



Haiti's Transitional Government: Lessons for Zimbabwe?

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After winning the first round of Zimbabwe's Presidential Elections on March 29 but failing to secure the requisite majority to avoid another round, opposition leader Morgan Tsvangirai withdrew from the run-off election citing widespread violence and intimidation by the incumbent Zanu-PF and security forces loyal to it. The June 27 run-off elections were thus contested by Robert Mugabe alone. He claimed victory and was sworn in as President on June 29.

As a result, Zimbabwe is at a political impasse. For the most part, the international community has refused to recognise the elections with strong statements issued by both the EU and the United States. On the continent, countries have spoken out in an unprecedented manner against Robert Mugabe, with Liberia, Kenya, Uganda, Nigeria, Sierra Leone, Senegal and Tanzania refusing to recognise him as the legitimate President and Botswana even calling for his exclusion from the Southern African Development Community (SADC) and African Union (AU) meetings. Further, electoral observer missions from SADC, the Pan African Parliament (PAP), and the AU released statements contending that the elections were neither free nor fair and thus are not a credible measure of the will of the Zimbabwean people. The PAP mission went so far as to call for fresh elections.

In recent days the international community and leaders within Africa have called for mediation by the African Union to resolve the current political crisis. Many on the continent echo Mbeki's plan of a power-sharing agreement under a Government of National Unity. Although the AU has endorsed a plan for a Government of National Unity (GNU), it has not formally questioned the results of the June 27 election.

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For its part, the MDC has called for a transitional authority led by the African Union, but refuses to enter into any power-sharing arrangement which includes Mugabe and has expressed concern at the continued role of South African president Thabo Mbeki as sole mediator. Furthermore, the party cites its victory on March 29 as evidence that it has a legitimate mandate from the Zimbabwean people and thus should be granted the lead in any formal mechanism for the resolution of the crisis. This stance is supported by both Britain and the United States. As a result negotiations remain in a deadlock as both contending parties claim an electoral mandate.

Although the dynamics of the current political and economic malaise in Zimbabwe are distinct, and the situation is to all intents and purposes *sui generis*, it might be instructive to consider the experiences of other countries that have faced similar challenges in the past. This piece examines Haiti's experience with a transitional authority and the potential adaptation of this model for Zimbabwe. Other applicable case studies, all notably with UN support, include East Timor, Cambodia, Kosovo, Burundi, and most recently Kenya. While the Haitian case study cannot be identified as a complete success or a directly applicable model for Zimbabwe, it does offer a starting point for thinking through how to structure a transitional authority.

For several decades Haiti has suffered from political turbulence and positive but short-lived attempts to achieve stability have ultimately failed to produce a lasting solution. During the 2000 presidential and parliamentary elections, in which President Jean-Bertrand Aristide claimed victory with 92 percent of the vote, voter turnout hovered just above 10 per cent, resulting in claims of corruption and manipulation by members of the opposition and the international community. In 2003, a coalition of civil society actors, political parties and the private sector called for the resignation of President Aristide, prompting the Caribbean Community's (CARICOM) offer to play a mediating role. This in turn resulted in the Prior Action Plan, a call for major reforms including a new cabinet, which was further discussed and backed by the Organization of American States (OAS), the United States, Canada, and the European Union.

The plan was not backed by the opposition and clashes ensued between opposition and pro-government forces. After failed attempts to restore stability and reach a compromise President Aristide resigned and flew initially to the Central African Republic in late February of 2004.¹ To date Aristide is in exile in South Africa serving as an honorary research fellow at the University of South Africa. Following the order of succession Boniface Alexandre, then President of the Supreme Court, was sworn in and quickly requested assistance from the United Nations. To this end a 13-member

¹ In 1991 Aristide was removed from office in a military coup, before being reinstated by a multi-national force backed by the United Nations.

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transitional government was formed through discussions with the Conseil des sages ("a council of eminent people"). Shortly thereafter, despite opposition from the Fanmi Lavalas (Aristide's political party), the interim president signed a Consensus on the Political Transition Pact on behalf of representatives from various political parties, civil society actors, and members of the Conseil des sages. The Pact scheduled municipal, parliamentary and presidential elections for 2005 and outlined various actions to be taken with respect to security, development, limiting corruption, judicial reform, and the reintegration of former members of the armed forces. Under the consensus a number of commissions were developed to address key issues like human rights violations, macro economic stabilization, and to call for discussions with the United Nations on peacekeeping operations.

Haiti's experience with a Transitional Authority offers certain lessons for those contemplating such an approach to Zimbabwe. Legitimacy is of critical importance. According to International Crisis Group, during the transition period in Haiti there was discontent from the private sector, including the Chamber of Commerce and the Centre for Free Enterprise and Democracy, compounded by a failure to adequately respond to these complaints on the part of the transitional government. This left the government without popular support and limited the effectiveness of work on key issues like security, economic development and cross-party dialogue. From a regional standpoint, Haiti was suspended from CARICOM for the duration of its transitional government. This was largely due to the perceived failure of interim Prime Minister Gerald Latortue to curb political violence and restore stability. Hence legitimacy for the transitional government was largely derived from international bodies like the United Nations.

Second, the structure of a transitional government is critical. In the case of Haiti a Tripartite council (with one member from each major party and one from the international community) selected a seven person council of leaders. This group was composed of civil society leaders and political representatives who in turn selected an interim prime minister and continued to act in an advisory role to the transitional government until fresh elections were held. In conjunction with the council the prime minister selected a 13-member interim government. As outlined in the Consensus on Political Transition Pact, all members of both the council and the transitional government agreed not to run in the coming elections. Zimbabwe could initiate a similar process by forming a tripartite council of Mugabe, Tsvangirai and Mbeki, working in conjunction with a special envoy from the AU or SADC as proposed by the MDC. Once achieved a transitional government could lay the groundwork for organizing elections after a set period of time.

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The MDC is seeking a transitional authority based on the outcome of the March 29th elections in which Tsvangirai held the advantage while ZANU (PF) favours talks based on the June 27th run-off election which Mugabe won as the only candidate. One option is to grant Tsvangirai a position as Prime Minister while Mugabe maintains his post as a ceremonial president. Yet the willingness of Mugabe to sacrifice his power is an unknown quantity at this stage. To this end there is speculation that a transitional government might allot extremely difficult tasks to the MDC (such as education, economic plans, and healthcare), while maintaining central authority for ZANU-PF through control of the military and judiciary. If the MDC is unable to respond effectively to these difficult assignments with the limited state resources and timetable available it could weaken the reputation of MDC in any future elections. Also pertinent is the difficult transformation Tsvangirai will have to undergo from campaigning against ZANU (PF) for more than a decade to working with his rivals as part of the same government.

As an ousted ruler, Aristide continued to vie for control of his political party and ultimately to contest the elections. The effects of this are similar to potential scenarios, and those already occurring, in Zimbabwe. Just as Simba Makoni split from the main ZANU (PF) faction prior to the March 27th elections, should Mugabe be removed from power but remain a force within ZANU (PF) the party could splinter further. This could have positive implications, particularly in promoting dialogue between younger members of ZANU (PF) and the MDC. The same logic can be applied to the MDC which has already suffered from a split between Morgan Tsvangirai and Arthur Mutambara. A prime example of this schism occurred on Saturday, July 5 in a meeting between Mutambara, Mugabe and Mbeki, which Tsvangirai boycotted to avoid legitimating the current regime.

A third determining factor in transitional governments is the role of the security sector. In Haiti the transitional government was hindered by corruption and polarization, as well as what to do about continued violence and human rights abuses by members of the Haitian National Police. To control political violence the Haitian transitional government initiated a programme of disarmament, demobilization, and reintegration (DDR) under which it offered soldiers financial compensation in three stages. By granting pensions and retraining to military and police veterans in exchange for weapons, DDR functioned on the local-level to strengthen the ability of UN peacekeepers to fulfil their mandate. Still, continued human rights abuses complicated the process and legitimacy of the transitional government.

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Since the June 27 elections political violence and intimidation have continued throughout the country. A peacekeeping force (as seen in Haiti) backed by the UN and led by either the AU or SADC member states, is one means of restoring order and preventing the continuation of human rights violations against civilians. To avoid allegations of neo-colonialism by the current regime it is critical that any international presence is initiated and directed by an African body. Without a mechanism to prevent further intimidation there will be no process of reconciliation or a national dialogue on the future of Zimbabwe. Though the DDR plan was not without its faults, Zimbabwe could institute a similar system to manage the large population of disaffected military veterans, policemen, and members of the ZANU-PF youth league. However a lack of financial resources and hyperinflation would complicate any such initiative and Zimbabwe would need to look for a form of external support. It would be fundamental to restore neutrality to the national army, which is now seen as closely allied with Mugabe. To truly succeed a transitional arrangement must account for potential reactions from the Joint Operation Command (JOC), a prominent grouping of security officials with ties to the liberation struggle. As evidenced in Haiti, there is fear that continued repression and intimidation tactics in Zimbabwe could prevent a transitional government from normalizing relations with regional countries.

In conjunction with a security plan, pluralistic dialogue in Haiti focused not on the political future of either candidate but rather on common national objectives that must be addressed by any future government. Creating a forum for multi-party discourse has the potential to bolster civil society participation in any transitional process. It could also help Zimbabwe bridge the deep political schisms between ZANU-PF and the MDC and potentially provide a space for other prospective leaders to emerge. There should be at least some type of mediation of this national dialogue by SADC countries to ensure that there is free participation both by political representatives and civil society actors. To this end any viable resolution must extend beyond urban areas to resolve the many problems afflicting Zimbabwe's rural citizens. If successful a formal consensus on Zimbabwe's most pressing challenges would provide a sense of stability irrespective of election results.

After mixed success Haiti's transitional authority was replaced in May 2006 with a multi-party government. The presidential elections were initially marked by claims of fraud followed by large public demonstrations until the Provisional Electoral Council announced a narrow victory for Rene Preval, who previously served as president from 1996-2001. As expected, Haiti is still undergoing substantial reforms. The government is supported by a UN stabilization mission serving on an extended mandate through October of 2008, as well as broad-based international support largely directed by regional organizations like OAS and CARICOM. The current administration has

worked to strengthen government institutions, set up a permanent electoral council, and reduce corruption.

As illustrated by Haiti's experience with transitional authority, the move towards a sustainable resolution in Zimbabwe will not be an overnight process. Any arrangement must strike a balance between forming a national consensus on Zimbabwe's future and meeting the most immediate needs of the population. Just as international assistance has been integral to Haiti, a viable transition government in Zimbabwe would require considerable financial support. Already both the EU and the UK have pledged funds towards both long and short term development needs. Yet Mugabe's historical role as a hero of the liberation era paired with regular assertions by the ruling party of neo-colonialism complicate the role of external actors. Although international assistance will be crucial both from a humanitarian and security standpoint, to maintain its legitimacy a transitional government in Zimbabwe must be the result of an internal process mediated by regional bodies. A transition government will not be sustainable without a resolution to Zimbabwe's current economic crisis and a plan to distribute food aid effectively.

Though instructive, Haiti offers just one model for transitional authority. In the coming weeks negotiating parties must evaluate the various historical and theoretical examples to formulate a solution which meets Zimbabwe's unique situation. Regardless of its form, embracing the idea of a national consensus which outlines the key goals of a future administration will be central to the success of any transitional authority.

The views expressed in this opinion piece do not necessarily reflect the views of IDASA.