
ZIMBABWE ELECTION SUPPORT NETWORK



POST – ELECTION UPDATE FOR OCTOBER, 2008

INTRODUCTION

The report covers the socio-political and economic developments in the month of October, 2008. Although ZESN's core business is the promotion of a Zimbabwe where democratic electoral environment and processes are upheld, the political, economic and social developments in the country have a direct impact on the electoral issues and processes.

Continued attempts for a political settlement: The signing of the deal on 15 September, 2008 was met with mixed feelings with the majority of the people hailing it as progressive and hoping it would end the economic doldrums the country is facing. Others expressed their disappointment that the will of the people had been circumvented since the June run-off election was condemned by international observers and did not reflect the will of the people. There is a call by a section of the society to return to the March 27 election and base the deal on the results of that election. Others are calling for fresh elections under the observation of international observers arguing that the current political and electoral framework obtaining in Zimbabwe as well as the polarisation of the country is incapable of producing free and fair elections.

The signed deal was a political framework put in place by the three principles to resolve the impasse currently bedevilling the country whereby the power sharing strategy would have seen ZANU PF being allocated 15 cabinet positions, MDC T 13 and MDC 3. Major disagreements erupted over the distribution of the key ministries of defence, home affairs, finance, foreign affairs, information and local government. ZANU PF then went on to allocate itself all the fore-mentioned ministries and gazetted them. MDC T rejected the unilateral allocation of ministries by ZANU PF arguing that it will reduce their party to a junior partner in the new government. It further went on to argue that MDC T carried the mandate of the people since it won the widely accepted March 29 election. The facilitator was recalled at the request of both parties to break the impasse of the cabinet ministerial allocation. In the facilitator's view the list gazetted by President Mugabe would have allowed the MDC T to play a key role in the priority areas of restoration of economic stability since Mugabe had relinquished the Ministry of Finance to the MDC T. The list also allocated ministries of economic planning, investment promotions, power development, state enterprises and parastatals to the MDC T. The MDC T was concerned that ZANU PF would control all the resource-based ministries while the MDC T controls service provision which is currently in shambles. The facilitator together with the principles agreed to refer the matter to the SADC "s security committee generally referred to as the troika consisting of Swaziland, Mozambique and Angola with the new South Africa in attendance as the current SADC Chair.

The SADC troika failed to take place in Swaziland as Morgan Tsvangirayi the MDCT president and one of the principles was not issued with proper documentation by the Registrar General. Tsvangirayi was issued with an emergency travel document a day before his departure to Swaziland. He was unable to obtain South African visa in time for the travel. While ZANU PF sympathizers argued that sanctions were to blame to the lack of resources to process the passport application, others noted that it was part of ZANU PF machinations to scuttle the talks ahead of the party's congress in December, 2008. It was recommended that an extraordinary SADC Summit be held in South Africa in order to solve the impasse. Despite the signing of the agreement and the initiation of the talks a violent clamp-down of

human rights defenders continues to take place. On October 27, 2008 150 activists from the Women's Coalition of Zimbabwe (WCoZ) and the Zimbabwe National Students Union (ZINASU) who were holding a peaceful demonstration in Harare were tear-gassed by the police and 42 women from the coalition were arrested for calling for a resolution to the political impasse between ZANU-PF. Reports from the provinces indicate that some high-ranking members of government are going to villages criticizing the political settlement and noting that there will never be unity between the two parties, others are noting that the unity proposed is for the top-ranking officials only and not for local levels while a few progressive ZANU PF senior officials are calling for reconciliation and peace and a respect of the current negotiations taking place. The ZPP report indicate that although physical violence is on the decline in most provinces, verbal and psychological abuse is still on the rise with cases of discrimination, harassment and intimidation reported.

It became doubtful in the minds of many that there is genuine desire for political reform given the clamp-down. However, Zimbabweans from all walks of life and Africa in general are waiting anxiously for the resolution of the ministerial allocation hoping to solve the economic challenges the country is facing.

Reflections on the power sharing agreement: The deal has key features and the main one being that two fiercely opposed political sides agreed to agree. The violence that had marked the 2008 run-off election was reduced drastically after the two parties signed to share power. The three parties agreed to address the challenges bedevilling the country and to work together for the common good of Zimbabweans. However the major challenge of the deal is its vagueness on critical issues given the ineptness, polarization and signs of bad will in some parties concerned. In the Kenyan settlement, if the same deal was to be used, there would have been a sustainable settlement because of the good political will and accommodating personalities of both Raila Odinga and President Kikwete. In the case of Zimbabwe, the biggest challenge one is likely to face is to replicate the Kenyan deal to Zimbabwe ignoring the personalities involved. The major challenge of personalities in the Zimbabwean crisis is the manipulative, hegemonic, monolithic nature of the ruling party personalities characterised by the politics of exclusion. The ruling party failed to transform itself after independence from being a revolutionary movement to a political party that embraces change, respect for human rights, responding to the demands of the people and accepting dissenting voices. Instead, the party is self-preservatory in nature at the detriment of all, there is intolerance of all dissenting voices that tend to oppose the status quo as such people are labelled traitors and mouth pieces of the western countries. Manipulative in that the party has never negotiated in good faith given the swallowing up of ZAPU by ZANU PF in December, 1997. The party is hegemonic in that it has ruined other political parties since independence by demonization as the case of ZUM and UANC, cooption for ZAPU, infiltration ZANU NDONGA among others. If the agreement is to survive, there is need to cultivate political will at the highest level to ensure that the deal holds. As it stands the deal is likely to collapse imminently. The loopholes and vagueness of some statements in the deal are likely to be manipulated to advantage the incumbent. It requires parties and personalities that have a real commitment to bring about democracy and tolerance.

The agreement is riddled with phrases like 'in consultation with' or "after consulting so and so". The phrase appears in the appointment of ministers, allocation of ministerial portfolios, forming a cabinet,

which really can be interpreted to mean that consultation can be passive and the views of the consulted do not necessarily have to be adopted. All one has to do is to give the other person a reasonable opportunity to give his/her input and recommendation and whether that input is taken into cognisance in making a decision is besides the matter. It then takes parties that are committed to a true settlement to ensure that recommendations from the other party have been incorporated.

Executive appointments: Of major concern to the agreement is the issue of executive appointments, where the sitting president has a constitutional right to appoint commissions like the police, defences forces, prison service, Media Information Commission, Zimbabwe Electoral Commission, Governor of the Reserve Bank among others. It therefore means that if a ministry is allocated to either of the MDC formations, real power will still be vested in the president. After all the commissioners report directly to the President who himself is partisan. In other words the appointment of ministers from either of the MDC formations where a commissioner is appointed by the incumbent compromises the effectiveness of that minister. The commissioner will likely pay more allegiance to the one who appointed them defeating the spirit of the deal. Moreover, the power to appoint, dismiss and allocate portfolios to ministers remains solely the prerogative of the incumbent. The partisan nature of executive appointments in this country may have led to lack of progress on the political settlement as it is alleged that senior officers of the uniformed forces are not keen to share power with other political parties. It is recommended that the following reforms will enhance good governance:

- ✓ Security sector reform
- ✓ Demilitarization of state institutions
- ✓ Recruitment of senior civil servants
- ✓ Revamping institutions that deal with anticorruption
- ✓ Enhancing effective anticorruption strategies
- ✓ Electoral and legal reforms
- ✓ Media reforms
- ✓ Judicial reforms
- ✓ Human rights and transitional justice

It is recommended that the above reforms missing in the agreement and should guide the proposed Constitutional Amendment Number 19.

Cabinet crisis: The other complication is that section 31G of the constitution stipulates the composition of the cabinet which is comprised of the President, Vice Presidents, and such other ministers appointed by the President. It therefore means that the incumbent can appoint the majority of cabinet ministers from his party and pick a few from the opposition to ensure that ZANU PF has a majority in cabinet. This will ensure that decisions of ZANU PF will be supported by cabinet and this will rule out complications of a deadlock. It also explains why ZANU PF is insisting on being allocated all or

most key ministries. It does not qualify that all 31 ministers will be appointed to the cabinet. Given the bad faith already exhibited by the ruling party, this is a likely scenario. Voting in cabinet will be interesting, if the 31 ministers are appointed plus the President, Prime Minister and two Vice Presidents, two Deputy Prime Ministers will make a composition of 37 cabinet members. ZANU PF will have 18, MDC T 15 and MDC M 4. The deciding vote will lay squarely with MDC M and given the voting patterns on choosing the Speaker of the House of Assembly where MDC M voted with MDC T, the two will have a slender majority of one, however the Deputy Prime Minister and leader of the MDC M formation Mr. Mutambabira whose decisions and voting patterns have been oscillating will determine the policy of the day. It is even more interesting because the said Deputy Prime Minister has been backing ZANU PF from the time before the signing of the deal only to make a u-turn and criticise ZANU PF declaring that any power-sharing agreement cannot be reached without the full participation of Morgan Tsvangirayi. MDC M House of Assembly members have shown open defiance by voting and siding with MDC T. If the Deputy Prime Minister MDC M continues to side with ZANU PF and other members vote with MDC T then a cabinet crisis will be created where a policy cannot be passed because of a dead lock worse still the agreement is silent on what will take place in the event of such a crisis. It however appears that the Deputy Prime Minister MDC M will not vote on the merits or substance of a given policy proposal but rather on who is wielding power at the point of the vote. In other words, he will vote with whichever party appears to be powerful or is likely to wield power in the near future. There is also no guarantee that all ZANU PF members will vote with their party unless serious threats are levelled against them. The MDC T formation has alleged that some members from the ruling party are approaching them with a view to cooperate.

Voting patterns in the House of Assembly: In the House of Assembly, MDC T has 100 seats, ZANU PF 99, MDC M 10 and 1 independent, to make a total of 210 seats. If like in the above scenario, the MDC M members vote with MDC T and the independent vote with ZANU PF, the two MDC s will have the majority. This scenario is likely to take place in the first few months when parliament resumes. There may be changes in the voting patterns. ZANU PF is likely to approach individual members of the MDC M party to woo them so that they vote with ZANU PF. The independent candidate, Mr Jonathan Moyo may not guarantee ZANU PF that he will always vote with them. Like, the Deputy Prime Minister MDC M, he is likely not to vote on the merits of a bill but on party lines depending on who he is bedding with at that particular moment.

This MDC-T motion called for the appointment of a Select Committee to investigate the violence that occurred after the harmonized elections of 29th March. The ZANU-PF Chief Whip objected to the motion on the ground that it had not been cleared with the business of the House Committee but the Speaker overruled the objection, saying it was not supported by anything in the Standing Orders of the House. The motion remains on the House agenda for 11th November. It is interesting to note that the ZANU PF Chief Whip would make attempts to thwart the discussion on politically motivated violence given the fact that over 100 people were killed and thousands injured, a serious political party would seek to table such a motion and debate bringing recommendations and strategies to resolve it unless that political party has skeletons in its back yard.

The prevailing situation in Zimbabwe

Negative socio and economic issues have bedevilled the country since 2000. Lack of basic commodities, unavailable and unaffordable basic commodities and high poverty and unemployment levels have resulted in voters “voting with their stomachs”, a protest vote against ZANU PF in the 2008 harmonized election for the hardships that people were experiencing.

Economic challenges: Zimbabwe is currently experiencing foreign currency shortages, hyperinflation, chronic shortages of fuel and other basic commodities. Inflation which was 32% in 1998 rose to 2 200 000% in July, 2008 and today it stands at 231 million percent, the highest in the world, the second highest being Burma with 39, 5%. Unemployment rose to 85% and Zimbabwe has the lowest GDP real growth rate behind Palestine. Consequently, agriculture productivity decreased by 51% and industry by 47%. Corruption and mismanagement worsened the situation. Zimbabwe” industries have scaled down to about 30% capacity with many companies closing down citing viability challenges. Long bank queues are the order of the day with people queuing for more than six hours to withdraw money that is inadequate to purchase a loaf of bread.

The education sector: The constant nose-diving of the economy is characterised by an unparalleled inflation rate of 231 million percent. School children in government schools have not been attending lessons for the whole year because their teachers are failing to commute to work given their meagre salaries (UNICEF Representative, Roeland Monasch). The state universities have not been spared, as they failed three times to open because of lack of food to feed the students, uninhabitable hall of residence and lecturers too cannot afford to come to work given the fact that the month of October, they received less than 1USD as salary (at parallel market cash rate). The Progressive Teachers Union reported that of the 130 000 teachers who were employed by the Ministry of Education, Sport and Culture five years ago, only 80 000 are still employed but the majority are not reporting for work. The Union also reported that only 7% of the three million children in the country are receiving education. Public national examinations were post-poned due to lack of human and financial resources on the part of government. Most pupils who wrote the Grade Seven examinations recently were ill-equipped as they had very little learning time this year.

The health sector: The health care system has also collapsed, referral hospitals often run out of essential medication and equipment and patients are being requested to buy their own medication often out of reach of many even professionals. Primary health care has also collapsed with essential drugs like paracetamol, antibiotics, anti malarial, anti diarrhoea tablets out of stock. The adult Opportunistic Infection clinic at Parirenyatwa Hospital, the biggest hospital in the country which manages people living with HIV/AIDS moved its patients to Wilkins Hospital which itself is ill-equipped to deal with huge numbers. This will compromise the administration of anti-retrovirals to people. Private health services are charging astronomical figures in foreign currency. The Ministry of Health and Child Welfare indicated that 16 people died of cholera country wide in September. With the coming of the rains and the garbage that is not being collected, the situation is likely to be worsened.

One of the two biggest public hospitals, United Bulawayo Hospitals (UBH) in Zimbabwe's second largest city of Bulawayo has closed its theatre unit after running out of anaesthetic drugs. Patients are being referred to expensive private hospitals such as the Catholic-run Mater Dei hospital for surgery which is beyond the reach of many. Another state-run hospital in the city Mpilo General Hospital was not taking extra patients from UBH apparently because it was also running low on anaesthetics. The Deputy Health Minister Edwin Muguti blamed sanctions for the suspension of surgical operations at Bulawayo's state hospitals.

The food crisis: The UN estimates that 45% of the population will need food aid by early 2009. The European Union will provide 15 million Euros worth of emergency food aid to Zimbabwe. The ruling party blames the severe shortages of food on poor weather and sanctions imposed by the west while other people blame the government for inefficiency, maladministration, corruption and ineptness in responding to the needs of the people. The problem is likely to be worsened by shortages of agriculture inputs and late land preparation for the next agricultural season. The MDC-T 'motion in parliament called for the food crisis to be declared a national disaster and for the Portfolio Committee on Lands and Agriculture to investigate and report as well as recommend how the country can actively engage the donor community in alleviating the impact of hunger in Zimbabwe. Unfortunately the Portfolio Committees have not been set up thereby delaying the initiative to resolve the food crisis.

By- elections

The Herald of 18th October reported that the Zimbabwe Electoral Commission [ZEC] is preparing to hold by-elections to fill the 6 current Parliamentary vacancies (3 in the Senate and 3 in the House of Assembly). While this is a constitutional provision, it flies in the face of the Power-sharing Agreement, as Article 21 of the Power-Sharing Agreement provides for a 12-month moratorium on by-elections. ZEC chairman Judge Chiweshe stated that the Power-Sharing Agreement's provision for a moratorium on by-elections has not changed the law. It is true that the Power-Sharing Agreement does not and cannot change the law on by-elections; only an Act of Parliament amending the Constitution and the Electoral Act can do that. It would be more prudent to pass Constitutional Amendment number 19 to ensure compliance with the agreement. In the absence of such, ZEC will be forced to conduct the by-elections. The bill has not even been drafted and it appears that the conduct of by-elections will take place anyway. Section 39 of the Electoral Act states that a proclamation has to be gazetted within 14 days of the President having been notified of a vacancy. It has been well over the 14 days already and it shows the quandary over the inconsistency between the existing law and the Power-Sharing Agreement.

The reason for the moratorium on by-elections was to prevent any further election-related violence [Article 21 of the Power-Sharing Agreement refers to "the divisive and often times confrontational nature of elections and by-elections"]. If by-elections are held in spite of the moratorium, the onus will be on SADC and the AU to ensure that the parties abide by their pledges to avoid violence, harassment and intimidation and that independent election observers are in place as soon as election dates are announced. There have been reports of intermittent violence in some areas and the militarisation of food distribution, which should be of concern anyway but even more so if by-elections are being planned.

ZESN issued the following press statement:

The Zimbabwe Election Support Network (ZESN) notes with serious concern the announcement by the Zimbabwe Electoral Commission that it will proceed with preparations for the holding of by-elections despite a clause in the agreement between ZANU-PF and the two MDC formations not to contest each other should vacancies arise in the House of Assembly and Senate.

While elections are the tenets to any democracy, the timing for holding the by-elections is not appropriate. Cognisant of the gross politically - motivated violence and human rights violations that took place in the run up and post June 27 run-off election, ZESN strongly believes that people are still traumatised. Furthermore the ordeals of violence have left societies dehumanised and have engendered feelings of hatred and polarisation within the country. The murder, assault, abduction and displacement of scores of people after the 29 March harmonised elections cannot be condoned. People's homes, livestock, properties were torched to ashes, while some were left disabled. ZESN had one of its observers killed in Hurungwe North constituencies for observing the harmonised elections on 29 March 2008 and many other observers were harassed and victimised. Several ZEC officials were arrested and it is alleged that at least one ZEC official was abducted and murdered. The criminals who in most cases have been named and identified have neither been arrested nor prosecuted. On the contrary many of the victims are still facing false allegations of political violence and as such will not be able to freely participate in any election process. The conditions are simply not conducive for the conduct of a free and fair by-election in any part of the country.

It is against this backdrop that ZESN is gravely concerned about the timing of these by-elections as the economic and socio-political environment as well as the legal framework governing elections is not conducive for the holding of any election in the immediate future. This therefore calls for the need for national healing, cohesion and depolarisation of the society which is also recognised in the Memorandum of Understanding (MOU), in which parties involved had agreed that for a period of 12 months there will be no by-elections owing to the fact that the country was not ready for another election. Article XXI, clause 21.1 states that *.....should any electoral vacancy arise in respect of a local authority or parliamentary seat, for whatever reason, only the party holding that seat prior to the vacancy occurring shall be entitled to nominate and field a candidate to fill the seat.....* .

Recognising that the holding of the by-elections is in accordance with the laws governing elections in Zimbabwe, and that the people have a fundamental right to elect representatives of their choice, it is ZESN's considered view that the MOU rightfully acknowledged the need to give the people a 12 month period for some breathing space and national healing.

ZESN further notes the urgency for the following measures before any election in any constituency is held:-

- *Fundamental reforms to restore the bill of rights and restore basic freedoms both in the statute book and in actual practice;*

- *Practical measures to end lawlessness, repression, persecution of government critics, human rights activists and human rights defenders;*
- *Fundamental electoral reforms to redress existing flaws and ensure a level playing field;*
- *The establishment of an independent, accountable and transparent electoral management body;*
- *A credible electoral process;*
- *Transparency in postal voting and tabulation of results;*
- *Restoration of the independence and professionalism of all institutions of government namely the Police, the Army, Civil Service, Attorney General's Office and the Judiciary.*

In as much as ZESN supports the holding of elections, the Network adamantly encourages a democratic and transparent process where fundamental human rights such as freedom of association, movement, expression and campaigning are recognised. The electorate should also be provided with comprehensive voter education and information. Political parties are strongly discouraged from harassing and intimidating voters, engaging in vote buying, misusing of state resources among other malpractices.

ZESN therefore re-emphasises on the need to inculcate a culture of political tolerance, respect and fair political contest. A transparent, independent and accountable electoral management that fosters credible elections.

Election-Related Court Cases

More election petitions have been dismissed by the Electoral Court recently, bringing the number of dismissed petitions lodged by both political parties to 51 out of a total of 102. All dismissals so far have been on similar legal grounds – petitioner's failure to comply with the Electoral Act's requirements for service of the petition on the respondent. The parties' failure to comply with the provisions of Section 169 of the Electoral Act which stipulates a time frame under which one can file a petition resulted in all petitions being thrown out by the court. Furthermore, Section 69 of the Electoral Act stipulates that all petitions are required to be served upon the respondent personally or by leaving these at his or her residence or place of business and this should be done within 10 days of the presentation of the petition. Petitions filed by both parties were dismissed on the grounds of failure to comply with the electoral law. Appeals to the Supreme Court have been noted in some of the cases, but none of the appeals has been set down for hearing, because the records of the Electoral Court proceedings are not yet ready.

The Basic Commodity Supply Enhancement Programme (BACOSSI) is an initiative of the Reserve Bank of Zimbabwe where the bank procures food, which is then distributed, to the people mainly in the rural and high density areas. The programme was introduced to cushion people against continuous price hikes that are being effected by the business community as well as businesses that have been allowed to charge in foreign currency. The pomp and funfair that marked the BACOSSI initiative was not matched by corresponding high levels of implementation. The initiative is inadequate and limited in scope. In many areas rural and urban, massive exercise of capturing people's names, addresses and

requirements were done but the majority of those areas did not receive the commodities. In some areas, the package had only two items instead of the normal 12 which makes the innovation a mockery to the hungry and starving people. The initiative is also proving not to be sustainable given the fact the food items are imported against the backdrop of severe shortages of foreign currency and coupled with the fact that more than 50% of the population require food aid. The initiative has been politicised and in some areas only those who voted in the June run-off election were eligible to receive the food items. Given the fact that the MDC T formation had boycotted the election, it therefore means that their members are excluded from the programme. In most areas, local level political figures like chiefs, headmen and women and party structures are responsible for drafting the list of intended beneficiaries and distributing the commodities. The same structures were instrumental to the perpetration of violence in the June run-off election and they have lists of opposition supporters that they exclude. Other villagers were told in no uncertain terms that all MDC T supporters would not get food aid and they were directed to the MDC T offices for food. Interestingly, there are no reports of discrimination against MDC M and Mavambo supporters which may lead to speculation that the two parties may be part of the ruling party. Massive corruption has been linked to this programme and also the agricultural input initiative where political heavy weights are taking whole commodities meant for many villages. The Reserve Bank Governor Gideon Gono likened the corruption going on to HIV/AIDS noting that political heavy weights are behaving like demon-possessed people diverting fuel meant for farming and he said "And those in high positions in Government, I mean people who know where the ship carrying fertilizer, diesel is arriving, *ndivo vanofanoteya mariva...*) Loosely translated it means that senior government officials are diverting commodities meant for ordinary people for their own use. (The Herald, October, 27 p 1).

The shops that were authorised to sell in foreign currency are beyond the reach of many given the fact that the majority of people in Zimbabwe earn in local currency. The initiative will only make the poor poorer.

Civil society organisations

Activities of civil society organisations have been resumed after the blanket ban imposed on them by the Ministry of Labour and Social Welfare in March, 2008. The full implementation of programmes of humanitarian assistance and others are being hindered by the prevailing political and economic situation. Some NGO s have either scaled down operations or they have ceased altogether citing political interference and the politicisation of food aid. In most cases the very perpetrators of violence in the June run-off election were now in the forefront of distributing food marginalising their victims and this flew in the face of the organisations' values and principles. The political situation on the ground is also not conducive to carrying out voter education, democracy education programmes as well as other such related sensitization initiatives. The economic situation has also not spared the effective implementation of programmes. Organisations are struggling to operate where cash devalues so fast that every supplier demands instant cash payment. Government has pegged the maximum withdrawal limit for companies and organisations less than 50c USD not enough to buy a drink let alone pay for meaningful programme implementation. The situation is worsened by the fact that central bank regulations stipulate that all foreign currency be directed to the bank as the first port of call then organisations would have to apply in order to access their own money. The application process is cumbersome and time consuming and by the time it is approved prices would have changed.

Zimbabwe is probably the only country in the world where inflationary figures double in a month even in foreign currency.

The Media

The repressive environment in Zimbabwe is not conducive for journalists to carry out their work fairly and effectively. The state media is severely compromised and biased towards the ruling party ZANU PF and independent journalists are tortured and prosecuted. The media has not toned down its attack on the opposition to demonstrate the spirit of the agreement. One would expect the state media to promote and encourage as well as call for the speedy resolution of the challenges facing the agreement but instead, it continues to discredit the settlement.

Violence against civil rights defenders

On October 27, 2008 despite the agreement the police tear-gassed and beat about 150 activists from the Women's Coalition of Zimbabwe (WCoZ) and the Zimbabwe National Students Union (ZINASU) who were holding a peaceful demonstration in Harare. The police arrested 42 women from the coalition for calling for a resolution to the political impasse between ZANU-PF and the MDC so that the country's leaders can address the severe food shortages in the country. The breakup of a demonstration on October 28, 2008, coincided with a visit by a group from the Southern African Development Community (SADC), including the presidents of Mozambique and South Africa. They were in Zimbabwe seeking to end the political deadlock on sharing power between the country's two main parties, the long-governing Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the Movement for Democratic Change (MDC). The arrests and beatings by police show continuing lack of good faith in trying to end the political crisis. The authorities charged that the 42 women gathered without police permission under the Public Order and Security Act. The women were forced to pay on-the-spot fines and were released later that day. At least 35 activists were treated for injuries at hospitals and clinics in Harare, including five who were admitted to hospitals with more severe injuries. Such conduct by the police should not be tolerated in an independent Zimbabwe.

ZESN also expresses serious concern at the continued detention of Jenni Williams and Magodonga Mahlangu, leaders of the women's rights organization Women of Zimbabwe Arise (WOZA). The two women were arrested on October 16 in Bulawayo when they tried to lead a peaceful demonstration about the serious food shortages in the country. On October 27, the Bulawayo Magistrate's Court denied the women bail, ruling that it would not be in the "interest of justice." The women remain in custody at Mlondlozi Female Prison in Bulawayo. Members of WOZA have been subjected to repeated arrests and detentions for engaging in peaceful demonstrations. Williams and Mahlangu were again arrested on May 28, when they attempted to hold a peaceful demonstration calling for an end to the post-election violence in the country.

Conclusion

The current political impasse between the three major political parties in the country on who should control which ministry is characteristic of the political intolerance and the politics of hegemony. The winner-takes-all mentality should be discarded and genuine power-sharing arrangements put in place which will yield economic, political reforms in general as well as electoral reforms in particular. It is hoped that the full SADC Summit and the African Union will intervene to resolve the political impasse in the country. ZESN is concerned that the seven weeks of negotiations have not resolved the political impasse in the country by the facilitator and the SADC troika. The delay in the political settlement will only result in more suffering for the people.

