

ZIMBABWE TRANSITION BAROMETER

OCTOBER 2012

Bi-monthly Report Analysing The Zimbabwe Transition

ISSUE 01



A democratic transition occurs, at least, when there is a competitive, free and fair electoral environment that leads to a legitimately elected government taking state power in a peaceful way as occurred in South Africa in 1994.

TREKKING THE TRANSITION

The signing of the Global Political Agreement (GPA) in September 2008 and the subsequent formation of the Government of National Unity (GNU) marked what many termed as the formal transition of Zimbabwe from a repressive and authoritarian state to a democratic one. The projection was that the GPA would provide the medium through which the process towards full democratisation would be attained.



A Country In Flames



Crisis in Zimbabwe
coalition
a time to act

Introduction

The signing of the Global Political Agreement (GPA) in September 2008 and the subsequent formation of the Government of National Unity (GNU) marked what many termed as the formal transition of Zimbabwe from a repressive and authoritarian state to a democratic one. The projection was that the GPA would provide the medium through which the process towards full democratisation would be attained. Although the GPA was seen as a compromise agreement, most democrats assumed it offered the first in a series of “step-wise” movements towards democracy. The key to realising such a projection was hinged on the capacity to fully implement the agreement. With the Southern African Development Community (SADC) and the African Union (AU) as guarantors of the agreement, their role in influencing full implementation was always going to be pivotal.

Whereas SADC’s thrust during the period 2009-2010 was to push for the full implementation of the GPA; in 2011 the regional body was consumed with the conception of electoral reforms. In 2012 attention shifted to just one of the election road map issues - the constitution – assumed to be the central component of the reform process.

The failure by SADC to influence implementation of each phase of reform added to ZANU PF’s deliberate reform diversion strategies threaten to override the imperative transition to democracy. The outstanding issues in the election road map and the incessant disruption of the constitution writing process will inevitably compromise key steps of the democratisation process.

There are indications that SADC’s key interest in Zimbabwe may now merely be the need to restore political stability; without necessarily establishing sustainable democracy foundations. The transition to a full democracy is therefore under threat as it may in the end be relegated to a mere stability-building process. This may still result in a functional state, however devoid of key democracy tenets.

The Zimbabwe Transition Barometer is therefore meant to:

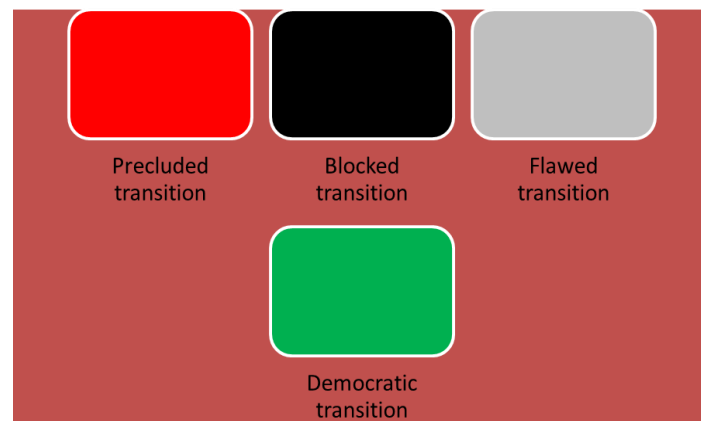
- highlight the critical issues; which the current political process and mediation may disregard yet are key determinants to building democratic foundations in Zimbabwe;
- trace the progress towards democracy-building, focussing on gaps that exist and their likely impact in the democratisation process
- highlight possible scenarios that may arise from key deficits in the democratisation process
- theorise and offer practical solutions for civil society and relevant stakeholders working on the democratisation of Zimbabwe

Our review is based on the transition process signposts as interpreted from the GPA; election road map; and relevant SADC communique. The shifting dynamics in Zimbabwe’s socio-economic and political landscape are also key informants to the analysis. Seven key transition process signposts (termed as “Barometer indicators”) will form the basis of analysis. These barometer indicators are: national healing; preparation of new voters’ roll; constitution process; monitoring the GPA; national economy; media reforms; and land question. Each will be evaluated based on: its derivation/connection to the GPA/election roadmap/SADC communique; key prevailing issues; effects on the democratisation process; barometer indicator scorecard (rating of its implementation); likely scenarios that may evolve and key recommendations for policy-makers/civil society/political players/SADC *et cetera*.

At a theoretical level our Barometer is largely informed by the work of

Michael Bratton and Nicolas van de Walle, who have studied regime transitions in sub-Saharan Africa. In their seminal book, ‘Democratic experiments in Africa’, they identify four possible outcomes of a transition, which we employ as analytic lens. These are precluded transition, blocked transition, flawed transition and democratic transition as shown in the diagram below.

Transitional Outcomes



Precluded Transition:

A precluded transition reflects a situation where there is a *cul de sac* or dead end. The transition is usually characterised by civil war, warlords, armed rebels and a collapse or failure of the state such as the situation in Sudan in the 90s.

Blocked Transition

In blocked transitions ‘rulers ma[k]e insincere and tactical concessions aimed at buying time to show up collapsing authority, *with no apparent intention of implementing elections* or surrendering power’ (Bratton and van de Walle 1997:170 my emphasis added).

Flawed Transition

A flawed transition is reflective of a situation where the incumbent allows the reforms to take place and in the process occasionally loses control resulting in accidental positive democratic outcomes. However, in this process the incumbent is still determined to control and manipulate the laws such as electoral rules. In this scenario one is likely to have artificial elections that work in the favour of the incumbent.

Democratic Transition

A democratic transition occurs, at least, when there is a competitive, free and fair electoral environment that leads to a legitimately elected government taking state power in a peaceful way as occurred in South Africa in 1994.

Which Trajectory Is Zimbabwe Following? As the Zimbabwe political landscape shifts; the key outcome of democratisation must remain a pivotal guide. This report therefore seeks to ensure that the country’s democraticness is kept under microscopic trekking lens as a lever to the transition.

By Phillan Zamchiya Regional Coordinator

Crisis in Zimbabwe Coalition (South Africa office)

EXECUTIVE SUMMARY

The Zimbabwe political landscape is gravitating from the GPA yard into political turmoil with potential to replicate the June 2008 presidential election run-off. There is a shift from the commitment to fulfil the GPA as political temperature rises. The thread that seems to hold the GPA together is now only meant for the convenience of election leverages rather than creating sustainable democratic processes.

There is a rise in political violence and intimidation cases mainly related to militia groups connected to ZANU-PF leaders as well as growing violations of democratic tenets by the security sector and other political party members.

Prospects for a new voters' roll are fading given the proximity of a 2013 election. The voter registration process has been slow with ill-defined mechanisms and requirements for the citizens. Although the constitution process is now proceeding to the All-stakeholders' meeting, there is need for SADC to follow up on the commitment it made at the August Maputo summit to ensure completion of the process (through to the referendum). A democratic referendum process will likely provide a boost for the transition process in Zimbabwe.

SADC also need to establish guidelines for conduct of the security sector and political parties before, during and after elections. This will address the current concerns on the partisan use of state institutions and the security sector in the pending election.

Although SADC instructed the deployment of its officials to work with the Joint Monitoring and Implementation Committee (JOMIC) in June 2011; this had not been done by the beginning of October 2012. These deployments must be expedited in order to empower JOMIC, which must also engage, monitor, and evaluate state institutions (including security sector) and hold them to account on the GPA terms and clauses.

The signatories to the GPA must further call for an overall review of the political, economic and security sectors in compliance with Article XXIII of the GPA; something that has not been done since 2009.

Article III of the GPA emphasises restoration of economic activity and growth. Although there were improvements in economic performance due to adoption of the multi-currency regime in 2009; key reform areas have not been attended to. There has been bickering in the IG (or GNU) on the composition and operationalisation of the National Economic Council (NEC) as well as discord in the economic empowerment and indigenisation policy. Revenue inflows from diamond and other minerals have not been transparent and neither have they significantly flowed into government treasury. Civil society is therefore urged to continue advocating for transparency in mineral resources management as well as pushing for implementation of Article III of the GPA.

Article XIX of the GPA recognises the right to freedom of expres-

sion and role of the media in the realisation of such. The Broadcasting Authority of Zimbabwe (BAZ)'s constitution remains under contention as the MDC parties allege they were not consulted on the formation of its board. This has further led to challenges over its jurisdiction in awarding new commercial radio licenses. The state media continues to carry partisan messaging as well as demonising other political forces outside ZANU-PF. Litigations processes must be pursued on the legality of the BAZ board as well as failure to institute reforms in the state media.

Article V of the GPA demands the restoration of order in land distribution and acquisition as well as carrying out a transparent and non-partisan land audit. Despite such instruction; partisan land acquisition has continued under the GPA; including in areas designated for national economic purposes. This has augmented existing levels of lawlessness and impunity.

The overall rating of democratisation remains low; mainly arrested by failure to implement key clauses of the GPA. This has further been exacerbated by lack of an independent GPA oversight body as well as SADC's lack of capacity in enforcing compliance to the agreement and issues raised in its various communiqués.

As of early October, 2012 we conclude that Zimbabwe is heading toward a flawed transition, one that is hinged on window dressing reforms and in some cases grasshopper reforms. The incumbent, ZANU PF, want to effect half-measures but 'at the same time manipulate both the process and the content of the reforms to its advantage so that Zimbabwe can have a flawed election that retains it into power. What we are seeing here is a 'fallacy of electoralism'. This is an early warning sign that provides an opportunity for civil society, the region and international actors to intensify efforts to leverage democratic transition in Zimbabwe. In the next chapter we trek the transition.

Mcdonald Lewanika,

Crisis in Zimbabwe Coalition Director

Trekking the Transition

1.0 Barometer Indicator 1: National Healing

1.1 Source of Barometer Indicator

The GPA is instructive on the need to promote equality, national healing, cohesion and unity given the background state-sponsored political violence; not only in 2008 but stretching back into pre and post-independence dispensations. The culmination of the GPA therefore presented an opportunity to build new national foundations to address the historical legacy of political intolerance. The formation of the Organ for National Healing, Reconciliation and Integration (ONHRI) presented an institutional constructs upon which national healing would have been considerably addressed.

The ONHRI articulated its mandate as exploring ways for broad consultations on the development of a contextual mechanism to address national healing. Although consultations were held in 2009 and 2010; there existed differences amongst the stakeholders in areas of preferred approach, process mandates and legitimacy. Civil society was clear on the need to create a non-political party dominated process and proposed creation of a non-partisan body with legislated powers to address national healing. The reluctance by the ONHRI; or its principals to open up space and allow for a fully mandated mechanism inclusive of broader stakeholders; led to a gridlock with civil society. The ONHRI process has therefore been muted since 2010 and it has become inconsequential in addressing historical cases as well as break the evolving cycle of political violence, intimidation, intolerance, and militia-styled activities.

1.2 Key Prevailing Issues

Although formal state security institutions; war veterans and political party youths have been fingered in acts of political violence from the past to-date; there is a new emerging trend of militia groups sprouting around the country – mainly in urban areas. ‘Chipangano’ is operating in Harare, ‘Top Six’ in Chinohoi, ‘Jochomondo’ in Hurungwe, ‘Jambanja’ in Marambapfungwe, and ‘Alshabab’ in Kwekwe. These groups model their terror activities around politico-economic pursuits. Although they are fully inscribed as ZANU-PF outfits; their control is more localised and their loyalty does not seem to be to the institution of the party but rather to individual leaders. As they inflict political intimidation and terror on opponents; they also practice extortionist behaviour; meant to consolidate portions of local economies under their control.



Residents of Machipisa in Harare ran for their life from Chipangano gang

1.3 Effects On Democratisation Process

Democratisation is a process that also focusses on protecting society’s diversity;

“What a good political system does is to find effective rules and mechanisms for deciding what laws and policies to follow, without actually ending the diversity of opinion and disagreement about these things...Democracy...is a system of conflict management. It resolves questions by a set of rule-governed mechanisms like voting (majority rule), establishing rules to protect the minority (or minorities), and so on.” The activities of the militia groups operating around the country has the inevitable effect of obstructing political plurality in communities and blockading political space for activities of other parties other than ZANU-PF. Their extortionist behaviour does not only resource their activities but leads to the emergence of local politico-economic elites; who end up creating conditions for a “political economy of violence”. Citizen vulnerability is also under threat as the militia groups begin to control communities in competition with state and municipal institutions; which in some cases are politically dis-empowered to restrain the militias. This vulnerability also increases community insecurity due to the breakdown of rule of law and centralisation of local authority in the ZANU-PF aligned militias.

1.4 Barometer Indicator Scorecard

Barometer Score Card Code: **Green** - High Implementation Score; **Orange** - Medium Implementation Score; **Red** – Low Implementation Score

EVALUATION COMPONENT	SCORECARD CODE	NOTES
IMPLEMENTATION PROGRESS		ONHRI has not produced any viable framework for national healing during and in the post-GNU era ONHRI publicity programs that were launched in 2010 have vanished and its work has remained concealed from the public domain. There is an upsurge in cases of political violence and intimidation. Indications are that political violence and intimidation will continue to suppress free political activity; freedom of assembly; security of persons and rule of law.

1.5 Possible Scenarios

The failure to restrain the activities of Chipangano in Harare and the unrestricted economic benefits from extortions led to the mushrooming of other militia groups around the country. Failure to curb the current militia groups will likely fuel emergence of more groups across the country. With the possibility of holding elections in 2013; the multiplication of these militia groups may be convenient to ZANU-PF's election strategy should the party opt for all out political intimidation and perpetration of violence. Whereas SADC and other regional and international institutions may focus on the role of formal state security institutions and structures in political violence; localised militia groups maybe "less watched" and yet be the "high impact" vehicle for intimidation and political violence; this time around.

1.6 Key Recommendations

- ♦ Civil society must enhance regional advocacy and lobby programs to highlight the emerging political violence and intimidation trends; especially those related to militia groups and their relation to ZANU-PF and other state security institutions
- ♦ SADC must dispatch its "Early Warning Unit" Team to Zimbabwe as current developments seem to indicate rising tensions which may break out into full scale political violence closer to the elections
- ♦ A specific violence trekking mechanism must be developed by Civil Society and publicised (locally, regionally and internationally) on a weekly basis.

Conrad Brunk "Shaping a Vision: The Nature of Peace Studies". In Patterns of Conflicts, Paths to Peace. Fisk and Schellenberg (eds.) (2000) p.30

This is when violence becomes self-perpetuating because it is either driven by resources that can easily be obtained within the locality or where violence is in itself an a means to control the local economy for self or political gain. See Nazih Richani, The Political Economy of Violence: The War System in Colombia, Journal of Interamerican Studies and World Affairs Vol. 39, No. 2 (Summer, 1997), pp. 37-81

Vulnerability is further exacerbated by declining disposable incomes and an under-performing macro-economy, communities end up submitting to the militia groups as some of them create the perception of being the source of economic opportunities.

Top Six' in Chinhoyi, 'Jochomondo' in Hurungwe, 'Jambanja' in Marambapfungwe, and 'Alshabab' in Kwekwe have all emerged in 2012 whereas Chipangano is known to have been in existence since the early 2000's.

2.0 Barometer Indicator 2: Preparation of New Voters' Roll

2.1 Source of Barometer Indicator

At the Extraordinary SADC Summit of Heads of State and Government held in South Africa on 11th and 12th July 2011; President Jacob Zuma presented the Zimbabwe election roadmap. Included in the road map was an agreement by the three political party negotiators to produce a new voters' roll by end of September 2011.

2.2 Key Prevailing issues



Registrar General of Zimbabwe, Tobaiwa Mudede

In April 2010, the Zimbabwe Elections Network (ZESN) produced a report on the observations of the voter's roll. The organisation recommended the drawing up of a new roll which would, through a transparent and inclusive process, ensure that all eligible persons are registered. The South Africa Institute of Race Relations (SAIRR)'s report of 2011 concluded that the voters' roll "is not only a wholly incredible document but an extremely dangerous one, which lends itself to all manner of electoral manipulation or ballot-stuffing".

The voter's roll has also been identified as one of the key elements of possible electoral fraud in Zimbabwe. Historically, voter registration has been undertaken by the Registrar General's office rather than the Zimbabwe Election Commission. This is a weakness in the electoral system; as the supposed independent electoral body seems to have no mandate in how and when voters are registered. The Registrar General's office has been fingered for ineffectiveness as well as serving partisan interests through deliberate manipulation of the voters' roll as well as the failure to publicise it; when demanded.

Although the Zimbabwe election road map stipulates that a new voters' roll should have been established by September 2011; voter registration process has been slow and manipulated. The Election Resource Centre (ERC) conducted a research on voter registration process in 2012 and realised that; some registration centres had since closed; time for registration was

restricted to less than four hours per day in some areas though registrants' numbers were high; registration by coercion in some areas; partisan registration process; and inaccessible registration centres. Although the election road map; endorsed by SADC is instructive of a new voter's roll; the deadline agreed to has been missed and voter registration process is unconvincing.

2.3 Effects on Democratisation Process

The African Union guideline on Elections Observation and Monitoring guidelines places emphasis on voter registration as the backbone of a democratic election. SADC Principles and Guidelines Governing Democratic Elections also highlight the need for non-discrimination in the voters' registration and the existence of an updated and accessible voters' roll. The manipulative voter registration process in Zimbabwe will deny many potential voters their democratic right to participate in the next election. Given the declining life expectancy in Zimbabwe; the young voters will be key participants in democratic processes such as elections. However, the current pace and quality of the voter registration process has potential to exclude a large number of them. The existence of an un-revised voters' roll means the historical weaknesses will be perpetuated thereby sustaining structural challenges to the electoral process. A manipulated voters' roll breeds conditions for a manipulated election process and outcome.

Under issue (D) – Electoral Reforms, the parties agreed to the following:

- i Enactment of agreed electoral amendments
- ii Voter education
- iii Mobilisation for voter registration
- iv Voter Registration
- v Preparation of new Voters Roll
- vi Inspection of Voters Roll
- vii Clean up Voters Roll and produce Final Voters Roll

Disagreement was on the Staffing of Zimbabwe Electoral Commission (ZEC). The MDC and MDC-T suggested that staff of ZEC to be recruited afresh by the new Commission ZANU-PF objected indicating that there should be no changes of ZEC staff. See *Zimbabwe Election Roadmap with timelines*; July 2011

Zimbabwe Election Support Network, *A report on Voter's roll observation conducted in Zimbabwe*, April 2010, p. 6.

South Africa Institute of Race Relations, *Preventing Electoral Fraud in Zimbabwe*, May 2011

2.4 Barometer Indicator Scorecard

*Barometer Score Card Code: **Green** - High Implementation Score; **Orange** - Medium Implementation Score; **Red** – Low Implementation Score*

EVALUTATION COMPONENT	SCORECARD CODE	NOTES
IMPLEMENTATION PROGRESS & IMPACT ON DEMOCRATISATION PROCESS		Although voter registration is on-going, there have been no public awareness programs. Given the proximity of a 2013 election, institutional capacity for compilation of new voters' roll (in the given time) is questionable. There is still need to clarify the roles of ZEC and the Registrar General in compiling a new voters' roll Quality of voters' roll will aid or constrain election rigging Dysfunctional voters' roll will deny some citizens of their rights to vote.

2.5 Possible Scenarios

Given the reform gridlock 2013 elections are likely to be conducted on the current and unrevised voters' roll. Voter registration will likely continue at a slow pace with manipulation from ZANU-PF. The focus of voter registration manipulation is likely to be more focused in the urban centres where ZANU-PF is desperate to wrestle parliamentary seats from MDC-T; as well as enhance its presidential votes. ZANU-PF will keep SADC and the MDC parties focussed on other "major" reform processes such as the constitutional reform; security sector concerns; media reforms etc. while keeping the voters' roll issue concealed from the broader debate. Citizens who are suspected or confirmed to be supporters of the MDC parties or opposition parties will continue to be frustrated in the voter registration process. The legitimacy of the next election will likely be determined by other issues rather than those related to voters' roll and voter registration processes.

2.6 Key Recommendations

- ◆ A new voter's roll must be established before the next election
- ◆ The deplorable state of voter registration justifies the need for SADC's early observation mission to Zimbabwe
- ◆ Civil society must demand clarity on voter registration processes with an aim to ensuring that all Zimbabweans have access to registration

"There is an emerging pattern of vote buying fashioned through the sprouting housing cooperatives whereupon those responsible for allocating the pieces of land, and also happen to be known leaders of certain political parties would demand the intended beneficiaries to be registered voters first before being allocated the residential stands." See Election Resource Centre, *The State of Continuous Voter Registration in Zimbabwe*, March 2012

"The assessment also established that access to registration services is at times

administered in a partisan manner with suspected supporters of some political parties and young people intending to register facing frustrating hurdles during their attempts to register as voters." See Election Resource Centre, *The State of Continuous Voter Registration in Zimbabwe*, March 2012

"Some centres are not located in easily accessible locations and as such discourages potential registrants from enjoying their constitutional right as voters." See Election Resource Centre, *The State of Continuous Voter Registration in Zimbabwe*, March 2012

Section V.A.17

Section 4.1.3

Section 4.1.4

Life expectancy for total population is 51.82 years. Source: Zimbabwe Demographic Profile - 2012

3.0 Barometer Indicator 3: Constitution Writing Process

3.1 Source of Barometer Indicator

Article VI of the GPA recognises the Lancaster House Constitution of 1979 as a power transfer instrument needing replacement with a people-driven and democratic constitution. The election road map also indicates the primacy of a new constitution before elections are held. At the SADC summit held in Maputo in August 2012, the regional body reiterated its call for processes “necessary for adoption of the constitution”.



People participating at a Constitution meeting in Johannesburg

3.2 Key Prevailing issues

Projections in the GPA suggest that the constitution writing process should have been completed in June 2010 with adoption in July 2010. To-date, the process has been delayed by about 27 months. Delays have mainly been due to political party disagreements on both process and content; and to some small extent funding challenges.

The COPAC process was compromised from the on-set when political parties were given more prominence than other stakeholders. In establishing the outreach teams; civil society was compromised as it did not attain an autonomous platform to participate in the process; leading to exclusion of some of its key and strategic players in the process. In practice the outreach process was largely reduced to a contestation of political party positions with limited input from other stakeholders outside the three main political parties.

Emerging issues from the outreach process were variant and some were non-constitutional; forcing COPAC to settle for compromise positions as agreed by the three political parties. The draft was therefore produced from a compendium of: issues from the outreach process; political party compromises; and the drafters' interpretation in relation to what they termed best international practices. In the end the concept of a “people-driven” constitution was equivocated. Although the Constitution Select committee produced the draft in August 2012; this led to ZANU-PF's 266 amendments resulting in a ‘deadlock’ in the process. ZANU-PF has however demanded that the national report be made public and brought to the second all-stakeholders' conference. The attempt is to derail the COPAC draft by exposing areas of difference with the national report; though ZANU-PF was also a part of that COPAC process.

3.3 Effects on Democratisation Process

The GPA is clear that the new constitution must deepen democratic values and principles. However, the content of such a constitution only comes from a process that must also uphold democratic values and principles. The GPA outlines the right of constitution-making as a fundamental right for Zimbabweans. The COPAC process however endorsed a political-party driven process; while limiting broader non-partisan participation. Parts of the central ideals of democratic politics are: facilitating active political involvement of the citizenry; and forging political consensus through dialogue; tenets which the COPAC process lacked.

The structural challenges of Zimbabwe's post-independence politics include the creation of political elitist groups and institutions which have assumed the privilege of speaking on behalf of a “silent population”. The COPAC process seemed to espouse this democracy fault line. The constitution writing process was one of those opportune occasions where participatory democracy could have been employed as a transitional foundation. Dialogue could have been created across political parties; civil society; NGO's; communities; private sector and other such stakeholders. In the end; the process merely confirmed the exclusion of the broader Zimbabwean populace in key political processes.

3.4 Barometer Indicator Scorecard

*Barometer Score Card Code: **Green** - High Implementation Score; **Orange** - Medium Implementation Score; **Red** – Low Implementation Score*

SCORECARD CODE	EVALUTATION COMPONENT	NOTES
	IMPLEMENTATION PROGRESS & IMPACT ON DEMOCRATISATION PROCESS	Draft constitution completed All-stakeholders' meeting; parliamentary debate and referendum still outstanding Outstanding processes still pose a threat to the production of a democratic constitution. New constitution may aid towards; but does not in itself necessarily result in democratisation. Democratisation will depend on the level of constitutionalism. Constitutional Process has not been transparent in terms of the "people-driven" component as political parties have been dominant.

3.5 Possible Scenarios

The resultant constitution will likely be through political compromise among the parties in the GNU. This will devalue the final product. An improved participatory process may need to be undertaken in the near future to produce a substantive constitution; once current political tensions have subsided. The constitutional process may also collapse; given the differences among the political parties. If the current impasse sustains and 2012 elapses without going to a referendum; then that may further lead to an election in 2013 under the current constitution. In this scenario, political parties and SADC may be tempted to forgo the constitutional process in preference for elections. The first five year period of the GPA ends in 2013 and elections; with or without reforms will likely be perceived as the ultimate prospect for Zimbabwe's transition. A new constitution is also likely to provide a democratic framework within which elections will be conducted. Going to elections on the current constitution may still provide for conditions that will perpetuate: political violence; breakdown in rule of law; impunity for perpetrators of violence; abuse of state institutions for intimidation and violence; and restricted freedom and security of persons. This will lead back into a disputed or tainted election; like in June 2008.

3.6 Key Recommendations

- ◆ The new SADC Troika Chairperson must follow up on the commitment made by the regional bloc at the August Maputo summit to ensure completion of the constitution process (through to the referendum). This will provide a boost for Zimbabwe's pre-election reform agenda.
- ◆ Civil society must continue to lobby and advocate for the completion of the constitution process and participation in the referendum
- ◆ In a worse case scenario, should the constitution process collapse and elections are called under the current constitution; civil society must lobby SADC to establish guidelines for the conduct of the security sector and political parties before, during and after elections. Such guideline can be produced and implemented through JOMIC but with SADC's direct involvement.

4.0 Barometer Indicator 4: Monitoring Of The GPA

4.1 Source of Barometer Indicator

Article XXII of the GPA highlights the need to form the Joint Monitoring and Implementation Committee (JOMIC) in order to “ensure full and proper implementation of the letter and spirit” of the agreement. Article XXIII of the GPA further instructs the signatories to carry out annual reviews of the both the GNU as well as implementation matrix of the GPA on issues related to the economy, political and security matters.

4.2 Key Prevailing Issues

The mechanisms of monitoring the GPA and its institutions are all supposed to be self-regulatory; as they are composed of representatives of the signatories only. However at its extraordinary meeting held in Sandton, Johannesburg in June 2011, SADC requested the troika for the Organ to appoint officials to be seconded to JOMIC. The purpose being to ensure the regional body’s “hands-on” approach to the implementation of the GPA as well as provide a direct indication of impediments and challenges faced in the implementation process. Although two officials were identified in 2011; they had not yet assumed duty by beginning of October 2012. Elton Mangoma (one of the co-chairs of JOMIC) indicated that the assumption of duty of the SADC officials had to take place after a full briefing with senior JOMIC members from all political parties; something that has eluded JOMIC for some time.



The failure by the SADC officials to join JOMIC has also been blamed on “bureaucratic bungling and scepticism” despite the regional bloc’s continued call for their urgent deployment. The “bureaucratic bungling and scepticism” has been further attributed to ZANU-PF’s unwillingness to empower SADC by having a direct oversight of JOMIC.

Since the formation of JOMIC in 2009; the body has managed to build structures that percolate into the districts of Zimbabwe in order to increase its monitoring scan. It has worked with community and traditional leaders in attempting to address political polarisation at community and sub-national levels.

President Jacob Zuma, SADC appointed facilitator on Zimbabwe

Global Political Agreement

SADC Communique of extra-ordinary meeting, Sandton, Johannesburg, 12 June 2011

The two officials who were identified were; Tanzania David Katye and Zambian Colly Muuny. Although they made several trips to Zimbabwe between June and October 2012; they had not fully assumed duty by beginning of October 2012

Quoted in the Financial Gazette Newspaper of 4-10 October 2012

Nqaba Matshazi, The Standard Newspaper, 30 October 2012

ZANU-PF insists that the monitoring and implementation of the GPA is a purely sovereign matter which must be undertaken by Zimbabweans on their own. Jonathan Moyo, Herald Newspaper, ???2011

4.3 Effects On Democratisation Process

The failure to fully implement the GPA and the political tension that has gripped the GNU era is testimony of the failure to self-regulate by the signatories of the agreement. The JOMIC framework has been exclusive and has not legally co-opted civil society, private sector and other such stakeholders in monitoring and evaluating the implementation of the GPA. Democracy is about participatory processes; and such participation must not merely be a “means to an end” but rather the “end “in itself. The failure to include broad-based Zimbabwean society in the monitoring and evaluation of the GPA is therefore a weak link in the attempt at transitioning to democracy.

Although JOMIC has played a significant role in addressing forms of conflict, violence and political tension at community and sub-national levels, it is its failure and lack of influence in addressing state institutional perpetrations. It has lacked oversight on state institutions; especially the security sector. This has therefore sustained impunity; state-sponsored violence and violations of the GPA; and political abuse of state institutions. The failure to functionally institute the: National Security Council; Organ for National Healing, Reconciliation and Integration; annual GPA review process; security of persons and prevention of violence; and free political activity are seen as one of the major weaknesses of JOMIC. This has therefore derailed or delayed the full implementation of the GPA thereby obstructing the transition to democracy.

4.4 Barometer Indicator Scorecard

EVALUTATION COMPONENT	SCORECARD CODE	NOTES
IMPLEMENTATION PROGRESS & IMPACT ON DEMOCRATISATION PROCESS		SADC officials not yet deployed Annual review of GPA (according to Article XXIII of GPA) not undertaken Significant community-based programs undertaken through building structures/programs at district levels JOMIC has no oversight on state institutions (including security sector)

*Barometer Score Card Code: **Green** - High Implementation Score; **Orange** - Medium Implementation Score; **Red** – Low Implementation Score*

4.5 Possible Scenarios

JOMIC’s role in monitoring, evaluating and rectifying any key indicators for a democratic transition will continue to be limited by the “bureaucratic bungling and scepticism” which are all driven by lack of political will. The deployment of SADC officials to JOMIC will also likely be delayed further; in an attempt to move the next election with limited SADC oversight.

W. Robert Parks, Goals of Democracy, (<http://ageconsearch.umn.edu/bitstream/17208/1/ar530112.pdf>)

Obert Gutu is quoted as saying, “I am of the firm view that JOMIC has played a very helpful role in ensuring that the relative peace currently obtaining in the country prevails. In fact, I will refer to JOMIC as one of the unsung heroes of the GNU”. Financial Gazette Newspaper 4-10 October 2012

Although there has been a call for more active and early monitoring and observation of the next election by SADC; such process will require a progressive build up. Without any formal and direct engagement within JOMIC it will increasingly become impractical for SADC to shape the desired election environment in Zimbabwe; let alone to regulate it according to “SADC guidelines and principles governing democratic elections”.

Zimbabwe’s next election will therefore likely be without active and decisive SADC involvement; this threatens the holding of a democratic election. It will further dampen the normative transition to a full democracy.

4.6 Key Recommendations

- SADC’s Troika of the Organ must insist on the deployment of its official to JOMIC immediately.
- JOMIC must be empowered to engage, monitor, evaluate, and hold state institutions (including security sector) to account
- Civil society must create more regular and mutual collaboration and consultation with JOMIC and its structures
- JOMIC must publicise its work more regularly (including challenges it faces in implementing its mandate)
- The signatories to the GPA must call for an overall review of the political, economic and security sectors (since the signing of the agreement) in compliance with Article XXIII of the GPA.



A victim of the 2008 June political violence showing his back

5.0 Barometer Indicator 5: National Economy

5.1 Source of Barometer Indicator

The Global Political Agreement hereinafter referred to as the GPA mandates the inclusive/coalition government (IG/CG) to prioritise the restoration of economic stability and growth in Zimbabwe. The IG is expected to develop and implement an economic recovery strategy and plan that will address issues of production, food security, poverty and unemployment and the challenges of high inflation, interest rates and the exchange rate. In addition, the GPA speaks to the formation of a National Economic Council, whose mandate “includes giving advice to Government, formulating economic plans and programmes for approval by government and such other functions as are assigned to the Council by the Government”.



Youth, Indigenisation and Economic Empowerment, Saviour Kasukuwere, he is pushing retrogressive ‘indigenisation’ policies

5.2 Key Prevailing Issues

The adoption of the multi-currency regime mainly (South African Rand, Botswana Pula, United States Dollar, British Pound and Euro), and introduction of STERP 1 and STERP 2 managed to arrest rampant inflation and stabilise the economy. This also reportedly led to the resurfacing of basic commodities. Inflation “...fell from a record 230 million % in July 2008 to 4.3% as of September 2011 and the economy which had contracted by over 50% during the 10 years to December 2008, has been on a strong growth path since 2009 and is expected to grow by 9.3% in 2011 and 7.2% in 2012”. However despite the positive benefits brought by the adoption of the multi-currency regimes; it has also presented challenges of liquidity, high average cost of credit, monetary and fiscal policy redundancy as the central bank and Ministry of Finance lost control or remained with little or no room to influence the economy through interventionist measures.

To date, there has been bickering in the IG on the composition and operationalisation of the National Economic Council. This bickering has seen policy discord and incoherence, with the IG split between the operationalisation of NEC and rationalisation of the NECF as

observed in Economic Planning and Investment Promotion Minister Mashakada's words; “We will be rationalising the NECF in terms of reference provided for in the GPA,” and “I will be meeting NECF executives this month for consultation. In May, we will then take the revised proposals to Cabinet”. This policy discord in the IG is further heightened by the Indigenisation Policy being implemented by Youth, Indigenisation and Economic Empowerment Minister, Saviour Kasukuwere. Key areas that have seen the indigenisation...

Global Political Agreement, Article 111:3.1(a)

Global Political Agreement, Article 111:3.1(b)

Global Political Agreement, Article 111:3.1(d)

The South African Rand, Botswana Pula and United States Dollars are the most commonly used depending on which part of the country that you are.

Confederation of Zimbabwe Industries. (2012), “The Sustainability of the Multiple Currency System”, http://www.czi.co.zw/index.php?option=com_content&view=article&id=65:the-sustainability-of-multiple-currency-system&catid=9:frontpage, accessed on 22 September 2012.

See, Newsday, (12 April, 2012). “NEC Establishment Flops”, <http://www.newsday.co.zw/2012/04/12/2012-04-12-nec-establishment-flops/>, and Newsday (14, September, 2012). “NEC IN Limbo Four Years on”, <http://www.newsday.co.zw/2012/09/14/nec-in-limbo-four-years-on/>, accessed on 27 September 2012.

See, African Economic Outlook, “Zimbabwe 2012”, (2012:10), <http://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/Zimbabwe%20Full%20PDF%20Country%20Note.pdf>, accessed on 28 September 2012.

Newsday, (12 April, 2012). “NEC Establishment Flops”, <http://www.newsday.co.zw/2012/04/12/2012-04-12-nec-establishment-flops/>, accessed on 27 September 2012.

policy being aggressively pushed are mining, finance and banking, education and wildlife and tourism. The Reserve Bank Governor Gideon Gono argues for an exemption of the banking sector and proposes Supply Distribution Indigenisation and Empowerment Model (SaDIE) Model; whilst Finance Minister Tendai Biti makes claims in the July 2012 Mid-Term Fiscal Policy that new FDI will be exempt from complying with Section 3 of the Indigenisation and Empowerment Act (the 51% rule). However, there has not been any reform of the Indigenisation and Empowerment Act to date as promised in the July 2012 Mid-term Fiscal review by the Minister of Finance.

The Ministry of Finance has noted increased revenue flows but this has been below expected projections forcing treasury to revise downwards projected economic figures as little/no income came from mineral resources in particular diamonds. Therefore, with an adopted cash budgeting strategy, ("We eat what we kill" principle), no support from international partners and controversy around diamond revenues; there has been a major problem of very limited fiscal space. This has seen the IG looking towards the SADC region for financing with a request of Pula 500 million from Botswana R1 billion from South Africa.

5.3 Effects On Democratisation Process

The question whether democratisation will bring prosperity and growth into pariah and economically poor performing countries is a long standing one, and reignites the Platonian and Aristotelian debate on stable political regimes and optimal economies. This debate has important implications on governance.

Whilst there is inconclusive empirically evidence on the positive correlation of democratisation and economic growth or vice versa; Acemoglu et al (2001) and Hall and Jones (1999) contend that institutional enhancement significantly contribute to economic growth. Therefore, institutions and economic governance matter in the pursuit of economic recovery and stability. The lack of economic reform and resultant weak institutions within Zimbabwe's economic sphere has the potential to undermine democracy.

The porosity and lack thereof of quality and solid institutions, and economic systems as in the Marange diamonds case for instance has been reportedly pontificated to the running of parallel structures and the funding of violence in Zimbabwe. Furthermore, continued lawlessness and undermining of official institutions has scuttled various investment initiatives and efforts to resuscitate the economy. The Upfumi Kuvadiki and Chipangano are cases in point where political aligned youth militia have invaded urban economic spaces and extorted traders, and at the same time frustrated investors.



Minister of Mines, Obert Mpofu, accused of lack of transparency in the diamond sector

Victoria Ruzvidzo, (02 August 2012). "US\$2bn to benefit Locals", The Chronicle, http://www.chronicle.co.zw/index.php?option=com_content&view=article&id=17085:us2bn-to-benefit-locals&catid=41:business&Itemid=133, accessed on 06 October 2012.

Commercial Framers Union of Zimbabwe, "Indigenisation Regulations Suspended for New Investors", <http://www.cfuzim.org/index.php/newspaper-articles-2/indigenisation/2796-indigenisation-regulations-suspended-for-new-investors>, accessed on 27 September 2012.

Tendai Biti 2009 Budget Statement.

Elias Papaioannou and Gregorios Siourounis, "Democratisation and Growth", The Economic Journal 118, (2008:1520).

Ibid:1521

See, Global Witness, "Zimbabwe Report: Financing a Parallel Government?" June 2012, that alleges that the Marange diamonds has been used to fund parallel government activities by the securocrats elements in ZANU PF. Upfumi Kuvadiki (literally translated, wealth to the youth) invaded Easipark Holdings premises in Harare with no action taken against them by the police. Easipark Holdings was joint venture between Harare city Council and Easipark South Africa.

Chipangano (Covenant) a ZANU PF militia based in Mbare suburb, Harare, has almost taken over all informal trading spaces and commuter ranks and exerting some informal taxation.

The continuous undermining of the rule of law and operation of underground or shadow structures creates a climate of uncertainty and uneasiness among domestic and foreign investors. Moreso, there is also an emerging culture of the politics of disorder and chaos. The Marange diamond case involving Aijin where the purported shares for The Zimbabwe Mining Development Corporation are gobbled in the syndicate of shelf companies established by the securocrats while treasury gets no or meagre revenue. The dangers are that such shadow structures undermine democratic institutions and slide a country into chaos and violence. Chipangano a ZANU PF youth militia is allegedly to have taken over urban economic spaces and collecting revenue whilst the democratically elected council has been frustrated in its efforts to bring sanity to the city and provide quality service delivery to residents.

5.4 Barometer Indicator Scorecard

*Barometer Score Card Code: **Green** - High Implementation Score; **Orange** - Medium Implementation Score; **Red** – Low Implementation Score*

EVALUTATION COMPONENT	SCORECARD CODE	NOTES
IMPLEMENTATION PROGRESS & IMPACT ON DEMOCRATISATION PROCESS		National Economic Council not constituted Revenues and trading in diamonds and other minerals –no transparency and inflows to government treasury Economic empowerment and indigenisation policy unclear and benefits on partisan basis

The loans from SADC countries are not likely to influence political reforms as these loans seem not to have any conditions attached to them. In addition the politics of the IG will make it complicated for either South Africa to attach any conditions to the loans as ZANU PF will most likely resist any loan with political reform conditionalities. A similar agricultural facility of US\$30million organised by South Africa for Zimbabwe fell apart as the Zimbabwe government could not accede to the political reform conditionalities that were attached to the loan. Therefore, external financing is unlikely to act as a positive stimulus to speed up political reforms.

5.5 Possible Scenarios

The failure to build and strengthen institutions provided for in the GPA such as the NEC has the potential to continuously undermine efforts to grow the economy. Moreso, continuous policy discord within the IG members stigmatise Zimbabwe as a high risky investment area and thus drive away investors. However, with elections dates touted for March 2013 by President Mugabe; there are less likely to be any positive economic reforms from the IG.

5.6 Key Recommendations

- ♦ Civil society must lobby pro-democratic elements within the IG to push for the full implementation of Article 3 of the GPA.
- ♦ There is also need for advocacy and lobby for the strengthening of institutions and economic governance systems.
- ♦ To continuously expose the shady and dodgy dealings, shadow syndicates and the faces behind them in particular how they are undermining the SADC roadmap espoused in the GPA.

6.0 Barometer Indicator 6: Media Reform

6.1 Source Of Barometer Indicator

Article XIX of the GPA recognise the significance of the right to freedom of expression and integral of the media to the realisation of this right. The GPA further acknowledges the non-issuance of licences to private broadcasters other than the public broadcasters despite the Broadcasting Services Act permitting to do so. The GPA thus instructs the IG to institute reforms at the public broadcaster (Zimbabwe Broadcasting Holdings), regulatory authority (Broadcasting Authority of Zimbabwe) and put steps to ensure that the public and private media shall refrain from hate speech.

6.2 Key Prevailing Issues

The IG has had some notable media reforms particularly within the print media as a sizeable number of newspapers got licensed. This saw a number of new publications such as The Mail and banned Daily News resurfacing. More so the IG removed duty on newsprint which allowed imported newspapers such as the Zimbabwean and Mail and Guardian to be accessible at cheaper prices. The scrapping of duty on Information Communication and Technology (ICT) facilities lowered the prices of ICT facilities thus, the spread of telecommunications and subsequent alternative media. However, the reforms within the print media are deceiving as Wallace Chuma argues that, “the real test of the government’s commitment to media reform is therefore in the area of broadcasting, rather than newspapers (Since 1980, Zimbabwe has always had private/independent newspapers anyway!)”.

The broadcasting sector remains unreformed to date as the Broadcasting Authority of Zimbabwe (BAZ) is illegally constituted and Media and Information Minister, Webster Shamu, has either resisted or ignored calls to reform it. More so, the broadcasting arena remains unchanged as the new radio stations licenced have strong links to ZANU PF loyal media houses and persons. Thus, the issuance of licences was just a façade as media watchdog; Misa-Zimbabwe Chairperson describes the new radio stations as “simply ZBC in a different suit”. Furthermore, the Ministry of Media and Information has argued the point of limited frequency and number of radio stations that Zimbabwe can hold, hence no further issuance of new licences. This is despite any known scientific study to back this assertion. However, JOMIC has tried to intervene and summoned Minister Webster Shamu to explain the failure of implementation of the reforms. Nevertheless, JOMIC’s efforts are insignificant as it has no legal power to enforce its decisions and it only makes recommendations which can be ignored. The IG has also failed to reign in on hate speech as this has continued within both the private and public media with the latter leading in the churning out of hate speech.

6.3 Effects On Democratisation Process

The importance of the media for free and fair elections and ultimately the democratisation process needs no emphasis. Unequal access to media and biased reporting has always been a point of contestation in Zimbabwe’s democratisation process. SADC makes it imperative for member states to afford, “equal opportunity for all political parties to access the state media” and “safeguard human and civil liberties of all citizens...as well as access to the media on the part of all stakeholders, during electoral processes...”

The interim SADC Observer Mission Report for the June Presidential elections run-off noted that, ‘one of the defects to the elections was, the one sided coverage in content and extend of one candidate on the part of the state media, print and electronic; and the no carrying of advertisements for the opposition party’. Given that minimal reform has been done to the media regulatory institutions such as BAZ and continued fanning of hate speech by ZBH, Zimbabwe’s roadmap to democracy remains mired.

Global Political Agreement, Article XIX: 19.

Global Political Agreement, Article XIX: 19.1 (a) and (e).

However The Mail closed as it failed to with stand the competition within the market.

See, Zimbabwe Ministry of Finance 2010 Budget Statement.

Wallace Chuma, (2010). “Media Reform under the Unity Government: A Critical Assessment”, <http://www.solidaritypeacetrust.org/776/media-reform-under-the-unity-government-a-critical-assessment-june-2010-2/>, accessed on 08 October 2012.

Voice of America, (2012). “No Signs of Changes as Zimbabwe Information Minister Defies Media Reform Deadline”, <http://www.voazimbabwe.com/content/zimbabwe-information-minister-defies-media-reform-deadline-142101083/1470459.html>, accessed on 08 October 2012.

Jason Moyo, “New Radio: Old Censorship”, Mail and Guardian 31 August 2012, <http://mg.co.za/article/2012-08-31-new-radio-same-old-censorship>, accessed on 10 October 2012.

Ibid.

The Zimbabwean, “Zimbabwe Alert: Minister Summoned Over Media Reforms”, <http://www.thezimbabwean.co.uk/news/zimbabwe/56879/zimbabwe-alert-minister-summoned-over.html>, accessed on 12 October 2012

6.4 Barometer Indicator Scorecard

*Barometer Score Card Code: **Green** - High Implementation Score; **Orange** - Medium Implementation Score; **Red** – Low Implementation Score*

EVALUTATION COMPONENT	SCORECARD CODE	NOTES
IMPLEMENTATION PROGRESS & IMPACT ON DEMOCRATISATION PROCESS		State media still partisan No consensus on the Broadcasting Authority of Zimbabwe Independent newspapers licenced & new radio licences issued (though jurisdiction by BAZ in issuance is still contested by MDC parties)

Possible Scenarios

There is likely to be continued hate speech especially with the Constitutional Referendum and Elections looming. Media institutions have remained largely unreformed particularly in the broadcasting arena that has a wider reach to Zimbabweans. The so called reforms are just a smokescreen to hoodwink SADC and the International community that some reforms have been instituted. There is grave danger that the media will become extremely highly polarised and exacerbate violence levels through inciting and the fanning of hate speech. Alison Des Forges observes that the radio played a key role in inciting the Rwandan genocide through broadcasting hate speech and incitement of violence. Similarly, hate speech may incite and fan violence thus the need to take action..

6.6 Key Recommendations

- Civil Society needs to keep tabling the need to reform media laws, institutions as well as the conduct of ZBH.
- To pursue litigation of the legality of BAZ.
- Conduct a scientific research on the frequency capacity of Zimbabwe and number of radio stations it can hold. This information may be used for advocacy and even litigation purposes.

See, Faith Ndlovu, (2012). "The Global Political Agreement and Hate Speech in the Media September-October 2011", Media Monitoring Project, Harare, <http://www.mmpz.org/sites/default/files/The%20GPA%20&%20Hate%20Speech%20in%20the%20Media%20cover%20final%202011.pdf>, accessed on 11 October 2012.

SADC Principles and Guidelines Governing Democratic Elections, Article 2.1.5

SADC Principles and Guidelines Governing Democratic Elections, Article 7.4.

SADC Election Observer Mission, "Preliminary Statement Presented by the Honourable Jose Marcos Barrica Minister of Youth and Sports of the Republic of Angola and Head of SEOM.

Alison, Des Forges, "Call to Genocide: Radio in Rwanda", in Allan Thompson and Kofi Annan, (2007). *The Media and Rwanda Genocide*, IDRC, Canada

7.0 Barometer Indicator 7: Land Question (Save Conservancy and Masvingo Initiative)

7.1 Source of Barometer Indicator

Article V of the GPA speaks to the inevitability of the land reform and as well endorses the 2000 Fast-track Land Resettlement Programme as an irreversible and final process. The GPA further instructs the IG to conduct a land audit and eliminate multiple farm ownership, provide equal access of land to all Zimbabweans and to restore full productivity on agricultural land.

7.2 Key Prevailing Issues

- ◆ This is one indicator where almost nothing has literally happened as the IG partners have all remained silent on the land issue. The land question got relegated and forgotten as the MDCs focussed more on political reforms. On the other hand, ZANU PF has also been conspicuously silent about the article V. Jonathan Oshupeng Maseng observations may provide some insight:
- ◆ Zanu PF is opposed to conducting a transparent and comprehensive land audit. This means the party continues to undermine and violate the GPA provisions – in this case article 5[57], particularly clause 5.9. (a), which states that parties agree to conduct a comprehensive, transparent and non partisan land audit, during the tenure of the parliament of Zimbabwe, for the purpose of establishing accountability and eliminating multiple farm ownership.
- ◆ However within the midst of the silence on article v, land reform (grabbing) has been continuing despite being officially declared over with the Save Conservancy saga being the latest and most popular. This pitted ZANU PF versus ZANU PF, with local communities and some German investors caught in between. Civil Society has also been conspicuously silent on the need for implementation of article V.



Joseph Chinotimba, one of the notorious Zanu pf members who invaded the Save Conservancy

7.3 Effects On Democratisation

The prevailing silence on Article V has serious ramifications for democratisation, for there is potential for the creation of a shadow state within a state. William Reno argues that shadow states operate and survive on the basis of undermining the official state structures, thus sustaining themselves. Land grabbing has an insidious influence on society that promotes patronage and violence as legitimate vehicles to acquire wealth. This is an anathema to democracy.

Global Political Agreement.

Global Political Agreement, Article V, 5.9 (a), (b) and (f)

See, the list of outstanding issues on, Prime Minister Tsvangirayi's Statement on Outstanding GPA Issues, http://www.zimbabweprimeminister.org/index.php?option=com_content&view=article&id=126:prime-minister-tsvangirais-statement-on-outstanding-gpa-issues&catid=72:prime-minister-press-releases&Itemid=105,

Jonathan Oshupeng Maseng, Platform for Political Battles or for Pursuit of Socio-Economic Development? Pambazuka News, 2010-07-08, Issue 489 <http://pambazuka.org/en/category/comment/65774>

William Reno, (1998). Warlord Politics and African States, Lynne Rienner Publishers, USA

7.4 Barometer Indicator Scorecard

*Barometer Score Card Code: **Green** - High Implementation Score; **Orange** - Medium Implementation Score; **Red** – Low Implementation Score*

EVALUTATION COMPONENT	SCORECARD CODE	NOTES
IMPLEMENTATION PROGRESS & IMPACT ON DEMOCRATISATION PROCESS		Transparent and non-partisan land audit not yet carried out Ill-defined and partisan land acquisition still being practised Lawless acquisition of state land designated for economic and tourism activity; still prevalent

7.5 Possible Scenarios

The silence on Article V indirectly endorses and legitimises the argument that the 2000 land reform is irreversible and final. It is an implicit admission by the IG partners that Article V ceases to be an issue as well as outstanding. It may mark a point of convergence between ZANU PF and the MDCs. However, this has the potential impact of failing to address questions of insecurity amongst farmers and weak land governance institutions around issues of land. In most particular it endorses multiple farm ownership and encourages land grabbing by the political elite. This fits largely into Chabal and Daloz's instrumentalisation of political disorder as the elite is involved in primitive accumulation. Therefore, the 'chaos' seen in the Save Conservancy is 'not a stupid thing' but a well calculated move by the political elite to accumulate wealth in the name of indigenisation and land reform. This has far reaching effects of undermining efforts to economically revive the country and spiral to other sectors of the economy. A case in point has been the mushrooming of vigilante and militia groups in urban economic spaces such as commuter omnibus ranks and informal economies.

7.6 Key Recommendations

- Civil society must pressure the government to carry a transparent land audit subsequently followed by tenure security reform.
- Political parties in the inclusive government must re-flag Article V as an outstanding issue.
- SADC must broaden its scope to pressure for implementation of Article V as the insidious effect of chaos and disorder in the land sector will impact negatively on the reforms.

See, Global Witness, "Zimbabwe Report: Financing a Parallel Government?" June 2012, that alleges that the Marange diamonds have been used to fund parallel government activities by the security elements aligned to ZANU PF.

See Patrick Chabal and Jean Pascal Daloz, (1999). *Africa Works: Disorder as a Political Instrument*. African Issues series, Oxford/Bloomington

See, Tamuka Chirimambowa, (2012), "Rank Warlords and the Jambanja (Disorder) Political Economy", Zimbabwe Briefing Issue 93, Crisis in Zimbabwe Regional Office Publication.

8.0 Conclusion

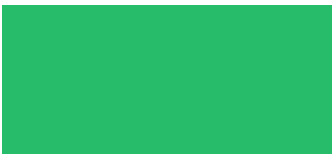
8.1. Toward A Flawed Transition: The Grey Zone

Based on the seven indicators used to measure the democraticness of the inclusive government and the transition trajectory, we now need to theorise what kind of transition the trajectory is taking. Note that transitional politics by its very nature is fluid and Zimbabwe is no exception. Consequently, this is a time-bound analysis as of early October 2012, which we shall revisit in December 2012. For now, where is Zimbabwe heading toward? We have highlighted the four transition outcomes which are precluded transition, blocked transition, flawed transition and democratic transition. We now revisit them in relation to our analysis.

Zimbabwe is not heading toward a precluded transition because there is no civil war, there are no armed rebels and the state has some modicum of functioning. The country is also not taking the trajectory of a blocked transition because for all purposes Zimbabwe is moving toward national elections in 2013. Also given the slow implementation of reforms that should precede a competitive, free and fair election as shown by the indicators used to measure the democraticness of the country, it is clear that the Zimbabwe transition is far from being a democratic transition.

The transition outline in the table below sums up our position on Zimbabwe's democraticness trajectory.

Transition Outline

Transition Outcomes	Transition code	Reflect current Zimbabwe state	Notes
Precluded transition		NO	State is functional No civil war No armed warlords
Blocked transition		NO	Zimbabwe geared for elections at the end of the inclusive government
Flawed transition		YES	Reforms taking place but manipulation of the electoral, constitutional and institutional reform to suit the incumbent
Democratic transition		NO	No democratic environment , suitable for a free, fair and competitive election that will result in the instalment of a democratically elected government

One can therefore conclude that the Zimbabwe transition is taking the trajectory of a Flawed Transition. President Mugabe will allow general elections to take place to mark the end of the inclusive government. However, within that matrix, it is evident ZANU PF is still determined to manipulate the reforms such as media reforms, the constitutional reform process and electoral laws. ZANU PF is determined to employ all tactics and strategies to ensure that they retain state power in an artificial election.

In short, we reiterate that Zimbabwe is on a path to a Flawed transition as of early October 2012. However, the trajectory is not cast in stone. With appropriate interventions by civil society, the regional and international community as articulated in this report, Zimbabwe can still head toward a democratic transition, at least in the sense of the instalment of a democratically elected government. We revisit our analysis in December 2012.