

## **Limitations of Rights in Zimbabwe**

Valantine Mutatu

### **Abstract**

The birthmark of the 2013 Constitution ushered in a positive legal framework, at the very least in the discourse of human rights in Zimbabwe. 1 The Bill of Rights in the 2013 Constitution encompasses a wide range of fundamental human rights ranging from civil and political rights, socio-economic rights, minority rights, developmental rights to group rights amongst others within its ambit. 2 These variety of rights are justiciable, therefore implying that they inherently attract different approaches in the enjoyment of these rights and freedoms; different approaches in litigation of the rights; and different approaches in their limitation. In summary, recognised grounds of limiting rights in the Bill of Rights are mainly related to limitations acceptable in terms of laws of general application and other special circumstances such as during state of emergency. Although these rights are not absolute, it should not go without mentioning that the few legally recognised channels upon which they can be limited are narrow, stringent and demand a considerable burden of justification, reasonability and rationality to escape legal inquiry, scrutiny and challenge. With this reasoning in mind, the essence of this research is to assess legally recognized avenues in the limitation of rights protected under the Bill of Rights. To this end, this chapter is divided into five segments. In respective format, the first segment deals with the introduction and the historical background of limitation of rights and freedoms; the second segment deals with the limitations of rights under international law; the third segment deals with limitation of rights under Zimbabwean law and; the fourth segment is the conclusion.

**Key Words:** legal framework, rights, Limitations of Rights, Zimbabwe