



The Road Map to Democracy in Zimbabwe



Taking the Direct Route to a Democratic Transition

The Roadmap

The Democratic Alliance's 'Roadmap to Democracy' in Zimbabwe is a timely and welcome engagement by South Africa's opposition party. Its main strength is that it calls for a democratic transition rather than a deal stitched up between Zimbabwean leaders who no longer represent the will of the people.

Their proposal seems simple: agree to hold fresh elections; form an interim government; craft a new constitution; and hold democratic elections. However, it is not simple enough. We should drop the suggestions for the formation of another interim government and the crafting of a new constitution – and move directly to free and fair elections that are supervised and secured by the international community.

An Interim Government

The problem with forming an interim government is that we already have one, but which is not working. The MDC has been at pains to stress that this is a 'transitional arrangement' until fresh election are held. Robert Mugabe calls it a 'government of national unity' with an indefinite lifespan to maintain and extend his rule. While the MDC has risked alienating its support base by making one compromise after another, Mugabe has remained completely obdurate. He has not only refused to fulfill the outstanding issues since the inclusive government was formed, but has stressed that he has no intention of doing so.

Regarding, for example, the controversial appointments of Reserve Bank Governor, Gideon Gono, and Attorney General, Johannes Tomana, Mugabe said, "I have laid down my foot and said no, they will never be [replaced]." No amount of Morgan Tsvangirai pleading with SADC countries to pressure Mugabe will make the slightest difference.

The MDC is powerless against Mugabe for two main reasons. The first is that, despite having lost the March 2008 Presidential election, the Global Political Agreement (GPA) between the parties reinstated Mugabe's wide-ranging powers as President. He appoints virtually every senior government official, from governors and ambassadors, to permanent secretaries and the

top security personnel. The second reason is that he controls all the powers of state coercion: the police and the military, as well as state security agents and the militia. With these powers, Robert Mugabe is again firmly back in control.

Just as Mugabe has no incentive to see the inclusive government with the MDC work, he has no incentive to form an interim government. Would he agree to negotiate the formation of a new interim government? Probably – but only as a strategy to draw out a process to extend his rule. Bear in mind that it took huge compromises by the MDC and months of negotiation with Mugabe to end up with the GPA that reinstalled all the powers he had lost! Then, to add insult to injury, he has refused to implement the agreement and has carried on ‘business as usual’.

In short, negotiating and forming an interim government would only play into the hands of Mugabe by buying him still more time.

A New Constitution

The notion of a new constitution has a ‘feel-good’ ring to it. Yet, how is it possible to negotiate a new constitution with the very person and the very party that still contravenes the enshrined Bill of Rights of the existing constitution with such impunity? How can it be a ‘people-driven’ constitution when the process is controlled by those who have consistently denied the people their democratic and human rights? What is the point of a new constitution, when Mugabe and his supporters have every incentive to delay the process as a tactic to extend their power and rule? Indeed, ZANU(PF) co-chairperson of the Parliamentary Select Committee on Constitutional Reform, Paul Mangwana, has already said that the government is likely to last for five years on the highly questionable basis that “the majority of legislators wanted to serve their full terms of five years”.

The President’s strategy was initiated by his supporters disrupting the first public hearing of the Constitutional Select Committee in July 2009. In the ensuing pandemonium, the police only intervened to arrest MDC supporters who were trying to defend themselves. Another tactic was simply to delay the process. The Constitutional Committee postponed the announcement of 17 chairpersons for the constitutional thematic committees *seven times* because ZANU(PF) failed to submit their recommendations. A third was to plead poverty. Although the UNDP allocated \$2 million to the Constitutional Committee, Mangwana claimed that further UNDP funding would make the process ‘donor-driven’ hence making it “pointless to plan.”

The process is now three months behind schedule, and the \$11.3 million now being made available by the government will simply be wasted by those intent on blocking the process. Mugabe will insist on the ‘Kariba draft’ as the basis of a new Constitution because it retains most presidential powers. Even so, if the President and his party believe that the new Constitution does not serve their purpose, they can block the Constitution in Parliament, in a Referendum, or the President could exercise his Presidential veto by refusing to sign it into law. In short, if a new Constitution does not suit the President’s purposes, it will not succeed.

The inescapable conclusion is that the Constitution-making process is as time-wasting and farcical as it is irrelevant. Accordingly, the drafting of a new Constitution should await the election of a legitimate government to ensure that it genuinely reflects the democratic will of the people of Zimbabwe.

Engagement?

South African President's special political adviser, Lindiwe Zulu, has said that President Zuma has made it clear that Morgan Tsvangirai must resolve outstanding issues with Mugabe because remaining in government is the “only mechanism on the table” and that the way forward is to “engage, engage and engage”.

The problem with this advice is that it takes two to engage. It is not just Mugabe's refusal to engage, but his active efforts to *disengage*. He has not made the slightest attempt to fulfill his obligations under the GPA, but continues to use hate-speech in the state-controlled media and to humiliate and berate his supposed partners in government. He has selectively applied the law to charge and incarcerate MPs on the flimsiest of grounds, while turning a blind eye to the appalling crimes and human rights abuses that have been committed by his own supporters. More recently, his militia has been accused of burning huts and closing schools in rural areas, while police have raided MDC houses in Harare.

The call for engagement by SADC leaders will only deepen Mugabe's resolve to crush the MDC with all the powers at his disposal. Engagement solves nothing. South Africa must therefore abandon the fiction that it is the only option. The Voice for Democracy therefore supports both the call by the MDC and the Democratic Alliance for a democratic transition through elections supervised and secured by the international community.

Elections for a Democratic Transition

There is nothing in the GPA or the constitution that specifies that an election has to be held within a prescribed time. In terms of the Constitution, the President has the prerogative of calling an election at a time of his choosing. To extend their rule, the President and his supporters therefore have an incentive to keep the threat of violence simmering and then claim that the conditions for peaceful elections have not been met.

But, if and when the President so chooses to call an election, he will have at his disposal all the coercive forces of the state security machinery to provide a sufficient degree of violence to ensure that he ‘wins’ the election. And, even if he does not win, his cabal of generals may simply stop any transfer of power to “puppets of the West”.

In the run-up to the June 2008 Presidential Election, Mugabe reminded the world that, “We are not going to give up our country because of a mere X. How can a ballpoint pen fight with a gun?” True to his word, he unleashed such violence that not even SADC and the African Union accepted the outcome of the election. But by his actions, in these and other elections, he has forfeited the right – both in the eyes of the Zimbabwean people and the international community – to ever again run an election.

The only chance that Zimbabweans will have to exercise their democratic rights will be elections held under the protection and supervision of an international organisation, such as the United Nations, with the backing of SADC and the African Union. To counter any threats of violence and ensure free, fair and peaceful elections in accordance with SADC’s own guidelines, a peace-keeping force must be in place at least three months before elections and at least one month after elections to ensure the orderly transfer of power.

The reaction of Mugabe to such proposals will be all too predictable. He will complain bitterly that Zimbabwe – meaning himself – has the sovereign right to call elections, while denying the people of Zimbabwe their own sovereign right to choose their own leaders in free and fair elections. The one thing that Mugabe most fears is the democratic will of the people. The most appropriate exit strategy for Mugabe therefore will be a democratic one. It will also be one where he must surely be part of the solution.

Building an Alliance for Democratic Transition

The call by the MDC for internationally supervised elections has been echoed in the proposals of the Democratic Alliance. There is now a need to build on this growing consensus within South Africa, within SADC, within Africa, and within the international community. As there is little political will to force Mugabe to step down or use force, the Democratic Alliance needs to reach out to the ruling party and government of South Africa to reach a strong, non-partisan consensus for assisting Zimbabwe make a democratic transition.

The Voice for Democracy believes that there are leaders within Africa and specifically SADC, including President Zuma, who would welcome a fresh and democratic solution to the Zimbabwe crisis. It will be of great benefit politically and economically for all SADC countries to work towards the reengagement of Zimbabwe with the international donor community in order to rebuild its shattered economy.

The Voice for Democracy applauds the efforts of the Democratic Alliance to bring democracy and justice for all Zimbabweans to live in hope, dignity and freedom.