

ZIMBABWE BRIEFING

a crisis in zimbabwe coalition regional office weekly report

18 - 24 September 2012

ISSUE 92



Beyond A Minimalist Electoral Approach

In the past week we were bombarded by a splurge of all the juicy stuff about the MDC-T President and Prime Minister (PM) of Zimbabwe Morgan Tsvangirai's marriage. The media went ballistic (including social media) with burning debates pro and against the (in) discretions of the PM viz a viz the high moral standards and responsibilities that leaders should be held accountable to. Just looking at the debates and opinions across the public and private, print – electronic media divide, I could not but relish the robust critiques of one of the highest public officials in the country, is this not what democracy is all about? Is this not what we have been denied and have been fighting for in the past five years? Where are we and what prospects are there that the democratic dream will ever be realized?

To draw parallels with the criticism levelled against the PM from all quarters of the media, in 1995 Elias Rusike (now late), Simba Makunike and Trevor Ncube were arrested for publishing a story in The Financial Gazette on April 21 1995 that President Robert Mugabe had wedded Grace Marufu at a secret ceremony presided over by then High Court Judge Paddington Garwe and witnessed by the then Minister of Public Construction and National Housing, Enos Chikowore (now late). The police raided Modus House, detained the suspects, and later charged them with criminally defaming the Head of State. The trio was hauled before the courts and granted bail, later convicted and Modus Publication was fined \$2 500 in 1996. Ncube was fined \$3 000 while Makunike \$6 000. There is no doubt that the punitive fines and the arrests were uncalled for, after all President Mugabe is still husband to Mrs Grace Mugabe, the rumoured circumstances of how they got married have not been refuted, cleared or clarified.



Re-engaging the broader masses is the way forward.

The persecution of media practitioners and muzzling of media houses has become a legendary norm for the ZANU PF regime. It is also important to note that while the public media was muted in this case, for different reasons both the public and private media railed against the PM. No doubt the public media went on a self-serving partisan offensive overdrive centred on spreading propaganda drive against the person and judgement of the PM as a national leader with a view to discredit his leadership of the MDC-T and the Country. But what is happening here?

Indeed when juice stuff, the raw material for tabloids invades the mainstream media, there is danger that authoritarian actors pressed for alternatives to forestall reform can seize on such moments for diversionary reasons. Thus while celebrating the various critiques in the week; Zimbabweans must not lose focus of the main issues facing their country. We must take guard not to be misled from the critical challenges and what should be the main discourses in moving our country forward. By securitizing the media and intellectual debate ZANU PF has totally muted the national debate and alternative discourses. Ultimately this blunts the national imagination for the best vision going to the future.

The pro-democracy struggle which gave birth to the MDC parties is a struggle for a more

open, tolerant and accountable society whose politics must encapsulates pro-people approaches at every level. The focus on minimalist electoral visions outside mass action and people mobilization will surely leave Zimbabweans in a long haul against a regime keen on consolidating its power and seizing sole control of all national resources. At a closer look, we are a fragmented society crying for a unifying leadership and vision as the basis for a strong democratic nation. The focus on partisan competition will barely bequeath a democracy, not in the current circumstances. The challenge posed by the ZANU PF regime and the cancerous political problems of three decades are far immense for any of our parties to deal with. For the MDC-T in particular and the Pro-democracy parties in general, they must head the call to go back to the drawing body, find ways of reaching back to their social base, the key constituencies in students, labour, civil society, churches and individual Zimbabweans. The Parties should reach out to fellow political parties which share the same pro-democratic outlook if they should deliver a democratic Zimbabwe. The MDC parties in particular should deliberately bring into their ranks the majority of young intellectuals, the democratic struggle generation of intellectuals produced in the past decade to give more impetus, new energy, skills and drive to their movements as a way of counter-balancing the lethargy

and scepticism emanating from their role in the Inclusive Government.

The country remains seized with relentless efforts from the ZANU PF regime actors to topple both the Lancaster House constitution, the negotiated draft document and retain total state power. They would rather have Zimbabweans not think about challenges of bread and butter, deteriorating health and education conditions, an arrogant leadership bend on self-enrichment, thuggery, corruption, nepotism, violence and outright repression. The ZANU PF regime actors will not allow us to question how they sustain their extravagantly affluent lifestyles in the midst of extreme poverty, they do not want us to see and ask why they are looting our diamonds and our wildlife.

The ZANU PF elites have turned our country into their private colony before our noses.

In the face of pressure from the MDC parties and Zimbabweans to ensure that the constitution making process is taken to its conclusive end, ZANU PF is resorting to diversionary tactics to take the attention of Zimbabweans off the transition dynamics while putting psychological pressure on the PM, his family and his party. These are tactics common with authoritarian regimes choked for change. Indeed more pressures should be exerted on the ZANU PF regime actors if democracy is to be fully realized. Our dream for a true democratic moment celebrating our prosperity, human rights, media diversity, a caring and accountable leadership remains work in need of all our energy and skills.

Gideon H Chitanga, PhD Fellow, Rhodes University, Politics and International Studies

2nd All Stakeholders Conference On Constitutional Reform: 9 Imperatives For Success

Director's Special Note



Mcdonald Lewanika

Over the course of the last two weeks and especially the week that has passed, the issue of the Prime Minister's "Nuptials" to Elizabeth Macheke has been the most dominant media and indeed public issue. Without rekindling that popular discussion and debate, I am glad that it is now behind us. I am glad that this is behind us because, instead of serving as just a moment of great celebration for the re-entry of our Premier into to the institution of marriage (which a friend of mine calls a program for the Stabilisation of Adult Personalities), it has served amongst other things, as a fruitless distraction from pertinent national questions. While the Prime Minister was priming himself for his corrective moral (and eventual defiance) act, and the Central Intelligence Organisation (CIO) were allegedly rolling out their plan to disrupt that big day, there were several things of national significance and of consequence to our lives, taking place. Not least amongst these, was the climb down by ZANU PF, in the middle of the dust and the smoke, to agree to go to the Second All Stakeholders Conference with the COPAC Draft of July 18 2012, on condition that the National Report will be tabled at the same conference.

The Movement for Democratic Change (MDC T), was quick to come out with a retort that welcomed the climb down, but not on the condition stated - of tabling the National report. Again, setting up the Second All stakeholders Conference as a no holds barred political showdown. In any other country, this would

not be an issue, people differ all the time, and they negotiate their differences and come up with compromise solutions that allow everyone to emerge a winner. Heck, in most democratic societies, people actually understand that there is no democracy without compromise. NOT in Zimbabwe. It is clear that because of the tenor of discussions and proceedings so far, that if a clear set of conditions and rules are not abided by, the Second All Stakeholders Conference, can easily turn into a blood bath of tremendous proportions.

The only way that this can be guarded against is through the firm and committed agreements by stakeholders to the process on a clear *modus operandi* at the conference. Without this, the Second All Stakeholders Conference may just be another waste of not just money, but also valuable time.

Like any other democratic process, the Second All Stakeholders Conference must be subject to predictability of process, with clear objectives and outcomes articulated and anticipated. Just like in sport, the rules of the game need to be clear before the game actually takes place. We can't make them along the way without every foul being turned into a penalty. The obvious handicap stems from what the Global Political Agreement (GPA) does not say more than what it says with regards to this key part of the process of Constitutional Reform. It states the following:

"The draft constitution shall be

tabled within 3 months of completion of the Public consultation process to a second All Stakeholders Conference".

Given our experience from the ^{First} All stakeholders Conference, this vagueness is less of a blessing than it is a curse. It is a litmus test on the commitment of political leaders to putting the country first and ensuring that a clear way of operating at this conference is determined in a way that moves the country forward – not backwards.

In my humble opinion the following need to be considered seriously by Zimbabweans and COPAC in planning for the Second All Stakeholders Conference, as key imperative for success:

Clear time frames.

This has been a constant malady with regards to the Global Political Agreement. There are claims to be following a Road map to elections, whose date is not known, and now, there are agreements and preparations for a Second All Stakeholders Conference whose date is not known. The Second All Stakeholders Conference must be allowed to set a new tone in the conduct of Political business through ensuring that the dates and timing of it are not the preserve of political elites. All Stakeholders need to plan for it

not just ZANU PF, which on the 14th of September had its Commissariat structures holding a mobilisation workshop on how to present the party position at the Conference. Or the MDC T, which called its structures to launch a "Yes" Campaign for a referendum whose date is not known to the public.

Transparency around these key process starts with breaking down the monopoly of information by Political actors on the timing of key processes. If they too do not know, then it is time to set these key dates up, starting with the electoral timetable and timetable for reforms, with the dates of the Second All Stakeholders Conference being amongst the key markers. We have already discovered that the state of confusion and disorder that is sponsored by uncertainty is exactly what Andreas Schedler meant when he talked about disorder being seen by politicians as a 'valued horizon of attainment', not a 'feared horizon of avoidance'. But this must stop, in order for us to move forward, order must be the order of the day.

Continued to next page

An inclusive dialogue on how to have a truly transparent and beneficial process: The Second All Stakeholders Conference, unlike other elements of the Constitution Making Process is a multiple stakeholder process, which includes interests and parties beyond COPAC and political parties. Discussions and plans for it and the Modus operandi should be an inclusive process that allows representatives of a cross section of Zimbabweans to be part of the planning process.



ZANU PF supporters disrupt the all-stakeholders conference on the 13th of July 2009

A Real Commitment to Civic Society Participation: There was a commitment that was made but not properly followed through at the First All Stakeholders Conference to have delegates to it in the following Proportions, 70% Civil Society, 30% Political Parties. This has to be abided by, noting that political parties include more than those parties, which are represented in Parliament. COPAC also needs to allow legitimate apex organisations of Civic Society like, NANGO, to determine who is civil society, not the Political Parties who can easily form NGO's overnight. Business must be included, noting that the previous allocations seemed to have ignored them and that classic definitions of civic society exclude the state and capital.

Agenda setting by The Broad Church of stakeholders: Stakeholders as mentioned above must be the ones who set out a clear agenda and program for the Second All Stakeholders Conference. The above will allow us to move away from the 'loiter and linger' strategy that political parties have been subjecting us to at the expense of National Progress.

Popularising the COPAC Draft of 18 July 2012. The Herald has already serialised the ZANU PF amendments, in an act that fortifies impressions that have always been there that instead of being a public newspaper it is just a propaganda tool for ZANU PF. COPAC needs

to make its Draft of 18 July readily available to all and sundry in forms and languages that people can access. There can be no meaningful national debate and discussion if people do not know what they are debating or discussing. The Draft is available on the internet, but this is not enough given the low internet penetration levels in the country which have been reported to be around 11%

NO Violence. Measures must be put in place to ensure that there is no violence at the conference and that if it occurs it will not be tolerated through non-partisan policing. Part of this, is an agreement on process with no tolerance for those who try to operate outside the process.

Commitment to tolerance, patience and progressive debate. Political party supporters are notorious for being amongst the most intolerant groups of people in the country. It has to be noted that this is a national process on which the future of not just the Constitution Making process, but the country hinges on. Lastly,

Unfettered Media Access to the Event: If the process is to be respected and assist in enhancing the constitution making process, both local and international media need, of necessity, to be allowed to cover the event without let or hindrance.

SADC and the AU MUST observe the process. This has already been suggested

and dismissed as an invitation to outsiders to supervise our own process. This rebuttal is dishonest. The Global Political Agreement (GPA) itself, which is the instrument that gives life to the Second All Stakeholders Conference, is not just a domestic affair it is a continental affair. The African Union, as represented by its Commission Chairperson, the Southern African Development Community (SADC) as represented by its Chairperson, and the Facilitator – Former President of the Republic of South Africa, Thabo Mbeki, appended their signatures to the agreement. Having them observe the process is not to invite foreigners to an internal process, but it is an act of acting in the spirit of the conference, which seeks to bring "All" stakeholders to the table.

Continued arguments around sovereignty especially by ZANU PF are dishonest and a pure act of chicanery – Zimbabwe has already ceded its sovereignty in many ways, largely attributable to them. We have lost sovereignty over our currency (we use the US Dollar), lost food sovereignty (the World Food Program estimates that 1,6million citizens of the former bread basket of Africa, are in need of food aid) and lost political sovereignty (our country is being governed by an agreement that was facilitated by the African community not necessarily the will of the people). Not to mention how economically, our country has fallen prey to what Stephen Marks and Fironz Manji (in their Book, *African Perspectives on China in Africa*) call the new policy of China,

which he argues has shifted from Cold War ideology to a more classical pursuit of economic self-interest in the form of access to raw materials, markets and spheres of influence through investment, trade and military assistance - to the point where China can be suspected of pursuing the goals of any classical imperialist.

Because of the above, any vaunted talk of sovereignty where Zimbabwe is concerned is more show than substance because our politicians know that through their actions they have mortgaged the country to SADC and the AU politically and China economically. What is more important for them to realise, if they are serious about the sovereignty of the country, is that, the Constitution Making Process and the full implementation of the GPA are attempts at gaining back our sovereignty. But for now it is what is.

The above 9 points may not be enough to guarantee a positive Second All Stakeholder Conference, but their consideration, nay, their implementation will go a long way in ensuring that we move our country forward and not backwards. If there was a time, when greater patriotism was called for, it is now. Our politicians are called to action, with the interests of the country at heart, beyond parochial partisan interests. The Second All Stakeholders Conference will be a stern test on whether our country wants to write a constitution for the nation or for particular political parties.

There are those who have already dismissed the possibilities of a successful Second All Stakeholder Conference because of what they have seen in the past and in the present. These people are justified in their scepticism, but this country needs 'greater fools' – people who believe that success can be achieved even if the odds are stacked against them, and others have failed. It may seem foolhardy and crazy to expect that the Second All Stakeholders Conference can come out with some meaningful result. But as an Apple McIntosh advert once proclaimed as part of their "Think Different" campaign in 1997 'the people who are crazy enough to think they can change the world, are the ones who do'. Now Apple Inc. is the most valuable company in the world.

By Mcdonald Lewanika, Director, Crisis in Zimbabwe Coalition

Government Must Bring Finality And Closure To The Political Saga

I am intrigued at how the Zimbabwean government that ought to protect citizens is actually messing the very same people it ought to protect. Honestly, how does a whole government with assumably capable leadership stall a national democratic process because their personal interests are not protected? I am angry, disappointed and frustrated at the rate at which I am being messed up – this just has to stop!

It has been over two months now and the constitutional making process seems to be going nowhere. Despite efforts from various quarters, it seems the millions of dollars that were invested in this process could actually have been a waste. I am not a guru of constitutional affairs but am sure many of us will agree that Zimbabwe needs a democratic constitution and that the people of Zimbabwe

ought to contribute to the process. AND SURELY WE DID! Now what is happening is a clear show of greed, egocentricism and selfishness as the leaders are holding onto positions that are not necessary neither are they productive or progressive but serve to protect personal interest and turf. It would be worthwhile for the Zimbabwean citizen if leaders show their true and progressive leadership and let the people of Zimbabwe decide on what they deem as great efforts made towards developing a democratic constitution for the nation.

On the other hand, I think as Zimbabweans, we ought to take lessons from other African countries that have been aggressive in ensuring that their grievances are known and addressed. Here we do not incite violence but merely advocate for Zimbabweans to begin processing na-

tional issues differently and show leadership by demanding that they be treated with respect, dignity and have a democratic constitution to govern them. If Zimbabweans are not forthcoming, these leaders will keep mess on us and we will keep being victims of their concentrated mess!

Now is the time Zimbabwe should stand out as a nation that is progressive and clear on what it demands. Gone are the days we stood by and let things be. There is an urgent need for Zimbabweans to take a stand on what they believe in and go out there and demand that a democratic constitution is put in place to effectively govern the nation. Forward with democratizing Zimbabwe! Another Zimbabwe is possible and it takes you and me to ensure it becomes a reality! Let us do this...



By Grace Chirenje, Vice Chair Person, Crisis in Zimbabwe Coalition

Political Violence On The Rise In Zimbabwe

The political environment in Zimbabwe deteriorated considerably in August due to the impasse in the Constitution-making exercise. The month of August witnessed a significant rise in incidents of politically motivated human rights violations as a direct result of the political impasse.

There were 462 cases recorded during the month under review up from the 375 incidents recorded during the month of July. The COPAC led process stalled: raising political tension and deepening polarization as the partners in the Global Political Agreement took hardened and opposing positions on the COPAC draft constitution which ironically-was co-authored by their representatives in the Constitutional Parliamentary select committee [COPAC].

ZANU –PF rejected the COPAC draft and insisted on forcing its own amendments into



the draft constitution. The party launched a vilification campaign against the draft labelling it “a gay instrument of neo-colonialism”. Meanwhile its partners in the coalition government- the two MDC formations have endorsed the draft and praised it as a progressive document- setting the scene for a constitutional referendum that might lead to a bruising political contest.

The national census program was turned into a fiasco as soldiers and other members of state security agencies invaded the enumerator training centres across the country seeking to impose themselves on the program and displace teachers alleging that they were aligned to the two MDC formations who wanted to use the exercise as a platform to campaign for their parties.

Reports from across the country indicate that their motive was not political but material as the hefty allowance set aside for enumerators was the actual incentive for them to seek to muscle in on the program. An analysis of the violations trends over the past five years shows that the month of August has had fewer cases of human right violations since 2008 where 964 cases were recorded two months after the ill-fated June 27 presidential run-off. The violations continued on a downward trend in 2009 where 527 cases were recorded only in the year 2010 to 848 reported cases while 720 incidents were witnessed in August 2011.

A summary of the August 2012 monthly monitor report by Zimbabwe Peace Project

The Zimbabwe Briefing is now accessible online.

visit www.zimbabwebriefing.org

and get more stories on what is happening in Zimbabwe. You have the chance to send your comments and views online. We value your support and contribution. By Crisis SA Media Team