

ZIMBABWE BRIEFING

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No Date Good Enough for Elections Without Reforms

Over the past few weeks political debate has shifted a gear up following the SADC Luanda meeting at which SADC made its demands clear on Zimbabwe's on-going political processes key of which are, the constitutional reform, outstanding Global political Agreement issues and the call for elections. I use the word demands because that is what SADC did besides how the communiqué is couched in diplomatic language on the need for Government of National Unity partners to agree on a process towards an undisputable election.

The levels of desperation by those in ZANU PF are clearly visible as they seek to reverse the SADC decision in public debates and in the media. On the other hand the momentum is now back on the issue and question of reforms before elections. I emphasise reforms as compared to dates or deadlines because the resolution of the Zimbabwe political crisis is not based on timelines but reforms.

The talk of election dates by both ZANU PF and the MDCs parties is therefore misplaced and misleading because the parties will now focus on either March 2013 or June 2013 and not necessarily on what needs to be done. Morgan Tsvangirai and Welshman Ncube must be reminded therefore that no date is good enough for elections without reforms. To be honest the ordinary citizen of Zimbabwe does not care whether parliamentary mandate expires in March or June 2013, and neither cares if there will be a constitutional crisis in that period if elections are not held. Talking about election dates and foisting them on citizens as if Zimbabwe will explode if elections are not held by that time is being unfair to citizens whose probably only concern is survival and peace.

The GNU is a creature out of changes to the old constitution, and it took a constitutional amendment to put it in place, nothing stops the current GNU to remain in place until and when reforms are put in place with the help of SADC. If there is to be any timeframe, it should be on the reform agenda and not elections. In the same vein Civil Society needs to argue forcefully so that the issue and only game in town at this moment is the reform agenda. This message needs to be taken to SADC with clear specifics on CSO demands. On top of the agenda is the need to reform the



Jessie Majome, Deputy Minister of Women Affairs, Gender and Community Development giving update on Copac in Johannesburg at a function organised by Crisis in Zimbabwe Coalition

The talk of election dates by both ZANU PF and the MDCs parties is therefore misplaced and misleading because the parties will now focus on either March 2013 or June 2013 and not necessarily on what needs to be done. Talking about election dates and foisting them on citizens as if Zimbabwe will explode if elections are not held by that time is being unfair to citizens whose probably only concern is survival and peace.



Prime Minister Morgan Tsvangirai Addressing People at a National Day of Prayer for Peace in Zimbabwe at Mkoba Stadium Gweru, April 2012

whole electoral system and the need to register new voters without discrimination. As of now millions remain unregistered and unaware of what needs to be done to get registered. Yet we are told that voter registration is an ongoing pro-

cess. It appears this is done in secrecy and reports of deliberate distortions of the voters roll and registration processes have already been noted. Add to this there is need for the Zimbabwe Electoral Commission to be freed from the shackles

of the military and the intelligence as well as capacitated to operate as an independent body.

The military and other security agents must be asked to return to the dictates of the constitutional order, which others have chosen to call security sector reform. ZANU PF is unashamedly asking the military to campaign for the party on the basis that some civic groups such as organised labour, support the MDC parties. The stupid reasoning by ZANU PF Secretary for Administration Didymus Mutasa that soldiers can therefore campaign for ZANU PF is not only baffling but a declaration of war on the people of Zimbabwe. This means that whether elections are in June 2013, 2014 or 2015 as long these key matters are not resolved then CSOs must not support a date based election call. I repeat that it is time civil society organisations get more organised around making specific demands as well as raise public awareness that the issue is not about dates but reforms.

The citizens of Zimbabwe are being misled by the state owned media that the only solution to the Zimbabwe crisis is an election. Zimbabwe had two elections in 2008 and they did not solve our problems, the solution to Zimbabwe's crisis is therefore somewhere else that is the need for a legitimate, democratically elected government as well as peace. No elections and certainly no political party and leader are worth dying for. The peace dividend that citizens have received from this GNU is worth defending. The fact that there is discordance in ZANU PF on its messaging on peace is a key reminder to CSOs and other parties that Zimbabwe will plunge; further, into the abyss should an election be attempted without reforms. There is need to guarantee the people of Zimbabwe peaceful political processes and insuring that we cannot spend our lives in political battles that are not of our making nor in our interest. Our message from now going forward should be reforms, reforms and reforms and nothing else.

By David R Mutomba

Constitutional Entrenchment of the Military in Politics: Zanu PF's Big Mistake

Coordinator's Note 79



dewaMavhinga

The constitutional reform process is currently stalled partly because Zanu PF has raised some 200 objections to the draft constitution despite being part of the Constitution Parliamentary Select Committee (COPAC) that is leading the drafting process. While the general frustration of constitutional and other reforms by Zanu PF is generally counter-productive, perhaps their biggest mistake yet is seeking to constitutionally entrench military participation in politics.

Zanu PF is advancing an argument that soldiers should be left free to support political parties of their choice and that the constitution must acknowledge this point. To that end Zanu PF has disagreed with the draft constitution clause 4.18 2 (d) which provides that members of security organs, public services and chiefs must not be office-bearers of any political party or organization. In other words, the former liberation movement wants members of security organs, public services and chiefs to be able, constitutionally, to publicly associate with a particular political party and even to be office-bearers.

In truth, Zanu PF simply wants



the new constitution to recognise what has already been happening that some members of the army, public services and chiefs have been openly taking part in political activities and brazenly supporting it. But this is what is wrong with Zimbabwe's institutions today – their lack of independence and professionalism; their alignment to Zanu PF in a multi-party democracy environment.

Getting the army to take part in politics is one big mistake, although Zanu PF does not see this now because of the presumption that security organs fully support Zanu PF and will always do so. But we know that it is mainly the leadership of the security organs who have benefited from the loot and plunder approach to government that has characterized Zimbabwe in the last decade that associates with Zanu PF.

In the last few weeks the police splashed over USD \$7, 5 million on luxury cars for the police and the central intelligence chiefs. The money was not in the budget and finance minister Biti has no idea where it came from. However, thousands of professional soldiers and police officers who are not part of this gravy train wish to remain independent of party politics and to discharge their mandate without having to chant party slogans.

It appears Zanu PF has now turned fully to the military as a desperate measure to ensure its continued hold on power by force because it lacks new ideas or policies to market itself to Zimbabweans. But the military will not just come to the show to assist Zanu PF to continue in power, it will take over political power triggering political instability that could be a crisis snowball engulfing the entire SADC region. For this reason Zimbabweans, and SADC, too, must vehemently oppose Zanu PF's attempt to enshrine in the constitution the abomination of the army in politics.

Dewa Mavhinga, Crisis in Zimbabwe Coalition Regional Coordinator

Statement On the Commemoration of the Day of the African Child. Youth Forum

The Day of the African Child (DAC) is commemorated every year on 16 June by Member States of the African Union (AU), and its Partners. This occasion is firstly a commemoration to recall the 1976 uprisings in Soweto, when a protest by school children in South Africa against apartheid-inspired education system resulted in the mass killing of unarmed young protesters by police officials. The DAC further presents an opportunity to focus on the work of all actors committed to the rights of children on the continent, to consolidate their efforts in addressing the obstacles for realising these rights. The DAC also provides an occasion for Governments, International Institutions and Communities to renew their ongoing commitments towards improving the plight of marginalised and particularly vulnerable children by organising activities aimed at including these specific children.

The 2012 theme is "THE RIGHTS OF CHILDREN WITH DISABILITIES: THE DUTY TO PROTECT, RESPECT, PROMOTE AND FULFIL". The YOUTH FORUM takes the occurrence of DAC as an opportunity to reflect on and improve our work as we strive to be more responsive to the needs and aspirations of differently-

abled young people and children throughout our programming, practices and representation. To this end, and as the Youth Forum gears up for its inaugural congress slated for August this year that will elect a new board of trustees systems have already been put in place to ensure that young people and children with disabilities will be represented in the board of trustees. This will go a long way in ensuring that the needs and views of the differently-abled youth and children influence our programming.

The YOUTH FORUM NOTES with regret that the partisan government initiated youth fund has not been tailor-made to accommodate the needs of children and youth with disabilities as they continue to wallow in abject poverty. We also urge Amai Grace Mugabe to utilise the \$7million grant secured from China wisely by building a modest orphanage in Mazowe and distributing the rest to other reputable centres throughout the country which have been taking care of young people with disabilities. We note that the wanton call for urgent elections by President Robert Mugabe will further worsen the plight of children with disabilities as no modalities have been put in place to mitigate the looming

political violence. Most of these children and youth have suffered irreparably due to state sponsored violence and they face a repeat of the same as calls for elections become



louder. The Youth Forum also encourages all players in our country to take a social view at young people with disabilities that looks at disabling environments and social structures (including attitudes) rather than at the disabled person. Instead of viewing disability as a shortcoming on the part of the individual, the focus will be moved to the environment and society as a whole and to the lack of consideration for human difference. With this thrust in mind the YOUTH FORUM WILL BE advocating through relevant avenues for elimination of both direct (when someone treats a person with disability less favourably because of

their disability) and indirect (when a person with a disability is prevented from doing something a person without that disability can do. In this case, no-one sets out to be deliberately unfair, but the end result is unfair) discrimination.

Areas that young people frequent where discrimination is rampant include education, access to goods, services and facilities, access to public places, accommodation, clubs and associations, sport, employment and work. Eliminating discrimination from these areas will result in a society where there will not be any justification for the exclusion of Zimbabwean children with disabilities from society. It is also disturbing to note that the leading causes of disability in Zimbabwe are preventable diseases (such as poliomyelitis, meningitis and cerebral malaria), accidents, and inadequate prenatal and neonatal health care services. These are issues that our government has failed to address in its 32 years of existence; it has even exacerbated the situation by instituting and sponsoring political violence which has led to a lot of young people with disabilities. It is with these in mind that the

YOUTH FORUM:

* Strongly recommends

the review of existing legislative and policy frameworks at national level to address discrimination against children with disabilities and to ensure the effective inclusion of these children in all areas of society

* Urges the government to consider effective strategies for prevention of disability in childhood.

* Advocates for the right to be heard and to participate for children with disabilities: all children capable of forming their own views have the right to express those views on all matters of concern to them, and to have these views given due weight in accordance with the child's age and maturity. To promote these principles of participation, it is important for Governments to consult with children with disabilities and disabled children's organisations in the conceptualisation and monitoring of policies and plans aimed at ensuring the realisation of their rights.

* The Inclusive Government should ensure that the forthcoming elections are held in a tranquil environment so to guarantee the participation of young people with disabilities.

YOUTH FORUM INFORMATION AND PUBLICITY DEPARTMENT

Inbrief Around Zimbabwe

Children Failing to Access ARVs

According to the National Prevention of Mother to Child Transmission (PMTCT) and Pediatric HIV Care and Treatment Coordinator in the Ministry of Health and Child Welfare, Dr Angela Mushavi, about 150 000 Zimbabwe children between the ages 0 to 14 are Human Immunodeficiency Virus (HIV) positive and only 45 percent of that total are able to access drugs.

An estimated 89000 HIV positive children in need of antiretroviral therapy are failing to access the drugs. HIV prevalence among pregnant women (15-45) in Zimbabwe is 16 percent and Mother to Child Transmission (MTCT) accounts for the highest number of transmissions after heterosexual sex. Approximately 25 percent of infants born to HIV infected mothers are infected. This high percentage is due to lack of intervention during pregnancy. According to the World Health Organisation (WHO) MTCT rates range from 15 to 45 percent in the absence of interven-



tion. WHO is advocating for a MTCT risk of less than 5 percent. HIV/AIDS is mainly responsible for a high mortality rate for children under 5 which currently stand at 94 deaths per 1000 live births.

The high rate of HIV prevalence in children is also partly due to acute staff shortages in health care facilities, inadequate infrastructure (centralized laboratories) and financial constraints among an array of problems affecting the health sector in Zimbabwe. This means there is a limited number of staff able to initiate drug uptake by patients, long waiting periods for patients to get results from few specialist laboratories and lack of finance to purchase drugs for everyone in need. In the 2012 national

budget the Finance Ministry allocated US\$63.3 million for overall provision for medical care services including drug supply to clinics and hospitals in the 59 districts of Zimbabwe. The allocation is to be shared among 1506 clinics and hospitals in Zimbabwe listed on the database published on the Health ministry website.

Transparency Out of the Question - Minister Obert Mpofu

Zimbabwe Mines Minister, Obert Mpofu (Zanu PF) spoke out on the issue of transparency and accountability in the diamond industry at a Centre for Public Accountability conference in Harare last week declaring that his ministry will not divulge information relating to diamond production volumes and sales from the Marange mines. The reason cited by the minister was that such information would allow “detractors” to know Zimbabwe’s sanction busting strategy.

According to the finance ministry, the main diamond mining company in Marange, Anjin is not remitting revenue to treasury. In May the finance Minister, Tendai Biti (MDC -T) stated that mining companies had exported US\$241 million worth of diamonds and only US\$34 million (instead of 50 percent of the total revenue from exports) had been received by treasury. According to Deputy Mines Minister, Gift Chimanihire, the Zimbabwe Defence Industry (ZDI) owns 40 percent of Anjin, Chinese Defence Industries owns 50 percent and Zimbabwe Mining Development Corporation (ZMDC) owns 10 percent.



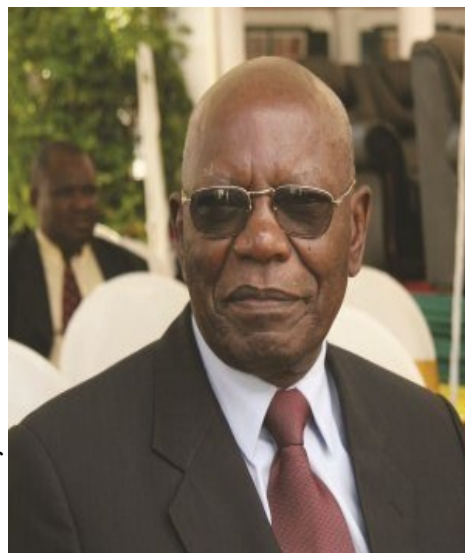
Obert Mpofu, Minister of Mines and Mining Development[Zanu PF]

Last year Chimanihire indicated that Anjin produces about 234

750 carats of diamonds a month whilst Mbada Diamonds and Marange Mineral Resources produces 164 490 and 104 710 carats a month respectively. Revenue from the sale of such huge diamond volumes is not being accounted for. Worrying is the fact the Zimbabwe Defence forces (ZDF) through ZDI owns a large chunk of the mine and consequently the revenue and that Minister Obert Mpofu’s company Trebor Khays recently funded the full capitalization of troubled bank ZABG by injecting US\$22.8 million into the bank.

Army Justified in Supporting Zanu PF: Mutasa

Zanu PF’s Secretary for Administration, Didymus Mutasa voiced support for the army’s involvement in politics last week saying that because of the liberation struggle connection between the army’s senior offic-



Didymus Mutasa, Zanu pf Secretary for Administration

ers and Zanu PF, the army should be free to campaign for a party of their choice (Zanu PF) just like the Zimbabwe Congress of Trade Unions (ZCTU) campaigns for the MDC. Recently the army wavered recruitment requirements and according to the Finance Ministry, the Ministry of Defence employed 4600 additional soldiers without the approval of treasury. Treasury had indicated that there is no money to support a huge civil service salary bill and so had advised against employing more staff.

The Defence Forces Act and the Global Political Agreement (GPA) prohibits the security sector to be partisan. Article 13.1 of the GPA states that, state organs and institutions do not belong to any political party and should be impartial in the discharge of their duties.

MDC-T Activists Denied Bail Again

The 29 MDC-T activists who have been incarcerated since last year for allegedly murdering a police officer were denied bail yesterday by Justice Chinembiri Bhunu. The trial of the activists continues at the High Court in Harare.

COPAC Attempts to Finalise Draft Constitution

COPAC negotiators are currently locked in discussions in Nyanga, Manicaland Province to try and finalise on a number of contentious issues like devo-



Douglas Mwonzora, Copac Co Chairperson and MDC Spokesperson

lution of power, the executive structure and dual citizenship that have been stalling finalising drafting of a new constitution. President Jacob Zuma’s facilitation team which was in the country last week as part of monitoring the implementation of the GPA is expected to be back in the country next week.

President Mugabe in Brazil

This week President Mugabe is in Brazil with close to 100 officials to attend the United Nations Conference on Sustainable Development (Rio +20) amid concern that millions of dollars are being wasted on bloated foreign trips.

The Political Weaponisation of Disorder



Macdonald Lewanika, Director of Crisis in Zimbabwe Coalition

In their book, *‘Africa Works – disorder as political instrument’*, two scholars, Jean Pascal Daloz and Patrick Chabal, define the political instrumentalisation of disorder as a situation, ‘when politicians maximise their returns on the state of confusion, uncertainty and chaos.’ This definition is instructive and relevant to Zimbabwe political developments, and informs part of the analysis below.

Disorder, is defined as a state of confusion or disruption of systematic functioning and neat arrangement. Similes to it include words with negative connotations like chaos, confusion, mess, disarray, shambles, turmoil, lawlessness, anarchy, and ruckus. Disorder is generally discouraged and considered to be an undesirable state frowned upon. Not so in Zimbabwean Politics. The undesirable state of disorder, is not just the order of the day, but is actually desired, and where it is absent, it is manufactured to ensure political gain. To borrow Andreas Schedler’s phraseology, disorder is seen as a ‘valued horizon of attainment’ and not a ‘feared horizon of avoidance’. As such, in Zimbabwean politics, disorder seizes to be just a state of being, but a formidable weapon and instrument, especially in the hands of those who are anti-reform, anti-democratic, anti-change, or anti-order.

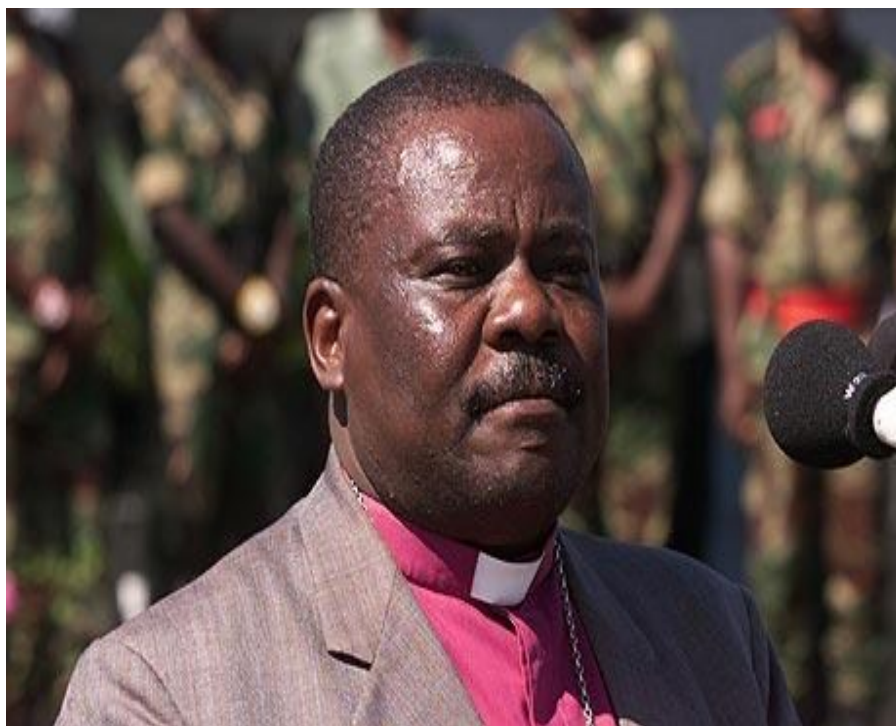
In Zimbabwe’s polity, disorder is the social equivalent of a medical virus - undesirable but not too harmful, until it is weaponised. It is this weaponisation of chaos and disorder in our politics that has often proved it hard to correctly understand the state and its main actors and their seemingly illogical decisions, political moves and even survival. It has emerged clearly, over the course of a decade, that the merchants

of disorder in our politics are primarily the hawks resident in Zanu PF. For instance, the 2000 elections, which ordinarily is supposed to be a systematic, predictable (in terms of process and not the outcome) and orderly process, were thrown into deliberate turmoil by bureaucratic bungling, political manipulation of integral processes, the introduction of political violence as part of the process, and of course the disregard for basic rules of the electoral game.

The weaponisation of disorder has also been deployed to the COPAC-led constitution making process from the chaos that characterised the 1st All Stakeholders Constitutional Conference from in July 2009, to busying in and coaching of a disruptive and retrogressive political vanguard to make unreasonable submissions during the outreach process, to the sponsoring

and Tafataona Mahoso have been the primary promoters of disorder through their empty arguments bent on promoting disruptive politics disguised as intellectual thought.

The deployment of a weaponised form of disorder has also been transmitted to civil society. If one is a member of a social movement or NGO, they don’t have to look very far, sometimes, to see how “democratic” actors in democratic and progressive processes in these entities are constantly deploying disorder. But the most glaring example comes from the Anglican Church, where the illegitimate Bishop Kunonga, has adopted disorder to deal with a legitimate and clearly more popular and more progressive Bishop Chad Gandiya. The instrumentalisation and weaponisation of disorder in the Anglican church has mir-



Bishop Nobert Kunonga of Anglican Church in Zimbabwe

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of disruption on seemingly technical grounds, with clear political intent of disorder, during the drafting process and the submission of new issues post COPAC agreement on a draft. Pseudo academics like Jonathan Moyo

roared unfortunate trends from the orthodox political space, which include, but are not limited to, the politicisation of religion, the employment of violence in church matters, the barring of gatherings, and allega-

tions of murder.

Politically weaponised disorder, in spite of some rational to its deployment, is not premised on the need to reach some rational ends. The deployment and pervasive presence of disorder is in itself both a means and an end. It is a means to the stalling of progressive action and an end in that chaos as a state of affairs is generally where rogues come into their element. Political rogues thrive in situations of crisis and chaos, and would prefer that chaos to order on any day, because it allows them to act with impunity and continue with their shady dealings under the cover of anarchy. As such even when some arguments are sponsored to promote the disorder, you can be rest assured that this is a case of the devil quoting scriptures.

The notion of politically weaponised disorder is neither a new phenomenon nor exclusive to Zimbabwe, as Chabal and Daloz explain, it is an Africa-wide phenomenon. In spite of its prevalent use and sponsorship on the continent, politically weaponised disorder has always been defeated by a constant focus on enforcing order by progressives. In as much as you do not fight lies with lies, disorder cannot be fought with disorder; it is best fought by asserting order.

Order, in Zimbabwe’s case, entails the constant focus on reforms, constant campaigning to see processes through. Most importantly it entails exposing the merchants of disorder for who they are and what they stand for – retrogressive elements bent on standing still when there is a fire catching up with us and our natural instincts tell us to move on and survive. Such predatory and disorderly instincts do not bode well for the promotion of our country from its current state of democratic, economic and social disrepair to a more sane and progressive order.

By Macdonald Lewanika, Director, Crisis in Zimbabwe Coalition