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Zimbabwe's New Constitution: Reactions and Reflections from the Ecumenical Movement in Zimbabwe

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Abstract

Zimbabwe's political waters have been turbulent for more than a decade now. The political terrain has been characterised by political bickering, intimidations, violence and allegations of vote rigging. It is believed that the Lancaster House Constitution in a way aided these vices; hence the call for Zimbabwe to come up with a new constitution should be understood in this context. After the formation of the Government of National Unity, it was agreed that a new constitution be put in place before new elections are held. Thus, in February 2013, Zimbabwe held a referendum on a new constitution which was 'resoundingly' accepted by the people. This constitution was a result of negotiation between the three parties in the Government of National Unity, though consultative meetings were held across the country and stakeholders were asked to contribute. The church in Zimbabwe is one of the key stakeholders which made submissions for input in the new constitution. This article, therefore, explores the ecumenical bodies' reactions and reflections on the new constitution. Data gathered through interviews and documents analysis show that the ecumenical movement's response to the new constitutional provisions which deal with abortion, homosexuality and freedom of conscience is by and large negatively skewed.

1 Introduction

The purpose of this article is to look at how the ecumenical movement in Zimbabwe has reacted as well as reflected on the newly adopted constitution in Zimbabwe. We recognise that ecumenism derives from the Roman Catholic Church's attempts to reconcile with other Christian churches after they had gone on separate ways due to theological differences. In the context of this article, the phrase ecumenical movement implies efforts toward nationwide Christian unity and/or cooperation with regard to the constitution making process and responses to the outcome of that process. The ecumenical organisation in Zimbabwe is constituted by the Zimbabwe Catholic Bishops Conference (ZCBC), Zimbabwe Council of Churches (ZCC), Evangelical Fellowship of Zimbabwe (EFZ), Heads of Christian Denominations (HOCD) and Union for the Development of Apostolic Churches in Zimbabwe (UDACIZA). This exploration is, therefore, critical because it reveals the political role of the church in Zimbabwean society. In this regard, Manyonganise and Chirimuuta (2011) correctly note that the church has been a critical player in Zimbabwean politics since the pre-independence period. In this case, issues that have to do with constitutionalism are pertinent to any religious organisation as it provides benchmarks for those in power on how to govern those that constitute their membership. A constitution is critical for any democracy. A constitution lays down the rules by which ordinary legislation and politics are to be carried out. According to Sokwanele (2012) a constitution is designed so as to ensure, on the basis of what we think justice requires, what will be the most desirable outcome. It acts as a social contract between those that govern and those that are governed. To this end, Ndulo (2010:176) views the process of constitution-making as a potential vehicle for national dialogue and peace building as well as a platform where competing perspectives and claims within a post war society can be aired and amicably resolved. In post-independence Zimbabwe, the 2013 constitution comes as one of the several attempts by the country to come up with a home-grown legal framework after the rejection of the 2000 constitution. Before we look at the church's response to the current constitution, there is need to consider the history of constitution-making process in Zimbabwe starting from the Lancaster House constitution.

2 An Analysis of the Lancaster House Constitution

Before examining Zimbabwe's recent constitution-making process and its outcome there is need to recount its citizen's constitutional inheritance (Sokwanele, 2012). Zimbabwe's independence came into force after a negotiated settlement at Lancaster House where the Lancaster House constitution was crafted in 1979. The Lancaster House conference was organised and negotiations were mediated by the British government under the leadership of Lord Carrington (Ndulo, 2010:179). Abel Muzorewa's United African National Congress (UANC) and the liberation movements, Zimbabwe African National Union and Zimbabwe African People's Union (ZANU and ZAPU) attended the conference. The greatest achievement of this conference was its restoration of peace without necessarily resolving all of the country's problems (Sokwanele, 2012). While the conference should be commended for coming up with a settlement that brought an end to the prolonged war, it had a lot of weaknesses. One of the major weaknesses of the Lancaster House constitution was that it was a negotiated legal framework, crafted in Europe in the absence of the very people that it was supposed to serve. In the absence of public participation, the document remained foreign in the eyes of the majority of Zimbabweans. As a result, Zimbabwe's political leadership often conveniently disowned it particularly with regard to the land question by claiming that they only accepted it for the sake of progress towards the independence of Zimbabwe. This is probably the reason why it has always been referred to as the 'Lancaster House constitution' and not the 'Zimbabwe constitution'. In this regard, Sachikonye saliently argues that;

"The Lancaster House Constitution ... was no more than a compromise between competing interests. The absence of wider and popular participation in its making robbed it of the broader legitimacy amongst the generality of Zimbabwe" (2004:175).

These same sentiments were echoed by Ndulo who contends that;

"the Lancaster House constitution was a negotiated settlement dominated by the British Government which the liberation movements accepted for fear of becoming irrelevant" (2010:179).

In the same vein, the Ecumenical Organisations in Zimbabwe who came up with the National Vision Discussion Document (NVDD) titled *'The Zimbabwe We Want: Towards a National Vision for Zimbabwe'* commented that the Lancaster House constitution was not inspired by the collective consent and consensus of the people of Zimbabwe (ZCBC, EFZ, ZCC: 29).

In significant respects, the Lancaster House constitution continued the colonial legacy in the sense that some of

its provisions maintained the economic status quo (Ndulo, 2010:181). So it is clear that, though the Zimbabwean people gained political power, they did not realise economic emancipation. In other words, certain provisions in the constitution were inserted to protect the economic interests of the white minority at the expense of the black majority. It ensured the non-equitable distribution of wealth because certain policies could not be changed impromptu. Kagoro (2004:236) is of the opinion that *“the British-mediated Lancaster House constitution enshrined several highly contentious provisions concerning the presidency, white representation, citizenship and land redistribution.”* Thus, Hlatshwayo cited in Sachikonye (2004:179) argues that the Lancaster House constitution was *“an outdated, imposed and transitional instrument... which [did] not represent the aspirations of the people for good governance and development.”*

In 1998, Agenda released a statement in which it stated that while the constitution served an important purpose of transferring power from a minority to a majority government, it was not necessarily a foundation for good governance. This was reflected in the fact that the government of Zimbabwe made a total of 19 amendments on the pretext that it needed to be made more relevant to the country's needs, desires and aspirations. However, as noted by most scholars, the amendments concentrated more and more on the power of the executive thereby further alienating the Zimbabwean populace.

3 The 2000 Constitution for Zimbabwe

As noted above the Lancaster House constitution went through several amendments. While some of the amendments were deemed necessary, others were controversial. The periodic reviews and amendments of the constitution were deemed inconsistent and incoherent with any constitutional document. In the late 1990s, the legitimacy of the Lancaster House constitution was publicly questioned and louder calls were made for a home-grown constitution. Zimbabwe undertook a constitutional process that culminated in the 2000 referendum. However, the process was marred by many controversies. For example, some church bodies like the Zimbabwe Council of Churches and Evangelical Fellowship of Zimbabwe among other institutions outspokenly opposed the composition of the Constitutional Commission which was viewed as being overpopulated by officials from ZANU PF. When the draft was finally tabled for a referendum these church bodies campaigned for a 'NO' vote because they lacked faith in it (Pottie, 2000). The rejection of the 2000 constitution plunged Zimbabwe into a political crisis. The Mugabe regime had never been

humiliated politically as what happened in February 2000. Thus, in response, violent land seizures followed in which thousands were beaten, maimed, raped and killed. The problem of violence during the Fast-Track land reform was not limited to the land question but politically motivated especially against those belonging to other political parties (Machingura, 2012:265). On the other hand, the ruling party, ZANU PF had threatened the populace that rejecting the 'new' constitution would virtually mean that they want the Lancaster House constitution. As a result, after the referendum and the rejection of the constitution, government reverted back to the Lancaster House constitution. In the years that followed, Zimbabwe became a polarized society; one in which it was extremely difficult to tell where the nation was headed to. Colour knew no bounds as opposition party activists whether black or white were given the brand name 'white' as a symbol of colonialism (Machingura, 2012:265; Hammar and Raftopoulos, 2003:39). Chitando and Manyonganise (2011:94) correctly note that *“the level of polarization between ZANU PF and MDC had reached unacceptable proportions, leading to violence.”* Churches in Zimbabwe rose to the occasion as they tried to deal with the challenges that the nation faced. For example, the Zimbabwe Catholic Bishops Conference, Evangelical Fellowship of Zimbabwe and Zimbabwe Council of Churches came up with a National Vision Discussion Document (NVDD) in which they collated *“images of a new, democratic, peaceful and progressive Zimbabwe”* (Chitando and Togarasei, 2010:156). Churches in Manicaland (CiM) came up with a document entitled *‘The Truth shall make you free: A Compendium of Christian Social Teaching’* in which they sought to critique politicians' perceptions that the role of the church is confined in the spiritual and moral arena. There are other church organisations who sought to engage with the critical issues that were confronting Zimbabwean citizens. Some of these church bodies were instrumental in the formation of the Government of National Unity in 2008.

4 The Role of the Church in the Formation of the GNU

After the violent land reform programme of 2000 and the violent elections of 2005 and 2008, Zimbabwean society became largely polarized. Leaders of the Ecumenical organisations in Zimbabwe were of the opinion that if the country was to move forward, there was need to bring together political leaders for dialogue. In 2002, after the controversial presidential election, Bishop Patrick Mutume of ZCBC, Bishop Manhanga of EFZ and Bishop Bakare of ZCC championed the cause for dialogue in Zimbabwean

politics as a way of bringing together the different political players. Chitando and Manyonganise (2011:93) note that although the discussions did not yield the desired goal, they provided the basis for later initiatives that finally led to the signing of the Global Political Agreement (GPA) that gave rise to the Inclusive Government (IG) in 2009. The church leaders had laid a foundation for engagement between the main political parties. Through a patient strategy of engagement, church leaders were able to persuade the two main political parties (ZANU-PF led by Mugabe and MDC led by Tsvangirai) to get to the negotiating table for the sake of the nation (Chitando and Manyonganise, 2011:94). Even when the new constitutional process was starting in 2009, the church bodies advocated an inclusive approach. Their argument was portrayed in the NVDD when they said “any resolution of the polarization which exists now in Zimbabwe demands an inclusive approach to issues of constitution making and governance” (The Zimbabwe We Want: 29). The church bodies had correctly noted that “unless Zimbabweans find an alternative constitutional document where their values are well articulated, the current constitution remains one of the areas that generate serious conflict.” It is, therefore, not surprising that some Zimbabwean churches played a crucial role in the processes that culminated in the 2013 New Constitution. It is a process in which the church not only actively participated, but also placed its demands on the table for consideration in the constitution. It was the church’s firm belief that participating in the constitution-making process was coming from its conviction that;

“any religion that professes to be concerned with the souls of humanity and is not concerned with the slums that damn them, the economic conditions that strangle them and the social conditions that cripple them is a dry-as-dust religion” (Statement prepared by the Peace and Justice Commission of the Evangelical Fellowship of Zimbabwe in 2012 prior to the Second Stakeholders’ Conference).

5 The Demands of the Church in Zimbabwe in the New Constitution

In 2006, the ZCBC, EFZ and ZCC reacted to the amendments such as the Indigenisation Act and the Domestic Violence Act made on the Lancaster House constitution and argued that the piecemeal amendments of the constitution is highly unsatisfactory and shows the need for constitutional review. Thus, when in 2009, a process was started to come up with new constitution, religion was among the eighteen talking themes for discussion during

the constitutional process and Christian leaders actively participated in it. Christian leaders presented COPAC with twenty four (24) issues which the church in Zimbabwe felt were democratically and morally significant for Zimbabwe and its Christian constituency. On close scrutiny, it appears that the matters tabled by the church leaders covered a whole spectrum which includes religious, cultural, social, economic and political issues. This section will only look at some of the critical ones. On issues of abortion, the church leaders demanded that the constitution protect the life of the unborn child from conception. On homosexuality, the church leaders insisted that the constitution should reflect that;

“Every person shall have the right to marry and found a family, in accordance with legislation that governs civil law marriages or customary law unions. A family shall be founded by two persons of the opposite sex” (RelZim, nd).

From the perspective of the church leaders;

“the issues of abortion and homosexuality hold a fundamental significance to the church beyond mere moral persuasion and preference” (RelZim, nd).

For the church, the issue of abortion relates to the conception of life itself, its divine sanctity and protection and the issue of homosexuality relates to the Biblical concept and conception of the family as a cornerstone and foundation of all society and all humanity.

Apart from moral issues, the church leaders also had political demands. Leaders of the EFZ wanted among other things, the constitution to dilute the powers of the executive. In their opinion,

“the new constitution should ensure that the powers of the executive are subject to appropriate and effective restraints and that the executive does not dominate other constitutional bodies or branches of government” (The Zimbabwean Online, 2013).

They also wanted the legislature not only to be accessible, responsive and accountable to the will of the people but to be independent of other branches of government. In this case, parliament should be able to pass a vote of no confidence in either the President or Prime Minister without either of them being able to block this by dissolving parliament. In addition, the church leaders wanted an independent judiciary whose appointment is transparently done by an independent judiciary service commission. The

church leaders further advocated devolution which they said would ensure a participatory and inclusive approach to decision-making. A call was also made for provisions to be included in the document for the equitable distribution of land in Zimbabwe (The Zimbabwean Online).

The ecumenical organisations in Zimbabwe anticipated that their demands be included in the constitution. However, the process of collating the views of the people was left to a privileged few, namely the three main political parties which constituted the GNU. This arrangement excluded other political parties who were not part of the GNU. Unofficial media reports indicate that there was a lot of political bickering during the process where political parties busied their people to attend the consultative meetings so that they would table their party's position on issues considered important for political survival by their leaders. What needs to be noted therefore is that 'views' of the people were collected in a highly polarized environment and that what is deemed 'the peoples' views' were predetermined by the politicians before the consultative meetings. In such a scenario, it was highly probable that 'real' views of the people were left out thereby paving way for the views of the politically and economically powerful. Hence, after the final draft was out, the ecumenical movement made known some of their views about the draft.

6 Reactions and reflections of the Ecumenical Bodies to the New Constitution

Reflections and reactions of the ecumenical movement to the new Zimbabwean constitution ought to be understood and analysed in light of their demands to COPAC vis-à-vis the outcomes that we explore in the preceding section. The ecumenical movements have expressed mixed reactions to the new constitution. While they seem to celebrate constitutional provisions which outlaw child marriages, they are livid by sections and clauses that vaguely address abortion, homosexuality and freedom of conscience. We focus on these provisions because from the ecumenical movement point of view they are the most contentious aspects of the new constitution.

Leaders of the Ecumenical bodies in Zimbabwe feel that out of the twenty four (24) issues they presented to COPAC, homosexuality, abortion and freedom of expression are loosely crafted to the extent that they are liable to manipulation. Responding to the new constitutional provisions related to abortion and homosexuality, the HOCD aptly remarks that:

“Regrettably, and despite several engagements with COPAC and its chairpersons, those

issues relating to abortion and homosexuality, while contained in some measure in Section 48 and Section 78 (respectively) failed to capture the position, moral principles, spiritual values and vision of the Zimbabwe We Want as a church guided by the Bible.”

Zimbabwe's ecumenical movement feels that Section 48 (3) provides for permissive abortion. The Section reads;

“An Act of Parliament must protect the lives of unborn children, and that Act must provide that pregnancy may be terminated only in accordance with the law.”

In response to this Act in the supreme law, the ecumenical movement contends that since the constitution does not provide a framework within which pregnancy can be terminated, it insidiously supports abortion. This lack of clarity is considered an affront to the Christian faith because it creates a fertile ground for the proliferation of abortion. The Church equates abortion to murder. Furthermore, the Church maintains that legalising abortion culminates in moral laxity and sexual licentiousness hence it should be unconditionally outlawed (Igo, 2009). In light of these Christo-centric convictions, the Church has reacted angrily to the constitutional provision which permit abortion under unspecified conditions simply referred to as 'only in accordance with the law.' In this regard, we posit that by advocating the criminalization of abortion irrespective of the circumstances, the church continues in its bid to control female bodies.

The ecumenical movement is also livid by the fact that the new constitution is vague with regard to homosexuality. Although Section 78 (3) prohibits same-sex marriages, the ecumenical movement feels that it does not outlaw same-sex unions and partnerships. The ecumenical organisation alleges that Section 78 (1) which gives every person who has attained the age of eighteen (18) a right to have a family permits people of the same-sex to have a family as consistent with their sexual orientation. According to the ecumenical movement these legal provisions give gay rights silent treatment. This implies that technically it is not illegal to be gay in Zimbabwe. This argument resonates with Mojalika Mokwele, a gay right activist, contention that;

“there is no law that states that one cannot be gay. It only becomes a crime once you start committing homosexual acts in public” (Solomon, 2017).

This constitution provision is against the Church's desire for an explicit prohibition of homosexuality and same-sex

marriages and relationships. The Church's vitriolic attack on abortion and homosexuality are salient in sentiments aired by representatives of the Concerned Christians and Citizens Forum who argue that issues to do with abortion, homosexuality and Satanism were not adequately dealt with in the constitution. Darlington Chiriseri who was the head of delegation for this group posits that while church leaders are moral custodians of the society, 'loopholes' in the constitution could trigger unholy conduct in the society (The Zimbabwean Online). In corroboration, Pentecostal Assemblies of Zimbabwe leader Bishop Trevor Manhanga and Evangelical Fellowship of Zimbabwe president and spokesperson Goodwill Shana retort that the new constitution is an affront to the Christian faith because it silently recognises gay rights.

In addition, the ecumenical movement reacted angrily to the light punishment of a fine or one year imprisonment leveled against homosexual offenders. The constitution stipulates that;

"Any male person, who with the consent of another male person, knowingly performs with that other person anal sexual intercourse, or an act involving physical contact other than anal sexual intercourse that would be regarded by a reasonable person to be an indecent act, shall be guilty of sodomy and liable to a fine up to or not exceeding level fourteen or imprisonment for a period not exceeding one year or both" (Sida, 2014).

In light of this Act, the ecumenical movement posits that the phrases 'physical contact' and 'reasonable person' in the Act are vague and controversial to the extent that they provide loopholes to whole process of criminalizing homosexuality. A 54 year-old male key informant who belongs to the ecumenical movement further argues that;

"The punishment for homosexual act stipulated by the law is not deterrent; instead it demonstrates constitutional trivialisation of homosexual offences. The ecumenical movement wants a heavy punishment such as life imprisonment for offences related to homosexuality."

A member of the Evangelical Fellowship of Zimbabwe echoed similar sentiments when he contends that that the aforementioned legal provision is discriminatory in the sense that it does not make reference to lesbian. These reactions and reflections of the ecumenical movement to the new constitution is apt in Senior Pastor Petunia Chiriseri

argument that the constitution silently recognizes same-sex unions, contracts and partnerships as 'family.' The Church's uncompromising position regarding homosexuality is anchored in theological traditions in Genesis 18 and 19; Romans 1:26-27 and Jude 7 which describe same-sex relationships as 'vile.' In view of these theological traditions, Concerned Christians lobbied parliament to make technical changes to some of the provisions they feel make the new constitution too secular and liberal and therefore a perversion of Christian ethos and values (Chidavaenzi, 2013). These views from the church are a clear indication that the church continues to moralise sex and sexuality discourses in Zimbabwe thereby discriminating against those whose sexual orientation is not heterosexual.

The ecumenical movement is further perturbed by the fact that the new constitution does not declare Zimbabwe a Christian state. While Christianity claims to have a largest share on the Zimbabwean religious market, the new constitution upholds the secularistic nature of this country. Section 60 (1) (a) and (b) guarantees every Zimbabwean citizen's right to freedom of conscience, thought, opinion, religion and belief. According to the ecumenical movement this provision is too wide to the extent of accommodating ungodly practices such as Satanism (The Zimbabwean Online). These sentiments demonstrate that the idea of interreligious dialogue in Zimbabwe remains a mirage. The views are also a manifestation of the magnitude of extremism and intolerance on the part of Zimbabwean Christians. The ecumenical movement's rejection of freedom of religion implies failure to acknowledge that Zimbabwe is a secular, multicultural and pluralistic society in which people of different religio-cultural orientations and persuasions can mix and mingle. It also demonstrates a failure on the part of the Church to acknowledge that the divine is not only Christian.

While the ecumenical movement largely reflected and reacted angrily to the new constitution, it is important to note that the organisation also celebrated certain constitutional provisions. The organisation is thrilled by the fact that the new constitution prohibits child marriages. Section 78 (1) of the new constitution set eighteen (18) years as the minimum age of marriage in Zimbabwe. In particular, the Section stipulates that;

"No person, male or female in Zimbabwe may enter into any marriage including an unregistered customary law union or any other union including one arising out of religion or a religious rite before attaining the age of eighteen (18)."

This reform placed Zimbabwe in line with the international best practices such as the 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the 1990 African Charter on the Rights and Welfare of the Child which suggest 18 years as the minimum age for marriage. While this constitutional provision seems to be direct attack on African Initiated Churches that include Johanne Masowe and Johanne Marange Apostolic Churches which condone child marriages, the ecumenical movement joyfully received this Act because it protects the girl child from abuse. As an endorsement of the new constitution, the Zimbabwe Catholic Bishops Conference (ZCBC), a key member of the ecumenical movement, has recently volunteered to promote public awareness of the new constitution by offering to translate it into all the sixteen (16) official languages (Kamhungira, 2017).

7 Public Views on the Church's Position on the Draft Constitution

There were varied reactions to the Christian leaders position on the draft constitution. The reactions clearly show to some extent the influence of the church on public discourse on critical issues that affect society. Chidavaenzi (nd) has referred to the new constitution as a 'satanic charter'. He puts forward quite a number of arguments to support his viewpoint. The first one is that he argues that contentious issues in the new supreme law such as: abortion, homosexuality and freedom of expression are so loosely crafted that they are open to manipulation. Secondly, he notes that though the constitution prohibits same-sex marriages, it does not outlaw same-sex unions and partnerships. Chidavaenzi is of the view that the Christian faith is under threat from homosexuality, but also excuses the church leaders who participated in the constitution-making process. From his point of view, when the 2nd All-stakeholders' conference was held, only 7 out 240 church leaders who were supposed to defend the church's position on some of the contentious issues were allowed in. This number was too small and as expected the voice of the seven was drowned. This view is also echoed by EFZ which argues that the Second Stakeholders' Conference was nothing but political grandstanding. For example, the major political parties made quasi-political arrangements before the conference to ensure that invitations were made along party lines. As such, there was limited participation by civil society especially the church since only 14% out of the expected 70% of civil society was invited. This was a clear indication that political calculations had already been made before the conference. The conference ceased to be a meaningful process because eventually there was

no meaningful debate that took place.

Wilbert Mukori (The Zimbabwean Online) lamented the fact that the church leaders concentrated much on the issues of homosexuality and abortion at the expense of other critical issues such as political violence, freedom of the media and freedom of expression. From his point of view, "there is nothing disheartening than leaders leading their followers astray, in this case into a deadly ZANU PF death trap." Mukori's argument is that by pretending to have a faint memory of the 2008 political violence which claimed a lot of lives, the church leaders were failing to demand for the protection of the electorate in future. However, Blessing Makwara who is the Senior Programmes Officer and Head of the Peace and Justice Commission of the Evangelical Fellowship of Zimbabwe feels that Mukori is misinformed. He argues that from 2009, the church has been actively participating in the national healing and reconciliation programmes across the country. It argued that;

"It is actually the Church and Civil Society Forum (CCSF) which championed the crafting of the national healing framework in Zimbabwe and resulted in a Cabinet document on national healing. The constitution now provides for the creation of the Commission for national peace and reconciliation"
(Interview with Blessing Makwara in Harare, 9 September 2013).

There are yet some who feel that like the Lancaster House constitution, the current constitution does not represent the views and opinions of the Zimbabwean people. Despite consultation having been done, the current constitution is viewed as a negotiated document by the former three major political parties. It is a document that represents the views of political party leaders who negotiated not out of national interests but out of their individual interests. It is a product of power politics hence it is not meant to serve the people but political party interests. In this regard, the church leaders by calling the people to support the 'yes' vote in the referendum despite noting some weaknesses (RelZim, nd) in the consultation process failed to act as that voice of reason. In their own words leaders of the ZCBC, EFZ, ZCC and UDACIZA said "... this process was attended by many questions, challenges and controversies..." Therefore, by calling for a 'yes' vote, they legitimized a process which largely empowered political party leaders to think and decide on behalf of the generality of the people. It actually boggles the mind as to whether by calling for a home-grown constitution, the church leaders only wanted a constitution that was written on Zimbabwean soil irrespective of the process that produced it. Blessing Makwara argues that it is possible to have good content

from a flawed process, a position which many people dispute. Unfortunately, the current constitution has largely been referred to as ‘a constitution by the politicians for the politicians’ (Think Africa Press, 2013). However, Blessing Makwara defends the position of the church by appealing to the concept of representative democracy.

Other people still feel that the current constitution is a product of a rushed process and it lacks consensus. Such views are vindicated by the fact that ZANU PF which was a major party in the constitution making process which indicated changing over 200 sections in the constitution if it wins the pending elections which it did in the just ended July 31 2013 harmonised elections. Patrick Chinamasa has already indicated that changing the constitution is their first port of call. At a meeting with traditional leaders in Masvingo, Robert Mugabe said;

“We agreed on the constitution, [but] not all that we wanted came out. It was a compromise. After the elections, we will amend the constitution to fit in some of your views”
(Think Africa Press, 2013).

The question that arises in this case is why the church supported a process that seems to adhere to constitutionality and not constitutionalism. One interviewee accused the church of “*supporting the hypocrisy of those in political power to hide behind a piece of paper they call the constitution but one which the politicians themselves don’t respect*” (Interview with Jonathan Nhamo in Harare, 14 August 2013). What is noticeable in the Zimbabwean context is that political leaders have for a long time not been controlled by the constitution. If anything they are the ones who control the document. In this case, the church leaders failed in their moral duty by failing to compel political leaders to make an undertaking that they would adhere to constitutionalism. Magaisa (2010) notes that from 1980, the government appears to have been concerned only about legality/constitutionality and paid scant regard to constitutionalism. Thus, by supporting the ‘weak’ and ‘feeble’ constitution, the church leaders have contributed in undermining the nation’s chance of having democratic elections (Newzimbabwe, 2013). They did not only support a constitution that is viewed as ‘weak’ and ‘feeble’ but their support further weakened their position in Zimbabwe’s turbulent political waters because they cannot now be seen to condemn other illegitimate processes that are resulting from the Copac constitution which they so passionately supported. On questioning EFZ why the church supported a document resulting from a skewed process, Blessing Makwara revealed that the church found itself between a rock and a hard place. He said;

“We would have opted out of the process, but one thing we noted is that in Zimbabwean politics, if you chicken out at any stage that would be the end of you we had to seriously consider whether we wanted to throw out the baby with the little water. Though we did not agree with the process, we generally agreed as a church that the document was a stepping stone to an ongoing process. It was better than reverting back to the Lancaster House Constitution”

(Interview with Blessing Makwara in Harare, 9 September 2013).

The church as represented by the Christian organisations was generally not happy about the process and the constitution that was finally produced.

8 Conclusion

This article demonstrates the centrality of the ecumenical bodies in the socio-economic and political activities of the country. In particular, the paper explores the involvement of the ecumenical movement in the 2013 constitution making process as well as its reflections and reactions to the new constitution. In this article, we demonstrate that although the ecumenical bodies were consulted and actively participated in the constitution making process, their demands are hazy in the new constitution. Their interests are at the periphery of the constitutional provisions. Constitutional provisions on issues that define and drive Christianity, for example abortion, same-sex relationships and freedom of conscience, are at cross purpose with the Christian beliefs, values and ethos. This mismatch has livid some ecumenical bodies to the extent that they have dismissed the new constitution as a ‘satanic charter.’ In contrast, we further contend that although the ecumenical bodies are not happy with the aforementioned constitutional provisions, they are supportive of the criminalisation of child marriages. To demonstrate that some of the ecumenical bodies are not ready to throw away the baby with the bathing water, the Zimbabwe Catholic Bishops Conference has offered to indigenize the constitution by translating it into sixteen (16) local languages that are constitutionally considered official.

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