

6 days under trial for our conscience: Fighting to revive the classroom.

20 January 2022

*By Obert Masaraure: Narrating the ordeal of teachers at the hands of state security agents.*

2022 is the year when the Amalgamated Rural Teachers Union of Zimbabwe, ARTUZ, has resolved to fight for the full restoration of the classroom. The point of intervention in this fight includes re-establishing the classroom as the production and consumption centre for education, engaging decision makers as well as taking advantage of any arising opportunities for teachers' voices to be heard.

Wednesday January 12, 2021 represented one such opportunity.

The National Joint Negotiating Council (NJNC) was meeting in Harare on the day to decide on salaries, and general welfare for civil servants. This was a perfect opportunity not only to mount pressure on the government to deliver a living wage but also to express our disappointment with their failure to realign labour laws with Section 65 of the Constitution.

The body that represents civil servants in the NJNC itself, the APEX Council, has been imposed by the government. Workers have not been elected to the council, elections that should be held every two years have not been held in seven years, and therefore it goes without saying that we were also challenging the legitimacy of this negotiating platform.

In preparation for the day three ARTUZ representatives were invited from each province, and they would then be joined by the union's national leadership of 20 people. Messaging consistent with the demands of teachers across the country was developed. These were articulated on the day through placards and other social media platforms. These messages included demanding the urgent safe opening of schools, the realignment of laws with the constitution as well as the demand for the restoration of pre-October 2018 salaries.

Under Finance Minister Mthuli Ncube's austerity measures, the government slashed salaries of civil servants through currency reforms. Civil servants who were earning USD 540 before October 2018 found themselves earning in a valueless local currency. The value of the local currency kept on falling until a teacher who used to earn USD 540 now



earns a paltry USD 90, or less.

On the morning in question we turned up, holding our placards and gathered at the venue of the meeting, the National Social Security Authority (NSSA) building in the capital.. Our intention was very clear to wait for the outcome of the NJNC. We were also hoping to be addressed by the APEX chairperson, Cecilia Alexander. This was the only opportunity for such an engagement as we do not meet at any other platforms with Cecilia. We planned to then submit our petition stating demands that have been agreed to by teachers across the country.

We waited patiently for the meeting to be concluded. During the wait union leaders took the time to address both the gathered teachers and the public. The atmosphere was peaceful and almost jovial as teachers patiently waited. This peaceful environment was however rudely disrupted by the arrival of two police vehicles - a truck carrying up to 100 anti-riot police officers and a smaller truck with up to 20 more. As they jumped from the trucks the threat of violence was very apparent. We all scattered in different directions for safety.. I walked away with two other union leaders Munyaradzi Masiwa and Munyaradzi Ndawana. Our intention was to seek refuge at a nearby police post inside the Harare Gardens. We believed that the role of the police remained to protect citizens and maintain peace. We thought we would be safer from the blood thirsty anti-riot police at the police post.

As we approached the police post, we heard the blood-chilling sound of a gun being cocked. We turned around and we saw a police officer in uniform. He instructed us to lie on the ground. We lied on our bellies and he used his radio to signal more police officers to come. His communication was more than just a signal; he was actually gloating that he had caught us and I was his biggest trophy.

Within minutes more police officers had turned up, some in uniform and more in civilian clothing. We were tied together with a rope. They proceeded to assault us with baton sticks. We remained on our bellies enduring each stroke as it came. The beatings got worse as they even kicked us all over our bodies, including our faces. I sustained facial injuries from the assault.

After 20 minutes of unrelenting assault we were ordered to get up. The policemen started mocking us telling us that we were planning to fight the government, we had to be well prepared and that they were going to train us. We were ordered to run around the park. Our bodies were on fire

from the beatings but in the face of armed police we had no choice but to push ourselves to run. We ran around Harare Gardens for an estimated 30 minutes. Even as we ran out of breath we could not stop, fearing further assault or even worse. Finally a truck arrived and we were forced into it. We were reunited with six of our comrades who had already been arrested. The truck proceeded to Harare Central Police Station.

On our way to Harare Central, my mind was seized with a strong intention to sue our assailants. Attested officers of the law have no right to wantonly assault citizens who are exercising their democratic rights. The biggest challenge was to identify the names of the assailants. We were later to learn that police officers in the Police Reaction Group, (PRG) are frequently rotated and there is rarely a duty roster of those deployed on operations. They operate like a mafia, and have latitude to engage in criminality. They have the blessings of the bosses. Luckily, we have managed to identify some of the assailants and we will definitely make them pay.

When we arrived at the police station we were denied access to our lawyers, food or water. At the police station, we met seven more of our comrades, one male and six female. We were all interrogated for what seemed like hours, and at this point we were losing track of time. After this, that is when we managed to speak to our lawyers and only got medical attention for injuries resulting from the assault at close to 8pm. No charges were brought against us but we were thrown into a cell. The cell was overcrowded and conditions very unsanitary with flowing sewage. The smell was unbearable. We spent the night in that cell.

The following morning, we were taken to the Law and Order section where the officers profiled us. They attempted to befriend our comrades as a ploy to extract more information. The information remained the same; we were a teachers' union that was fighting for a living wage and improved working conditions for teachers. After their futile attempt to gather any evidence that could be used to charge us, they contemplated releasing some of us. That was not to be, they cooked up a charge against us in the end. They invoked Section 37 of the Criminal Codification Act and charged us with participating in a public gathering with the intention to cause public violence, breach of peace and bigotry. This was only 24 hours after our arrest. But during these 24 hours, no public violence had taken place and the only people who had breached the peace were the police officers who had attacked us.



We spent a second night in the cells. The following morning we were taken to court. We were transported under heavy guard and when we arrived there were an estimated 300 anti-riot police officers. At Harare Magistrates Court we were made to sit on the floor again and we were denied food and water. We waited in this state for up to three hours. At around 12 we were informed that the State was opposing bail.

We were taken into court where we registered our complaints against the police citing the assault and the denial of legal counsel during the first hours of detention. The investigating officer was called to the stand to explain why they were opposing bail. He proceeded to claim that we were flight risks since we had displayed a lack of interest in our jobs. He said they feared we would flee to Rwanda where Zimbabwean teachers were in demand. He even said we were facing a serious charge which could induce absconding trial if granted bail, a claim the police had since failed to substantiate. He claimed we had supplied fake addresses that they had not verified. Most of the addresses supplied were school addresses and this could be easily verified with the Ministry of Education. It also did not make sense to claim that I was a flight risk since I have been facing a subversion charge since 2019, which is more serious than the current one. The Investigating Officer's arguments all started falling apart during cross examination. When he realised this, he then claimed he was suffering from a headache and could not continue. As a result of this courtroom drama, we were to spend the weekend in custody pending bail hearing on on Monday 17 January 2022.

We were transferred to Harare Remand Prison in a crowded prison truck. The crowding was so bad that you could not even turn nor move your body. Upon arrival we were forced to strip naked and made to jump up and down. It was not clear what part of prison procedures dictated that we be subjected to this dehumanising treatment. Afterwards, we were taken to an overcrowded cell which measured an estimated 40 square metres and housed up to 70 of us. Covid-19 tests were only conducted on Saturday. This meant they crammed 70 people in a cell without knowing their Covid status. A major concern was also that whoever tested positive would be placed in quarantine and would therefore miss court. We however managed to receive visitors and food from outside on Saturday 15 January 2022. The books that had been brought for us were however confiscated for "security reasons". They said they would only hand them over after they had been vetted. Upto now, those books have not been retrieved from prison authorities.



The following day, we were informed that we were being moved to Harare Central Prison since there was renovation work to be done at Harare Remand Prison. This meant our visitors were denied entrance to the prison. As a result we fasted the whole of Sunday. The food at the prison was hardly fit for human consumption and there was a real fear that it could make one sick. At the new prison, we were again thrown into an even smaller cell, more crowded than the previous one. There were 65 inmates in this cell initially designed for 20 people. The putrid smell of sweat in a crowded small cell housing 65 grown men was unbearable. The heat and the sweating felt exactly like what it was, a punishment that we were being subjected to without the benefit of a trial.

It is interesting to note that during our stay in remand prison we were placed in what it is referred to as section D. This is a section reserved for violent offenders, murderers and armed robbers, the majority charged with more than two counts. As we conversed with these inmates we came to a realisation that these criminals had an almost fanatical passion for their craft. They are willing to even lay down their lives for a heist that could perhaps yield money they could not last for more than a month. On the other hand, we are fighting for the future of education, battling for a cause that would benefit the masses yet not even our passion could match the zeal that was apparent in these men. Ours was a bigger struggle and it was apparent to us that we had to sacrifice more and fight with more energy and passion. So the interesting learning curve occurred as we were in conversation with hardened criminals.

After a difficult night at Harare Central Prison, we were taken back to court on Monday morning. The prison processes are chaotic and every stage is characterised by unnecessary delays. We arrived at court at almost 10 am when the hearing had been scheduled for 830 am. This meant we missed the actual hearing and we were advised that the ruling had been scheduled for 1415 that afternoon. At the appointed time, chaos prevailed again and they could not even get us into the courtroom to hear our ruling. We were right in the courthouse building but for some reason they failed to get us in place in time. We were only informed that bail had been granted and they were ironing out details concerning reporting police stations. Bail had been set at ZWL 5000, a very steep amount for a teacher earning around ZWL18000. One teacher had actually received a salary that was less than the stipulated amount because she had accumulated loans to attempt to make up for the deficit created by her meagre earnings. Fortunately, well-wishers came



to our rescue and bail was paid in time for all of us.

We completed the bail processes at court as early as 5 PM but at the prison we found ourselves trapped by the prison chaos. After a lot of repetitive processes that included head counts we were only released after 11 PM. The battle was finally over yet the war against our freedom persists. We are required to report every week at our nearest police stations and our next court appearance is scheduled for 17 February.

The past days have re-ignited our fire. The fire was fed by the overwhelming solidarity we received from comrades who came to court with us, those who consistently visited us in custody and solidarity from sister unions locally and across the globe. We have no choice but to continue to fight and speak out. Ironically the government has once again deferred the reopening of schools without articulating valid reasons. The continued schools closure no longer has anything to do with safety in face of COVID19 but just abdicating from the duty of providing education. There is still no commitment to paying teachers a living wage. Again it feels like we are on a roller-coaster ride. The decision makers are not moved by the education crisis, their sons and daughters are well insulated as they are either in elite private schools or in some exotic education centers across the globe.

ARTUZ calls upon the broader working class to join us under the #SaveOurEducationZw campaign as we push for the realisation of the following demands for urgent, efficient, safe and inclusive schools' opening;

1. Pre October 2018 salaries for teachers, minimum USD 540
2. State funded basic education
3. Safety in schools in the face of COVID19 and political persecution

Aluta Continua!