



Press Freedom as a Constitutional Right

Safety of journalists and the enjoyment of Freedom of expression

Press freedom is a cornerstone of a democratic governance and an essential right for the functioning of any open society. It enables citizens to access information, hold leaders accountable, and participate meaningfully in public life. A free press ensures transparency and nurtures trust between the state and its people.

In Zimbabwe, the Constitution of 2013 guarantees freedom of expression and freedom of the media under section 61. In principle, this provision is aligned with international human rights instruments such as Article 19 of the International Covenant on Civil and Political Rights (ICCPR) and Article 9 of the African Charter on Human and People's Rights, both of which Zimbabwe is a party to. Yet despite these guarantees, human rights violations data produced by the Zimbabwe Peace Project presents a wide gap between guaranteed freedoms and realities of citizens and journalists in Zimbabwe. Instead of operating in an environment that encourages free expression and accountability, journalists often find themselves working in a climate of fear, harassment and intimidation.

Constitutional rights only have meaning when they are realized in practice. For press freedom to thrive, journalists must be able to operate without fear of reprisal. When laws are misapplied, when state authorities use force to silence dissent, and when media professionals are persecuted for carrying out their duties, the constitutional promises become hollow.

The Safety and Protection of Journalists

The safety of journalists is central to ensuring press freedom. Journalists perform the crucial task of informing the public, scrutinizing government actions, and amplifying the voices of the marginalized. For the watchdog role to be meaningful, they must be protected from violence, intimidation, and arbitrary arrests.

A conducive media environment is not merely the absence of physical harm but also includes the assurance that journalists can investigate, write, and report without undue interference. Journalists should be able to grow professionally, access information freely, and publish stories that reflect the truth without looming threat of harassment. Protection also extends to digital spaces, as journalists increasingly rely on online platforms to reach wider audiences.

In Zimbabwe this ideal remains elusive. While safety is paramount in principle, journalists often operate in an environment where they must constantly self-censor, tiptoe around sensitive issues, or risk retribution for their reporting. This atmosphere undermines both their personal security and the integrity of their work.



Zimbabwe's Restrictive Media Environment

The reality in Zimbabwe stands in stark contrast to constitutional guarantees. The media environment is marked by restrictions, hostility, and outright attacks on journalists. Historical and recent cases illustrate this troubling pattern. In 2015, journalist and political activist Itai Dzamara was abducted in Harare and has not been seen since, a chilling reminder of the dangers faced by those who challenge authority. In 2013, Paul Pindani was abducted and assaulted by unknown assailants after covering politically sensitive stories. More recently, Richard Muponde, a senior political reporter, was attacked in the course of his work.

In 2025 alone, the Zimbabwe Peace Project documented a total number of 101 human rights violations against freedom of expression affecting 3390 people.

These incidents demonstrate a recurring pattern; journalists who attempt to hold authorities accountable are often silenced through violence, intimidation, or harassment. Such attacks not only traumatize individuals involved but also create a chilling effect within the broader profession. Young journalists hesitate to join the field, while those already in the profession may avoid covering critical issues for fear of reprisals.

Impunity for crimes against journalists sets a dangerous precedent. It gives perpetrators the leeway to continue treating journalists as easy targets, knowing there will be no consequences. Instead of offering protection, the state has doubled down with questionable laws that shrink the space for media to operate.

The laws are not about justice, they are about control. In many cases, convictions are never secured. Some statutes have been on the books for years without a single conviction. Their real function is to intimidate; arrest journalists, hold them in lengthy pre-trial detentions, and exhaust them into silence.

The hostility of Zimbabwe's media environment has been long evident in the way the State weaponized criminal law against journalists. In 2009, Zimbabwean Independent editor Vincent Kahiya and reporter Constantine Chimakure were arrested under section 31(1)(b) of the Criminal Code after publishing an article that exposed the role of police and intelligence officers in the abduction and torture of opposition activists. Although their reporting relied on court documents, they were detained overnight, dragged through courts, and kept on remand while section 31 of the Criminal Code was referred to the Supreme Court.

Similarly in 2011 Standard Editor Nevanji Madanhire, Patience Nyangove and Loud Ramakgapola were charged with criminal defamation under section 69 for publishing a story about the arrest of a government minister. Later the same year Madanhire was arrested alongside reporter Nqaba Matshazi over another investigative piece, spending a night in police cells and



subjected to restrictive bail conditions. These cases reveal that in Zimbabwe, arrests, prolonged remands, and the looming threat of harsh penalties are used less to secure convictions than to intimidate and exhaust journalists. Even where constitutional protections for press freedom exist, the daily reality has been one of harassment, delayed justice, and an environment where doing journalism amounts to navigating constant legal and physical danger.

The Cyber and Data Protection Act [Chapter 12:07], also shows that Zimbabwe's hostility towards journalists has simply evolved, not disappeared. The Act has created new fronts of vulnerability. Just this year, journalist Blessed Mhlanga was arrested and charged under Section 164 of the Act, allegedly for distributing data messages with intent to incite violence. This provision is broad and carries a malicious intent to tame journalists. Furthermore, Section 164C of the Act criminalizes the transmission of false information, this section is vague and prone to misinterpretation. It revives criminal defamation, which was outlawed in the case of *Madhanire & Anor v The Attorney General* 2015 (1) ZLR 719 (CC). The Act, therefore, is a straitjacket that confines journalists, making their environment hostile. In Zimbabwe, proper journalism is increasingly treated as if it were a crime.

During the March 31 protests, documented an incident in which a journalist Canaan Rusike was detained by police for nearly six hours on 31 March 2025 while conducting street interviews about planned demonstrations in Harare, despite presenting his Zimbabwe Media Commission accreditation card. He was eventually released without charge. The same day, nine other accredited journalists were similarly rounded up and briefly detained while covering protests near the Harare Magistrates Courts, only being released after their credentials were verified. These incidents reflect a pattern of persecution and disregard for press freedom, where journalists performing their lawful duties are treated as suspects, highlighting the authorities' lack of prioritisation of the protection of freedom of expression and a broader environment of intimidation against the media.

In June 2025, ZPP documented nine violations of freedom of expression, highlighting a disturbing pattern of persecution against the media. A particularly concerning incident occurred on 2 June, when the Media Centre offices in Masvingo were vandalised by suspected state security agents. This attack followed the publication of an investigative exposé revealing illegal gold mining near Masvingo City Council's water reservoirs, allegedly involving the Minister of State for Provincial Affairs and other senior officials. Staff members reported ongoing surveillance, intimidation, and threats, with some forced into hiding, demonstrating a clear attempt to suppress investigative journalism and undermine press freedom. These actions reflect a deliberate strategy to chill freedom of expression, signaling that critical reporting on public officials carries the risk of harassment, attacks, and censorship.



On 1 July 2025, Zimbabwe Independent editor Faith Zaba was arrested and detained in Harare on allegations of “*undermining the authority of or insulting the President*” under Section 33 of the Criminal Law (Codification and Reform) Act. The charge stemmed from a satirical article published in the newspaper’s Muckraker column on 27 June 2025, which criticised Zimbabwe’s leadership role in SADC and referred to the bloc as a “*trade union of dictators*.” Despite giving a warned and cautioned statement, police detained Zaba overnight and denied her release even after medical evidence confirmed she was seriously ill. Her arrest violates the rights to freedom of expression, media freedom, and personal liberty protected under Sections 61 and 49 of the Constitution of Zimbabwe (2013), as well as Article 9 of the African Charter on Human and Peoples’ Rights. The Zimbabwe Peace Project condemned the arrest as an attempt to criminalise journalism and silence critical commentary, noting that satire is protected speech.

Politicians in Zimbabwe often expect the media to perform ‘sunshine journalism’. In their view, the press should paint a rosy picture of the government programs and amplify so-called success stories. When journalists fail to conform to this narrative, their role is suddenly recast; instead of being seen as a vital pillar of democracy, they are treated as adversaries challenging power. They only value journalism when it serves their interests, when it acts as a mouthpiece that broadcasts messages to bolster their political fortunes. Any reporting that departs from this convenient script is met with hostility, harassment or outright repression.

Thus, the media environment in Zimbabwe is not safe. It is an environment where journalists must navigate restrictions cautiously, often at the expense of the truth. This goes against the principles of journalism, free speech and democracy.

Comparative Perspectives: South Africa and the United States

In contrast, countries like South Africa and the United States demonstrate how a conducive media environment fosters growth, accountability, and democratic participation. In South Africa, journalists freely critique the government and report sensitive news without fear of reprisal. Media houses such as Daily Maverick and Mail & Guardian thrive because they operate in an environment that encourages investigative reporting. Importantly journalists actively engage the public, and the public in turn responds without fear. This exchange of information creates a vibrant digital ecosystem where ideas circulate freely, and accountability is enhanced.

The United States provides another example. With one of the largest and most diverse media landscapes in the world, journalists openly challenge those in power and uncover corruption. Institutions like The New York Times and The Washington Post have grown into global giants precisely because there is space for growth and protection of free expression. Citizens benefit from this openness, as they can engage in democratic processes fully informed by a free press.



In Zimbabwe by contrast, attempts at growth are suppressed. Journalists cannot freely engage the public, and citizens are deprived of accuracy. This weakens democratic accountability and prevents the development of strong independent media institutions.

Recommendations:

Safeguarding Press Freedom in Zimbabwe

For Zimbabwe to move forward, concrete steps must be taken to ensure journalist safety and press freedom:

1. Enforce constitutional guarantees: The state must align practice with constitutional promises by respecting freedom of expression and refraining from harassing journalists.
2. Strengthen independent regulation: Regulatory agencies should be independent from political interference and tasked with protecting media freedom.
3. End impunity for attacks on journalists: Perpetrators of violence against journalists must be held accountable to deter future attacks.
4. Reform restrictive laws: Provisions in laws such as the Cyber and Data Protection Act that can be used to criminalize free expression should be revised.
5. Promote culture of accountability: Government leaders and institutions must recognize the media as a partner in development rather than an enemy.
6. Draw lessons from comparative jurisdictions: By studying South Africa and the United States, Zimbabwe can appreciate how a free press contributes to national growth, citizen engagement, and democratic resilience.