
Tel: +263 242 253509/10
+263 242 253572/4/5/6

Zimbabwe Gender Commission

No. 89 Kwame Nkrumah Avenue
1st Floor Pax House
Tel: +263 242 701101 / +263 242 250296
Email: info@zgc.co.zw
www.zgc.co.zw

USEFUL RESOURCES

Calendar of important dates



DAY	DATE
International Children's Day of Broadcasting	1st Sunday in March
International Women's Day	8 March
World Health Day	7 April
Africa Day	25 May
International Day of the African Child	16 June
United Nations International Day in Support of Victims of Torture	26 June
International Day of Peace	21 September
World Teachers' Day	5 October
International Day of the Girl Child	11 October
African Human Rights Day	21 October
World Children's Day	20 November
World AIDS Day	1 December
International Day of Persons with Disabilities	3 December
Human Rights Day	10 December
Annual National CCs Conference	December

SAMPLE OF A HIGH SCHOOL CC CONSTITUTION

**THE CONSTITUTION
OF**

INSERT THE NAME OF YOUR SCHOOL

CONSTITUTION CLUB (CC)

[Insert the name and logo of your school]

CC Constitution

Arrangement of Sections

Preamble

1. Interpretation

Chapter 1

CLUB NAME, MOTTO, PURPOSE AND OBJECTIVES

Section

2. Name

3. Motto

4. Purpose

5. Objectives

Chapter 2

CLUB MEMBERSHIP

6. Club Membership

Chapter 3

LEADERSHIP

7. Leadership Team

8. Duties of the Leadership Team

9. Election of Leadership Team

Chapter 4

MEETINGS AND ACTIVITIES

10. Meetings

11. Activities

Chapter 5

AMENDMENT OF THE CONSTITUTION

12. Amendment of the Constitution

PREAMBLE

We, the students of [insert the name of your school], proud to be Zimbabweans and mindful of the importance of the Constitution of Zimbabwe, commit ourselves to promote awareness of the constitution and to fully realize our purpose, we hereby establish and adopt this club constitution to guide our activities.



Club members should add more information in the preamble to reflect the identity and values of their school.

INTERPRETATION

In this constitution:

- “*absolute majority*” means more than half of all the votes cast;
- “*secret ballot*” means an election in which the votes are cast in secret, e.g. each person writes their choice on a piece of paper so that no one else knows how they have voted;
- “*simple majority*” means the highest number of votes cast in support of any one candidate; and
- “*unfair discrimination*” means the unjust treatment of a person because of their nationality, race, colour, tribe, place of birth, ethnic or social origin, language, class, religious belief, political affiliation, opinion, custom, culture, sex, gender, marital status, age, pregnancy, disability or economic or social status, or whether they were born in or out of wedlock.

CHAPTER 1

CLUB NAME, MOTTO, PURPOSE AND OBJECTIVES

2. Name

The name of this Club shall be the [insert the name of your school] Constitution Club (CC).

3. Motto

The Motto of our club is:-

[insert your catchy club motto, e.g. know the constitution, know your rights!]

4. Purpose

Our club is established for the main purpose of making sure all students fully understand the Constitution of Zimbabwe.

5. Objectives

Our club has the following objectives:-

- a) to ensure that all club members, students and staff at our school, and people in our community are aware of the Constitution of Zimbabwe and fully understand its provisions;
- b) to inform and educate all club members and our peers about human rights provided for in the Constitution of Zimbabwe, particularly, children's rights and women's rights;
- c) to train all club members and other students our rights and duties as Zimbabwean citizens; and
- d) to do all things we can to make sure we achieve the purpose of the club.

CHAPTER 2

CLUB MEMBERSHIP

6. Club Membership

6.1. All students enrolled at *[insert the name of your school]* are allowed to join the club.

6.2. No student shall be stopped from joining the club because of their race, colour, religion, gender, nationality or any other reason that amounts to unfair discrimination.

6.3. The club must at all times include boys and girls *[delete this clause if your school is a same-sex school]*; and students from different classes.

6.4. All members of the club must treat each other with respect and without any unfair discrimination.

6.5. Members of the club must respect the rights of other students.

6.6. A student shall stop being a member of the club if they are no longer enrolled at *[insert the name of your school]*.

6.7. The Club Advisor in consultation with the Leadership Team members may take away or suspend a student's membership in the club if the student has:

- a) acted in a way that goes against the purpose of the club;
- b) repeatedly been unnecessarily disruptive during club meetings;
- c) been suspended by the school authorities from participating in school activities;
- d) intentionally and persistently not participated in the club's meetings and activities.

CHAPTER 3

LEADERSHIP TEAM

7. Leadership Team

7.1. The club shall be led by a Leadership Team under the guidance of the Club Advisor.

7.2. The Club Advisor shall be a teacher at *[insert the name of your school]*.

7.3. The Leadership Team shall consist of the:-

- a) President;
- b) Vice-President; and
- c) Secretary-General of the club

7.4. The positions of Vice-President of the club and Secretary-General of the Club shall not be held by students in their final year of study.

7.5. The positions of President and Vice-President of the club shall not be held by students of the same gender *[delete this clause if your school is a same-sex school]*.

8. Duties of the Leadership Team

8.1. The President of the club shall be responsible for chairing club meetings and leading the club's activities.

8.2. The Vice-President of the club shall support the President and carry out all duties of the President if the President is unable to do their duties either temporarily or permanently.

8.3. The Secretary-General of the club shall be responsible for handling the club's communication and keeping records of the club's members and activities.

9. Election of Leadership Team

9.1. Any member of the club is allowed to nominate themselves or another member to be a candidate for the Leadership Team elections.

9.2. Under the supervision of the Club Advisor, club members shall vote through a secret ballot to choose members of the Leadership Team.

9.3. The winners of the election shall be decided based on a simple majority.

9.4. Elections to choose the Leadership of the Team shall be held during the first school term every year.

CHAPTER 4

MEETINGS AND ACTIVITIES

10. Meetings

10.1. The club will have its regular (state time and date, such as every Wednesday, immediately after school).

10.2. An Annual General Meeting will be held every year during the first school term for members to elect the Leadership Team and plan club activities for the year.

11. Activities

1.1. The activities of the club include but are not limited to the following:-

- a) essay writing, poster design and art competitions on themes arising from the constitution and human rights;
- b) constitutional quiz and debate competitions;
- c) educational trips and study tours;

- d) internships/traineeships with relevant human rights organisations
- e) carry out any other activities in line with the purpose and objectives of the club

CHAPTER 5

AMENDMENT OF THE CONSTITUTION

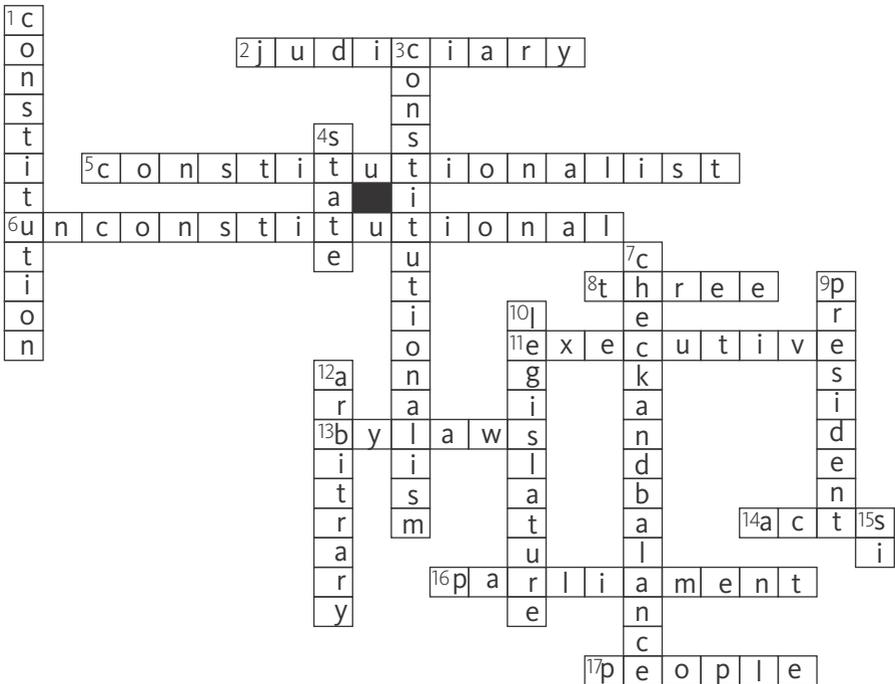
12. Amendment of the Constitution

12.1. The club's constitution can be amended during the Annual General Meeting if an absolute majority of members in attendance vote in favour of the amendment.

SOLUTIONS TO THE CHALLENGES

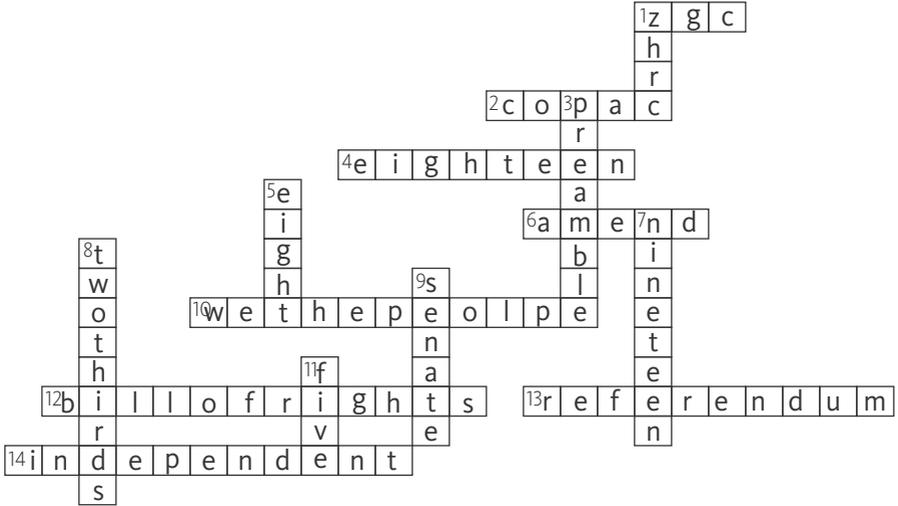


The Constitution and Constitutionalism Challenge



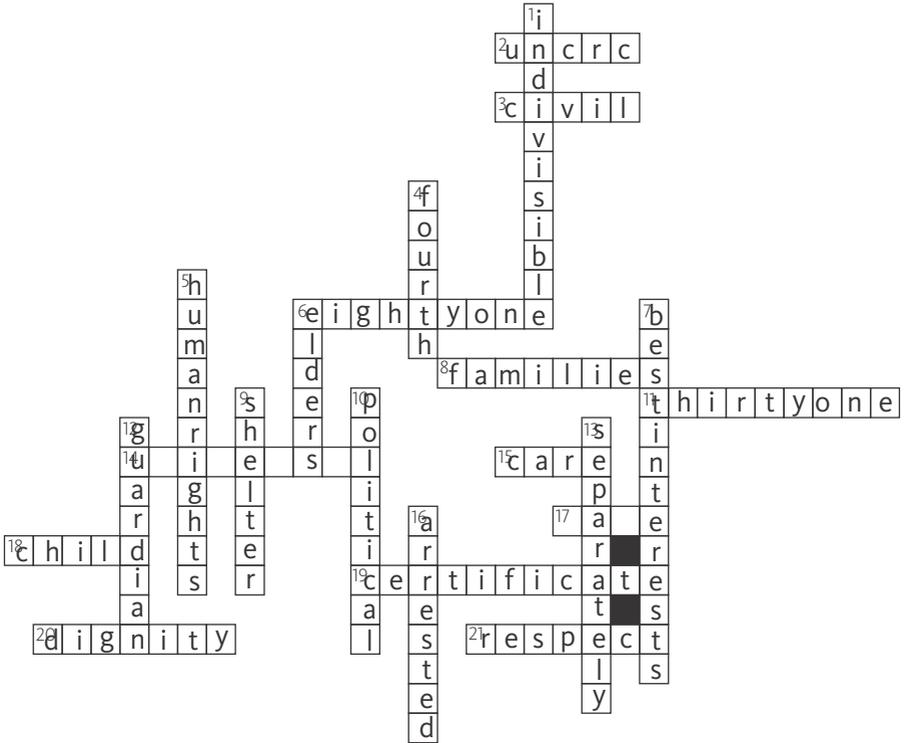
SOLUTIONS

The Constitution of Zimbabwe Challenge



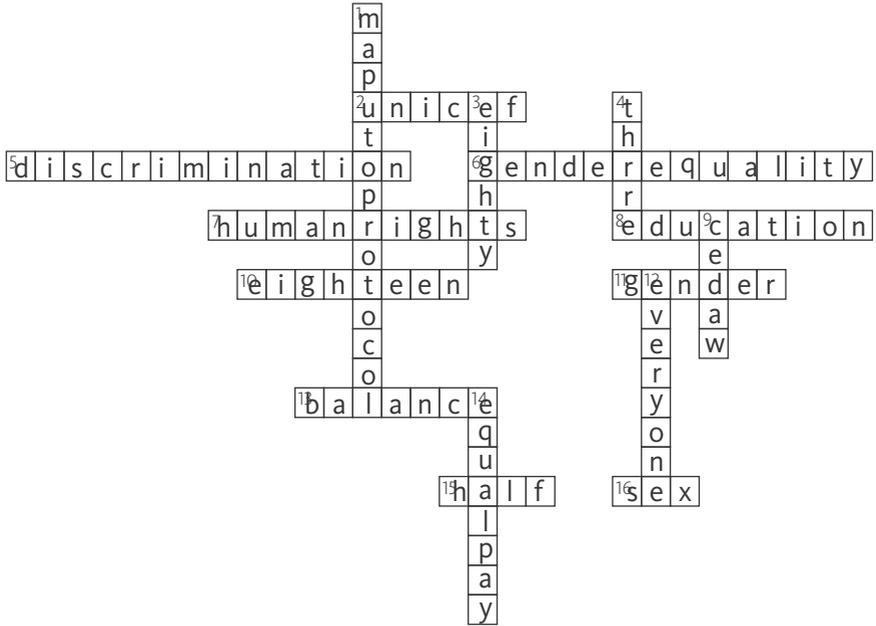
SOLUTIONS

The Children's Rights Challenge



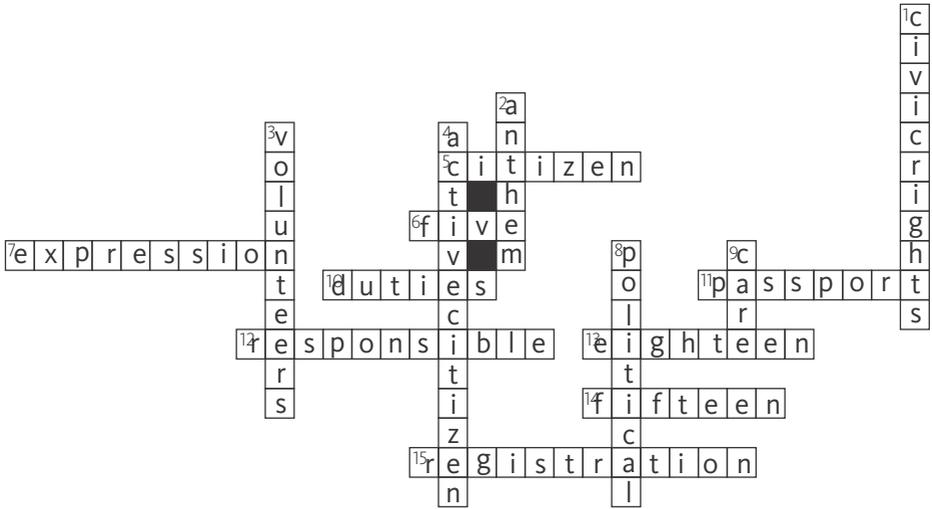
SOLUTIONS

The Gender Equality Challenge



SOLUTIONS

The Civic Rights and Duties Challenge



SOLUTIONS



**LEVEL
UP!**

ZIMBABWE HUMAN RIGHTS ASSOCIATION

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90 S. V. Muzenda Street, Harare
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