

# ZAMBIA EPISCOPAL CONFERENCE

ACT JUSTLY AND WALK HUMBLY WITH YOUR GOD

## *A Pastoral Statement*

To the Catholic faithful and all people of goodwill.

Grace, mercy and peace, from God our Father and Jesus Christ our Lord.

*"This is what Yahweh asks of you, only this: to act justly, to love tenderly, and to walk humbly with your God."* (Micah 6:8)

On the occasion of our January 2013 Plenary, we want to take this opportunity to raise pertinent issues on the state of our nation.

### **1.0 Introduction**

As pastors and shepherds that serve among you, we share not only in your joys and hopes but also in your daily struggles, sorrows and anxieties. In Zambia today, we all have a lot to thank God for, both as individuals and as a nation. Apart from the relative peace in our country, we can attest to God's goodness through the gift of life, the fellowship of our families, communities and friends as well as the endowment of abundant natural resources upon which our livelihoods depend. We all are beneficiaries of God's kindness.

In return, we must remember and be mindful that God calls upon each one of us as individuals and institutions to be instruments of his love, justice, mercy, truth and

peace. This is what it means “*to walk humbly with your God*”. The question then is to what extent have we been faithful to this mission, as a nation?

## **2.0 Prevailing political environment**

It was certainly not by mistake that Zambians reverted to multiparty politics in 1991. Zambians wanted to restore to themselves liberties that had been grossly eroded during the one party era. Unfortunately, looking at what is happening around us, it would seem to us, that the ideals of a politically plural society have not been fully understood and appreciated by those that aspire for political leadership in our successive Governments. This can be seen by the high levels of political intolerance that continue to characterise our political environment, especially in intra-party and inter-party relationships. Squabbling for hegemony within and across political parties has taken centre stage. All of this is at the expense of working for the wellbeing and making better the lives of ordinary Zambian citizens. Again and again, we see this intolerance manifested through repeated acts of violence and lack of harmony between and within political parties.

We appeal to our leaders across the political spectrum to demonstrate maturity, dignity and magnanimity in the way they exercise their leadership and in the manner they relate to each other. Their focus should be on promoting the common good and especially uplifting the lives of the weak in our society.

## **3.0 By-Elections**

Another phenomenon that we have observed, with great concern, is the rate at which by-elections in our country are occurring. We acknowledge that the Zambian laws provide for the holding of by-elections to fill elective political positions that become vacant. Whereas this provision had good intentions of dealing with a leadership vacuum, it has at the same time led to great abuse. Much as we acknowledge that there are by-elections occasioned by deaths of office holders, we are also increasingly seeing more and more by-elections motivated by greed, individual interests and a selfish propensity for political dominance. This is being done without care, serious prior consideration of the views of the electorate and sensitivity to the colossal amounts of money these by-elections are imposing on our economy.

We call upon our leaders to prudently exercise the power that the Zambian people have entrusted in them. Many of our hospitals, schools and other service centres

cannot offer quality services due to inadequate funding. This is because they are subordinated to wrong priorities. We hope that the new constitution, which is in the making, will provide for mechanisms that will control the occurrence of unnecessary by-elections.

#### **4.0 Lack of political integrity among our leadership.**

Another concern that we note in our political dispensation is the clear lack of political integrity among our leaders. Many of our leaders seem to find it easy to change positions on policies solely for personal gain, expediency or convenience. We have seen leaders subscribe to particular principled positions when in opposition only to repudiate those very positions when accorded the instruments of power. It is such behaviour that gives our politics a bad name.

We appeal to the conscience of each of our politicians and call for a new era of good political leaders, who are consistent to their avowed principles, truthful and committed to the wellbeing of the public.

#### **5.0 The Public Order Act**

We are concerned about the manner in which the Public Order Act is being applied.

While we commend the police for efforts they are making in combating crime, ensuring law and order, their enforcement of the Public Order Act leaves much to be desired.

For whatever reasons, we have observed over the years that each ruling party seems to have unlimited freedom to conduct public activities of any type on any day and at any time while opposition political parties and some civil society bodies are literally discriminated against whenever they try to conduct public activities. Legitimate questions are being raised about the level of professionalism in our Zambia Police Service. We believe in the principle of equality before the law. Maintenance of 'law' and 'order' cannot only mean preventing opposition political parties from exercising their basic right to freedom of assembly. The unfair restriction of people's liberties is breeding dangerous discontent.

We call upon the Government to embrace the spirit and letter of democracy before the nation is plunged into chaos. The Public Order Act, in its current form, has no place in our statutes. It is both repressive and anachronistic. It needs to be repealed.

## 6.0 The Barotseland Situation

We are greatly disturbed about events surrounding the Barotseland situation in the Western Province.

We are aware of a climate of intimidation and serious human rights violations currently prevailing in the Western Province: abductions of citizens; arbitrary arrests and individuals being subjected to long periods of interrogations, even torture. These acts are totally unacceptable. They must stop forthwith. This country is not in a state of emergency. We are not convinced that a *de facto* state of emergency should therefore exist in the Western Province.

We reiterate the call we made in our Pastoral Statement (*That they may have abundant life*, 29 January 2012) for the current administration to work with all stakeholders towards creating a more conducive environment that would lead to the amicable resolution of all matters surrounding the Barotseland situation.

We further urge all our leaders to especially avoid making unsubstantiated alarming statements and threats as these only serve to block opportunities for dialogue.

## 7.0 Human Rights

The Constitution of Zambia guarantees all people in the country fundamental human rights and freedoms among which are the right to life, freedom of expression, freedom to association, movement and conscience. The Government has therefore an inescapable obligation to promote and respect the human rights of citizens. This obligation also extends to citizens to respect each other's rights.

Despite having instruments and institutions designed to promote and protect human rights, the human rights situation in Zambia is deteriorating in a manner that is causing worry. Examples include the arbitrary use of power by Government officials; intimidation and threats of arrest against leaders and individuals who speak against Government; deportations and even threats to our own Catholic priests for sermons seen as critical of Government.

We demand of Government to respect and promote human rights.

## **8.0 The Judiciary**

For some time now, there has been persistent discourse on the state of the judiciary in Zambia with respect to its independence and impartiality. This situation has undermined public confidence in this institution. There is need to restore confidence in this important arm of Government. There are also many unresolved questions of public interest that have been left hanging and unanswered by the Executive. For example, when shall we see progress on the much talked about reforms in the judicial system? What is the current status of the Judge Chikopa Tribunal that was appointed last year? Why do we still have an acting Chief Justice and Deputy Chief Justice? When are these structural issues going to be resolved?

These and other questions need answers from the Executive because the nation deserves to be informed to avoid unhealthy speculation and rumours.

## **9.0 The Constitution making process**

Up to now a people driven democratic constitution continues to elude us as a nation. This is in spite of colossal amounts of money and time that have been gobbled and wasted on this exercise. The Patriotic Front (PF), in their pre-September 2011 election campaigns promised the Zambian people a new constitution within ninety days of their accession to power. Today, sixteen months down the line, little progress, if any, seems to have been made on the constitution. There are public misgivings on the current constitution-making process, in part, due to the following reasons:

- a) The refusal of the current administration to give the constitution-making process a legal framework that would protect the process and the content;
- b) The uncertainty and lack of a roadmap and a predictable timeline on the process has also led to doubts about the sincerity of Government on the constitution. From the time that the Technical Committee started work on the constitution, several deadlines for completion of the process have been promised and missed. Currently we have a new deadline of 30 June 2013. We hope that this new milestone will be upheld and honoured;
- c) The non-publication of the projected budget for the entire constitution making process: This state of affairs is unacceptable because it goes

against the need for Government's accountability on expenditure. Government needs to exhibit transparency in this matter;

- d) Uncertainty on the referendum question: The people of Zambia deserve better. We need a categorical assurance of a Referendum by the Executive because that is what the Zambian people want and this is what they were promised by the current administration.

## **10.0 The need for more consultation**

In the recent past, we have seen unprecedented Government decisions and actions being made by way of decrees.

- a) This has especially been the case when Government has announced the creation of new political boundaries and governance structures. We appreciate the noble objectives behind these decisions, namely, to enhance participation in the governance system and make services more easily accessible to citizens. However, though the constitution gives powers to the Republican President to make decisions even by decree, it is desirable and sometimes necessary to consult, as this facilitates prior understanding and appreciation of issues and guarantees success at implementation stage.
- b) Another case of the absence of consultation is in the areas of education. The Government-Church relationship in the education sector is governed by the Education Act. As major stakeholders, in the education sector, we are dismayed by the growing tendency for unilateral pronouncements, circulars and directives coming from Government functionaries. Some of these directives have far-reaching consequences in the manner we run our schools and sometimes border on matters of policy. Government would do well to consult with key local partners and stakeholders on such matters e.g. issues to do with school fees in our schools.
- c) In the area of health, the Catholic Church's relationship with the Government is governed by a Memorandum of Understanding (MoU). It is disheartening to see major decisions such as the realigning of our medical institutions to new Government ministries taken without due consultation.

It is our fervent hope that the Government will do some objective and serious introspection in this area and act to carry everyone along when important decisions are being made.

## **11.0 Registration of all mobile SIM cards**

We take note of the call by Government through the Zambia Information and Communication Technology Authority (ZICTA) for all mobile phone users in Zambia to register their SIM cards with service providers or risk having them deactivated. According to ZICTA, the move is meant to deter criminality in Zambia and would be in accordance with the Information Communication Technologies (ICT) Act No 15 of 2009 and the Statutory Instrument on the Registration of Electronic Communication Apparatus No. 65 of 2011.

While the intention to deter criminality and control abuse of communication technologies is noble, we call upon the Zambian Government to put in place legal guarantees for the protection of personal data and privacy.

## **12.0 Conclusion**

We would like to conclude by urging all of us to pray for this nation so that we may thirst and hunger for a more just society.

"This is what Yahweh asks of you, only this: to act justly, to love tenderly, and to walk humbly with your God" (Micah 6:8).

May we - in all that we think, say and do give praise and glory of God who is himself full of mercy and love.

*Issued at Kapingila House, Lusaka, Zambia on 27 January, 2013.*

- *Most. Rev. Ignatius Chama - Archbishop of Kasama, Apostolic Administrator of Mpika and ZEC President*
- *Rt. Rev. Alick Banda - Bishop of Ndola and ZEC Vice President*
- *Most Rev. Telesphore-George Mpundu - Archbishop of Lusaka*
- *Rt. Rev. Raymond Mpezele - Bishop of Livingstone*
- *Rt. Rev. Emilio Patriarca - Bishop of Monze*
- *Rt. Rev. George Cosmas Zumaile Lungu - Bishop of Chipata*

- *Rt. Rev. Charles Kasonde - Bishop of Solwezi*
  - *Rt. Rev. Evans Chinyama Chinyemba, OMI - Bishop of Mongu*
  - *Rt. Rev. Clement Mulenga, SDB- Bishop of Kabwe*
  - *Rt. Rev. Benjamin Phiri - Auxiliary Bishop of Chipata*
  - *Very Rev. Fr. Michael Merizzi, M.Afr. - Apostolic Administrator of Mansa*
  - *Rt. Rev. Aaron Chisha - Bishop Emeritus of Mansa*
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