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Fadzayi Mahere

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Fadzayi Mahere is a Zimbabwean lawyer and [MDC](#) politician. Prior to joining MDC, she was an independent politician and political activist known for being vocal in her opposition to [Zanu-PF](#) governance. She was been one of the most prominent activist of the [#ThisFlag Movement](#) in 2016.

Advocate

Fadzayi Mahere



Image Via: [Linked In](#)

Nationality

Zimbabwean

Education

University of Cambridge

Occupation

- Lawyer

Known for

Political Activism,

Political party

MDC

Parent(s)

[Stephen Mahere](#) (father)

In 2018, Mahere contested as an independent candidate of the [Mt Pleasant](#) Member of Parliament seat. She lost to MDC's Samuel Banda.

Education

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Mahere attended Arundel High School for her high school education before enrolling at the [University of Zimbabwe](#) where she studied for a Bachelors of Law Honours degree (LLB Hons) from 2004 to 2008. While at the University of Zimbabwe, she was Lead Counsel for the Zimbabwean Team that won the All Africa International Humanitarian Law Moot Court Competition in Arusha, Tanzania in 2007 and was awarded Prize for the Best Oral Argument in the Finals. Mahere was also Lead Counsel for the [University of Zimbabwe](#) Team that won the National Moot Court Competition on International Humanitarian Law. In 2006 she got the opportunity to be Zimbabwe's Representative at UNICEF African Video Conference on HIV/AIDS.

After graduating from the University of Zimbabwe she proceeded to the University of Cambridge in 2010, for a Master of Laws, International Criminal Law & International Commercial Litigation before graduating in 2011. Her special area of focus was on election violence as a crime against humanity under international law. During her studies at Cambridge, she was a member of the Cambridge Law Society Cambridge Pro Bono Project Cambridge-Texas Defender Services Cambridge Union Debater.^[1]

Career

Mahere practiced for a year in the Prosecution Division of the International Criminal Court in The Hague.^[2]

Positions Held

- Advocate of the High Court and Supreme Court of Zimbabwe from January 2012 – Present, [Harare](#)
- International Criminal Lawyer - Office of the Prosecutor-International Criminal Court from 2009 – 2010 (1 year)
- Lawyer for Gollop and Blank Legal Practitioners from 2007 – 2009 (2 years)
- Legal Researcher - Office of the Prosecutor for the United Nations International Criminal Tribunal for Rwanda from 2008 – 2008 (less than a year)

Criticism Of Bond Notes

In June 2016, Mahere was part of a delegation put together by [This Flag Movement](#) to meet with [Reserve Bank of Zimbabwe](#) Governor [John Mangudya](#) concerning the introduction of the [bond notes](#). The delegation consisted of [Vince Musewe](#) and [Evan Mawarire](#) who gave the opening remarks and reiterated that the citizens did not want the bond notes.

At the event Mahere highlighted that the bond notes were unconstitutional as it goes against Chapter 17 of the Constitution which speaks on public finance. You can watch the video of her presentation below:

Criticism of Evan Mawarire's Leaving Zimbabwe

In August 2016, Mahere criticised Mawarire for betraying the *hatichatya – we are not afraid* message that had been the tagline of the [ThisFlag movement](#).

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He told us all not to fear – on radio, in his videos, on social media and in the street. There is no denying that many were emboldened by his mantra and his leadership. Over the months that he ran his campaign, many regular citizens made themselves more vulnerable than they otherwise would have.

...It came as a confusing shock to many when he decided to leave the country barely a day after an overwhelming 5000 strong crowd came to the courthouse in Harare to stand with him and denounce fear. His explanation for leaving is that he fears what the state may do to him when he returns.

...Was he lying when he said he wasn't afraid? Is he now afraid?

...Or does he now have asylum? If he has, we have to accept do we not that this is a monumental betrayal of many Zimbabweans who stood beside him and made themselves equally vulnerable to attacks by the system?^[3]

In response, some Zimbabweans criticised her for assuming that everyone enjoyed the kind of safety she enjoyed as the daughter of a Zanu-PF member.

Letter To The President

Following [Robert Mugabe's](#) address to war veterans on 27 July 2016, Mahere wrote an open letter to him on her Facebook wall asking if the President was joking when he enacted the new constitution that gives people the freedom to expression.

Dearest Mr President

Some Zimbabweans get sorely frustrated to a point where they opt to use expletives in respect of you. Some – in your own party, as you will no doubt be aware, plot your downfall behind your back. Some ignore what you have to say and get on with the business of living.

I operate slightly differently – I listen to what you have to say – and I think – and critically. Mr President, I cannot help thinking. I am a slave to reason. I think about everything – big or small. When something does not make sense to me, it nags me like an itch I can't reach. I try to ignore it and try and move on with my daily life – but the itch doesn't go away. So I have been thinking about your speech yesterday, addressed to war veterans but touching on us all. I actually tuned in. Afterwards, I tried to continue as though nothing had happened but I couldn't. I am itching and I cannot reach. Arising from what you said, therefore, I have a few questions to ask and observations to make. I say everything with respect and don't intend to insult or subvert you – I genuinely wish to understand.

Were you just kidding around when you enacted the [Constitution](#) together with [Parliament](#) on the 22nd of May 2013? Was it all a sham? Have you changed your mind perhaps about what you were signing into law? If you have, surely you'd have to change the Constitution before you start acting so contrary to it? Until it is changed, surely it is binding – on you, on me, on everyone?

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You said many things in your address yesterday but what struck me most was your assertion that “once [citizens] begin to get involved with our politics you are courting real trouble, we know how to deal with our enemies who have been trying all along to effect regime change.” This was addressed inter alia to #thisflaggers. What I understood this to mean is that we cannot, as ordinary people, question our politicians or speak out against issues we feel may need to change. It also appears implicit that we are not, in exercising our political choices entitled to disagree with you in particular and [Zanu PF](#) in general.

Surely this threat runs directly counter to our rights under section 67 of the Constitution? Section 67(1)(b) of the Constitution gives us the right to make political choices freely – in other words without you calling us enemies, threatening to unleash the police on us or calling us “nonsense.” Section 67(2)(a) proceeds to give us the right to form, to join and to participate in the activities of a political party or organisation of our choice. The Constitution thus allows us to join and participate in the activities of #thisflag. Section 67(2)(b) allows us to campaign freely and peacefully for a political party or cause. #thisflag is a cause we choose to campaign for. Surely, we cannot be hindered in doing so? Free means free – without the threat of reprisals.

*Most crucially, Mr President, section 67(2)(d) allows us to participate, individually or collectively, in gatherings or groups or in any other manner (including #thisflag posts on social media) in peaceful activities to influence, CHALLENGE or SUPPORT the policies of the government or *any* political party or *whatever* cause. This section accordingly allows me to CHALLENGE the policies of the Government and Zanu PF and to SUPPORT #thisflag.*

*These are my constitutional rights as a citizen. Section 2 of the Constitution (not me) provides that the Constitution is the SUPREME law of Zimbabwe (in other words it overrides the Constitution of Zanu PF or your personal sentiments on any issue). *Any* law, practice, custom or conduct inconsistent with it is invalid to the extent of the inconsistency. The inescapable conclusion therefore, is that to the extent that you undermined my political rights guaranteed by section 67 in your speech yesterday, your conduct in so doing was unconstitutional and invalid.*

With all due respect, Mr President, this is not an insult or subversion. It’s the law, the supreme law that you agreed to, enacted and promised to respect.

Have a lovely, lovely day.

Yours sincerely

Adv F Mahere

November 2016 Arrest

Mahere was arrested in November 2016 for protesting against the impending introduction of Bond Notes. Mahere was protesting with a small group of people in [Africa Unity Square](#) when anti-riot police

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descended on them, arresting them. Politician, [Acie Lumumba](#) was part of the group but was not arrested along with the group.^[4] The charges against the group were all dropped in December 2016. The court ruled that the arrest was illegal as there was no reasonable suspicion of a crime taking place.^[5]

Interviews

In an effort to get the youth more involved and to understand politicians Fadzayi, started interviewing politicians on #ThisFlag Thursdays.

Running for Member of Parliament

On 28 June 2017, Fadzayi Mahere announced that she was entering politics and that she was going to run for Member of Parliament of her home area of Mount Pleasant area. She announced that she was going to be running as an independent. As part of her launch speech, she said:

We have tried to encourage accountability and transparency but have been met with resistance, half-truths and most ironically silence. Our government is asleep and our parliament is largely incapable of representing the best interests of the citizens. There are reports of parliamentarians who spend an entire year without speaking. How can you represent the concerns of citizens if you never stand up to be counted? We have watched dubious legislation pass through parliament with very little opposition and even less civil engagement. When was the last time our members of parliament came into the community to discuss issues or deliberate proposed

Campaign Videos

Political Manifesto

To download her manifesto in English please click here:

- [File:Fadzayi Mahere-mp-Manifesto-ENGLISH_.pdf](#)



**MT. PLEASANT
CONSTITUENCY
YELLOW
MANIFESTO
(DRAFT 07)**

Alex Park
Avondale Township
Avondale West
Belgravia
Borrowdale West
Gunhill
Groombridge
Kensington
Mt. Pleasant
Norfolk
Northwood
Pomona
Strathaven
Vainona

**Fadzayl Mahere
Independent Candidate**

Response on [Robert Mugabe Coup Claims](#)

In March 2018, Mahere responded to former president claims that he was unconstitutionally removed from his position as president. Speaking at the SAPES Trust, Mahere said,

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It's a myth that the military took over Zanu PF in 2017, the military has always been in bed with Zanu PF that is why in 2008 they held another gun to Mugabe to say you are not going anywhere and it seemed not to raise these arguments at that time.

The suggestion that Mugabe is happy for the army to participate in electoral and political processes for as long as they like him but until the moment they fall out it's now a coup, it's now unconstitutional, it's now problematic.

You recall that in 2008 when (then South African President) Mbeki came and the people had spoken and voted in support of Morgan Tsvangirai and there was really a crisis Thabo Mbeki came in and said there is no crisis in Zimbabwe.

So we are not going to have that same SADC come and say Mugabe is right whenever he violates people's rights when he jailed them and they are quiet and they don't speak to the unconstitutionality of that. You can't choose which parts of the constitution you like.

About Pindula

Pindula is a place to find information about local things on the internet. We do it a lot like Wikipedia, except everything is hyper-local. We started work on Pindula because we needed something like it. There's so little useful information about local things online and we're working to change that

To join the Pindula community of editors, please go to <https://contribute.pindula.co.zw?> or just get in touch with us on **WhatsApp: +263 77 770 7852**.

References

1. ? [Fadzayi Mahere](#), *LinkedIn*, published: No Date Given, retrieved: July 28, 2016
2. ? [On being a woman advocate in Harare](#), *Financial Gazette*, published: July 31, 2014, retrieved: July 28, 2016
3. ? Fadzayi Mahere, [Facebook Post](#), Facebook, Published on: 10 Aug 2015, Retrieved: 13 Oct 2016
4. ? [Advocate Fadzayi Mahere arrested for demonstrating](#), *Pindula News*, Published: 18 Nov 2016, Retrieved: 18 Nov 2016
5. ? ["2016 - the year I became a first accused"](#). Facebook. December 13, 2016. Retrieved June 28, 2017.