

ZIMBABWE BRIEFING

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On New Constitution, Zanu PF Should Not Take People for Granted

Finally, after enduring a total of 35 hours of debate spread over three weeks, the people of Zimbabwe finally got ZANU PF politburo's verdict on the draft constitution. The party rejected the 150 page draft constitution on the basis that it did not reflect the views of the people as expressed in the constitutional outreach. According to Rugare Gumbo, the party Spokesperson, ZANU PF could not accept the draft constitution without amendments to several clauses which include the diluted authority of traditional leaders, the role of the parliament in the deployment of the troops both inside and outside, the appointment of the governors previously the prerogative of the president and the issue of dual citizenship among others. As a way forward, ZANU PF proposed to work on the amendments through the heroes' holiday and make submissions to the principals thereafter. This very much sounds like the old ZANU PF that always evokes and perpetuates a deep sense of victimhood and siege mentality to maintain to continue blocking any democratic progress.

For a political party that has consistently and violently subverted the will of the people through successive electoral frauds since independence, this is a rhetoric we can't afford to buy. In fact, it does not sell at all. It is true that the constitutional draft does not reflect the will of the people of Zimbabwe. In fact, a number of provisions belong to the three political parties including ZANU PF. Moreover, the constitution making process which was meant to take only 18 months has dragged on for three years! The cost in terms of millions of US dollars and waning public confi-



ZANU PF Spokesperson, Rugare Gumbo

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Conference.

Supporting the second draft should be seen in the context of defending what the people of Zimbabwe have gained since March 2008. Paying attention to the content of the draft in terms of what was expected and what we got is very important. But it

is more important that our achievements, little as they may be, be appreciated within the heavily contested and toxic political terrain. It is fair expectation to demand that the constitution of Zimbabwe should entirely reflect the will, expression and aspiration of the people of Zimbabwe.

After all, these are the people that will also pass or fail this document in the constitutional referendum that should be held later on this year. This is the hall mark of creating a culture of constitutionalism based on the simple democratic principle that people are likely to defend and support what they know and where involved in building. But to entirely focus on what is not in the draft constitution rather than what is there may fall well into Zanu PF strategy and tactics of taking us back to a per-2008 scenario of fighting the battle on ZANU PF's terms (Lancaster House Constitution). Already, ZANU PF's Jonathan Moyo is trying to create legitimacy for the further watering down of the provisions that the draft constitution or even setting aside the constitution making process by alleging that it is political pamphlet, and an MDC's election winning strategy.

To all those within ZANU PF that have perfected the habit of taking the people for granted, I will share from the sentiments similar to what Malcom X said when addressing racism in America, "we are not going to delude ourselves by sitting at the table, watch you eat and then consider ourselves as part of the dinner."

By Tabani Nyoni Spokesperson, Crisis In Zimbabwe Coalition

Excerpt From Prime Minister Morgan Tsvangirai's Speech at The Launch of The 2012 Population Census

Our vision for the country in 10, 20 or 30 years' time will be informed by reliable statistics and any planning on infrastructure will rely heavily on credible national figures obtained in the

census.

Conducting the national census has always been a civilian exercise and it is my sincere hope that we will have a legitimate census that will give us credible

results to enable national visioning and planning. Let us ensure that everyone is counted!

15 August 2012

Decoding Army Interest In Population Census

Coordinator's Note 87



dewaMavhinga

In recent days the army has once again hogged the lime-light for wrong reasons – this time relating to the disruption on a training program for the national census process scheduled for later this month. The primary demand given by the soldiers who disrupted and temporarily stopped the census process across the country was that they wanted to play a major role in the enumeration process. SADC leaders, who will meet at the end of this week for their annual summit in Maputo, Mozambique, should rightly be alarmed at such developments which impact negatively on Zimbabwe's preparations to hold credible, non-violent, free and fair elections.

It may appear rather obvious that soldiers would clamour for involvement in the census process primarily for financial gain because hired enumerators, drawn mainly from civil servants, are paid specifically for carrying out the enumeration task. The prevailing precarious economic situation that has seen civil servants embark on job actions a couple of times this year would be a driving factor for the army to have a stake in the census process where historically they have had no major enumeration role as this was generally reserved for teachers, particularly the census processes of 2002 and 1992.



A man putting up census poster in the Highfields suburb of Harare.

It is also possible that, beyond financial rewards, participation by the military as enumerators in the census process plays a

would be easy for the highly politicized and partisan sections of the army to engage in gerrymandering - a practice

It is also possible that, beyond financial rewards, participation by the military as enumerators in the census process plays a very political role relating to the control and even manipulation of numbers of the Zimbabwe population for the purposes of managing the forth-coming elections.

very political role relating to the control and even manipulation of numbers of the Zimbabwe population for the purposes of managing the forthcoming elections. With direct control over census statistics, it

that attempts to establish a political advantage for Zanu PF by manipulating geographic boundaries to create partisan or incumbent-protected districts. There has been an outcry against the involvement of the

army in the census process, and, reportedly, president Mugabe has supported the calls for the army not to be involved in the enumeration process other than in areas under their control such as army barracks. This is a commendable decision that must be closely monitored by government officials and by the representatives of SADC leaders working with the SADC Facilitator for the Zimbabwe peace process, president Jacob Zuma of South Africa, who has travelled to Zimbabwe today to assess Zimbabwe's progress in preparations for elections in order to update the SADC Summit in Maputo at the end of the week.

We expect SADC leaders now to address directly the persisting problem, largely peculiar to Zimbabwe, of the pervasive, partisan and politicized role of the military in national civilian and electoral affairs. If Zimbabwe is to hold genuinely free and fair elections, then SADC must ensure that critical benchmark reforms ahead of elections include ensuring that the army observes a strictly neutral political role. A failure to rein in the army exposes Zimbabwe to a very serious risk of instability that may trigger wider regional instability.

By Dewa Mavhinga, Regional Coordinator, Crisis in Zimbabwe Coalition

Zimbabwe's Next Elections: SADC's Stability

.....support free and fair elections for SADC stability -People's summit told. The Crisis in Zimbabwe Coalition Regional Coordinator Dewa Mavhinga has urged the peoples of Southern Africa to support free and fair elections in Zimbabwe as the best way of promoting regional stability, peace and integration. He said this whilst addressing more than 200 delegates from various SADC countries.

I therefore call for the peoples of SADC to support free and fair elections in Zimbabwe so that there is peace and stability in the entire region...said Crisis's Regional Coordinator.

He noted that there are three main challenges that confronts Zimbabwe as it counts down to the holding of its general election that might be held in the year 2013 as: the state's structured repressive laws; consolidated institutions and frameworks of violence or the threat of use of violence against dissent voices and an oiled system of state



sponsored propaganda against the opposition, civil society and the public. "Repressive laws must be replaced with progressive laws and SADC must impress upon the completion of a democratic constitution before the holding of credible, free and fair elections. We also note that the former liberation movement uses the state security mechanisms and extra-legal means to oppress and suppress the people's democratic will. This is supported by a structural control of information through the state media that

churns out propaganda in an attempt to control the people's minds" said Mavhinga.

Mavhinga made these comments whilst addressing the 8th edition of the 2012 Southern Africa People's summit at the Momemo Centre, Maracuen district, Maputo Mozambique under the sub-theme:

Democracy and Human Rights---pre-conditions for credible, free and fair Elections: SADC's role.

A Zimbabwean human rights activist and academic Philan Zamchiya concurred with Dewa Mavhinga arguing that SADC should ensure that Zimbabwe must hold free and fair elections through insisting to the inclusive government that:

- ◆ The 'praetorian problem' that is the militarisation of the state and society is solved
- ◆ The hardliners within political parties are reigned in to avoid democratic reversal and
- ◆ They accept Global Political Agreement [GPA] observers from SADC to be based in Zimbabwe to ensure periodic, grounded and nuanced reports on the *democraticness* of Zimbabwe prior to the transitional elections.

By Tabani Moyo

UPCOMING EVENTS

**Civil Society
Conference on
Zimbabwe at
Pestana
Rovuma Hotel,
Maputo,
17August 2012
9am**

Inbrief Around Zimbabwe

President Zuma to be in Zimbabwe Today for Mediation



President of South Africa and SADC appointed facilitator on Zimbabwe Jacob Zuma

President Jacob Zuma is expected in Harare today to hold talks with the GNU parties (MDC-T, MDC-N, ZANU PF) to assess progress in implementing reforms stipulated in the Global Political Agreement which gave birth to the Zimbabwe's Government of National Unity (GNU). His visit to Zimbabwe is part of South Africa's responsibility as the Southern African Development Community (SADC) mediator to facilitate the implementation of the Global Political Agreement. President Zuma's visit comes just two days before the SADC Summit in Maputo that will be running from the 17th to the 18th of August. President Zuma visits Zimbabwe at a time when the parties in the coalition government are at loggerheads over the draft constitution which was drafted by a Constitution Select Committee (COPAC) comprising representative from all the parties in the coalition government. The draft constitution is supposed to be subjected to a referendum after being endorsed by the parties. Both MDC formations in the government have endorsed the draft whilst ZANU PF is proposing changes before they endorse the draft. The GPA reforms are meant to level the playing field for all parties and ensure that Zimbabwe holds a credible free and fair election.

ZANU PF Set to Agree on Draft Constitution Amendments Today

Following ZANU PF's dismissal of the constitution last week the top decision making body of ZANU PF, the Politburo is set to meet again today to agree on the amendments it demands should be included in the draft constitution. Contentious issues being cited by ZANU PF include national objectives and foundations, the significance of the liberation struggle, the appointment of provincial governors, the establishment of the constitutional court, the tenure of the GPA, proposed restructuring of the Attorney General's Office, the deployment of the defence forces outside the country and the section dealing with the nomination of presidential candidates and their running terms.

To justify its proposed amendments ZANU PF through its Spokesperson Rugare Gumbo stated that, "There are certain areas which negotiators did not seem to appreciate the sensitivity of the party. "They were looking for compromises and not the party cause. It makes a difference when people indulge in compromise and the party should do something about it. Patrick Chinamasa, ZANU PF's representative in COPAC also added that the negotiators represented their respective political parties not themselves. They were not negotiating as individuals and so the draft constitution document is subject to endorsement by the political parties

Zimbabwe Census Fiasco

The Zimbabwe Census will run from August 17 to 27 and principals in the inclusive Government are expected to launch the programme today. The programme got off to a bumpy start last week with the security services (the army, police and Intelligence department) hijacking the process demanding to be trained as enumerators. The training of the enumerators had to be temporarily called off. It took a meeting between the Deputy Prime Minister Arthur Mutambara and Acting Finance Minister Gordon Moyo and Minis-

ters Emmerson Mnangagwa (Defence), Sydney Sekeramayi (State Security) and Home Affairs co-Ministers Kembo Mohadi and Theresa Makone and also senior officials from security ministries to restore sanity.

The army, which has been hyperactive in civilian, political and economic affairs, was demanding to constitute a large portion of the enumerators. Zimbabwe's security services sector is openly partisan (pro-ZANU PF) and having then run such a process with significant political and policy implications is worrisome. Teachers have traditionally been recruited and used as enumerators because of the level of qualifications they hold. Most are diploma and degree holders unlike soldiers who are being recruited basing on physical fitness. According to Deputy Finance Minister Gordon Moyo, to be an enumerator one has to have at least a tertiary level qualification. This is part of the SADC and UN standards.

Civil Society Mourns Eileen Sawyer

Crisis in Zimbabwe Coalition would like to express its condolences to the Sawyer family for the loss of activist Eileen Sawyer a veteran Human rights activist. Sawyer passed away last week Friday after a short illness. Sawyer was the founding Director of the Zimbabwe Human Rights NGO Forum and the former Chair of the Legal Resources Foundation. Even after stepping down from the helm of the Zimbabwe Human Rights NGO Forum Sawyer remained a vocal advocate of human rights and a trusted adviser for the Forum. Abel Chikomo the current Director of Zimbabwe Human Rights NGO Forum described her as the grandma of human rights.

Mugabe Denounces Violence



President of Zimbabwe, Robert Gabriel Mugabe

In his speech at the Heroes Day celebration on the 12th of August at the Heroes Acre, President Mugabe urged Zimbabweans to desist from violence. The President and ZANU POF leader urged Zimbabweans to embrace peaceful, tolerant and non-violent ways of campaigning before during and after the actual conduct of elections. This is the second time this year Mugabe has used a National event as a platform to speak against violence.

In his Independence Day speech in April this year Mugabe stated that peace is an inevitable pre-requisite for sustainable development in the country and so all political party leaders should encourage their supporters to promote the spirit of peace, tranquillity and harmony through social dialogue. Violence has however continued and activists like Cephass Magura lost their lives as a result of political violence after the speech the speech was delivered. Calls for an end to violence by Mugabe are commendable given the fact that ZANU PF has been blamed for most of the political violence in the country. Such calls are meaningless and ineffective on their own as they have to be supported by a rigorous drive of ensuring accountability by perpetrators of violence and instilling professionalism in the security sector to enable them to effectively deal with political violence. Such professionalism can only be reinstituted in the security sector by the implementation of security sector reforms which will rid the sector of political party partisanship which has been fostering the culture of impunity. Professionalism will also mean that the army is divorced from civilian affairs and political processes. ZANU PF has in the past used the army and security to intimidate and harass supporters of the opposition.

Becoming Heroes of Our Own Time



A view of the Zimbabwe National Heroes Acre. Pic by fungaijames.com

Each year Zimbabwe has correctly set aside a public holiday in August to remember the heroes of our national liberation struggle. The conferring of hero status upon individual Zimbabweans however remains a contentious issue given the fact that it is Zanu Pf that decides on the matter. In fact, there was an occasion where President Mugabe spoke at the funeral of one national hero where he stated that the Warren Hills Heroes Acre in Harare essentially belonged only to those that went to the liberation struggle. He added that should anyone else who was not in that struggle directly or indirectly seek to be interred at the same venue, he or she might as well find their own hillside elsewhere and build one for themselves.

There have been many other debates about who and what it is to be a Zimbabwean national hero especially after the passing on of a prominent national political leader or popular celebrity who had/has no direct link with Zanu Pf. It is however unfortunate that hero status is normally conferred upon only those that will have passed on. There is rare conferment of hero status on those that are living (young or old) who have served the country in varying capacities inclusive of but not limited to the liberation struggle or post-independence politics.

It is this latter point that is perhaps in need of expansion. We have, as a country and in the last thirty plus years correctly made it a priority to honour the comrades that passed on in the course of the liberation struggle

as well as those that participated in it and are with us today. This has however been politically contentious with each passing year and especially in the aftermath of the establishment of an inclusive government which to all intents and purposes was/is a sure sign of weakening Zanu Pf political hegemony. (Hence the regular contestation by political

members for posterity and emulated by generations to come.

The heroic deeds of the armed and political wings of our liberation war movements were also undertaken with a specific intention to ensure that while the war was inevitably necessary and tragic, the struggle itself required that their conduct be

The primary issue however is that where we have remembered our national heroes of the liberation struggle we have failed to remember that though their heroism led to the founding of the nation, it is primarily a heroism that was intended to create further heroic deeds in the name of the struggle and the revolutionary values that established the country.

parties around hero status)

The primary issue however is that where we have remembered our national heroes of the liberation struggle we have failed to remember that though their heroism led to the founding of the nation, it is primarily a heroism that was intended to create further heroic deeds in the name of the struggle and the revolutionary values that established the country. And this is the primary challenge for all Zimbabweans today. It is not so much to hold the gun like our freedom fighters but to demonstrate the same commitment and purpose in understanding our society better and charting principled democratic way forwards that are re-

consistently revolutionary, honest and principled on key democratic values that served the best public interest of all Zimbabweans.

With time, it has become evident that those that led us after independence and those that lead us today have failed to understand the need to be conscious and stay on the right path of a continual and democratic people's victory. In most instances and of their own volition, our contemporary leaders have sought more self-aggrandizement than democratic national leadership and have tended to function out of sync with the democratic intentions of the liberation struggle. They

have departed further and further from democratically conscious leadership and are patently failing in becoming revolutionaries of their own time.

Instead of being conscious not only of the liberation struggle and sticking to democratic values and principles, our leaders are increasingly involved in elitist cohesion and are functioning in part as though the country were personal property or belongs to three political parties. They have further found comfort in believing that all of their actions should be defined by 'compromises' in order to acquire or retain political power as an end and without the necessary social democratic clarity. In the short and long term, the effect of these tendencies has been inept political leadership of government and elite cohesion around covering up each other's weaknesses.

I fear that perhaps they too have missed their 'heroic' moment despite either having been jailed or tortured at the hands of then oppressors. And this is why perhaps all Zimbabweans must discover the hero in themselves and in activities outside of the political mainstream. By doing so, perhaps we can be heroes and democratic revolutionaries of our own time. This is regardless of whatever vocation one finds him/herself in. We must act with clarity and appreciation of how our own contributions to our society can be heroic with or without the approval of politicians and politicized matters. This must however be done with the spirit and intent of those that fought the liberation struggle conscientiously and with belief in democracy, social and economic justice and the necessity of performing their generational duty for posterity and not self.

By

Takura Zhangazha