
Taking Africa's name in vain

*Regional leaders have adopted high standards for Africa's new institutions, reflecting the great moral concerns of their continent's history. But governments have struggled to translate principle into action, writes **Tawanda Mutasah**.*

The tooth fairy is harmless folklore, and useful to comfort a child confronted with the loss of a prized milk tooth. But what happens when the leadership of an entire region promises to put money under Robert Mugabe's pillow while he continues to ride roughshod over his economy and people?

At their August 2007 summit in Lusaka, Zambia, heads of state from the Southern African Development Community (SADC) "mandated" their finance ministers to "draw up an economic plan to support Zimbabwe".

It was not made clear why Zimbabwe, which at the height of economic sanctions against Ian Smith's Rhodesia had been the second largest economy in southern Africa, was today in need of support from its neighbours – except by Mugabe. For him, repeating the word "sanctions" serves to disguise all the excesses of a classic lootocracy: the parceling out of land and businesses to the judges, cabinet ministers, senior army officers, intelligence and police operatives whose loyalty Mugabe needs.

Members of this elite club generate stupendous profits from the rent-seeking activities made possible by deliberately self-serving policies. They deal for their own advantage in lines of credit procured by the central bank, and in the productive assets of state industries. Economic collapse has facilitated hedonistic levels of consumption by a small political-military elite, while the poor endeavour to escape hunger by swimming across the Limpopo.

In many ways, the discussion of Zimbabwe at the SADC summit crystallised its translation into a regional and African crisis. The meeting was surrounded by intrigue – sparked by the arrest in Lusaka of Zimbabwean civic leader Tapera Kapuya and the deportation of more than sixty activists ostensibly on the grounds that their "Save Zimbabwe" campaign T-shirts were a threat to peace and security.

A regional prism

It has become increasingly evident that, although primarily a national phenomenon, the Zimbabwe crisis is being played out through a regional prism. To the extent that political problems in Harare can be distilled into a contest for legitimacy, the SADC has framed the context in which bad leadership can be confronted.

The government of South Africa, in particular, has three times provided a new lease of life to Mugabe – by declaring the results of fraudulent and violent elections in June 2000, March 2002 and March 2005 to be legitimate.

For his part, Mugabe has sought to portray the crisis as mainly a dispute about land between Harare and London. Taking southern Africans for undiscerning airheads, Mugabe has used this rhetoric as a curtain behind which to hide gross abuses. These include torture and abductions of mostly black civic and political dissenters; banning and bombing of newspapers and independent radio stations; beatings by police of lawyers, civic and opposition leaders; and eviction from their homes of 700,000 poor Zimbabweans.

When, during his final days in office, outgoing British prime minister Tony Blair visited President Thabo Mbeki in Pretoria, Zimbabwe's state-controlled daily newspaper reported the visit as an humiliation. According to a gloating report in *The Herald*, Blair travelled to Pretoria to enlist support for the opposition in Zimbabwe. Mugabe told party cadres in ZANU-PF that Mbeki "told former British prime minister, Tony Blair, to back off from meddling in the affairs of Zimbabwe as SADC was handling the matter."¹

In several ways parts of the African continent, particularly Pretoria, have helped to sustain dictatorship in Harare. These include voting at the United Nations Human Rights Council to block discussion on human rights in Zimbabwe; seeking to block the expulsion of Zimbabwe from the Commonwealth; allowing non-payment by parastatal companies for electricity supplied to Zimbabwe; and mitigating the impact on Harare of international sanctions.

At a diplomatic level, discussions of Zimbabwe's problem have used terms so nebulous as to frustrate any meaningful response from African or global meetings. Two sophistries of language have been deployed by Pretoria: that this active solidarity with Mugabe is "quiet diplomacy"; and that Zimbabweans are being left to solve their own problems.

Ring-fencing a crisis

Zimbabweans never had a problem understanding that the Zimbabwean crisis will be solved by Zimbabweans. However, it is also obvious that dictatorship is, for any people, never a domestic matter alone. Zimbabwe trades with other countries and passes its imports, including guns and bullets for domestic repression, through the air, land and sea of other countries.

The government in Harare cites the norms and standards of other countries to claim legal and moral legitimacy. Its dictatorship courts the solidarity of kindred souls outside its borders and seeks at least the tacit approval of other nations for its elections and “democratic” practice. No remedy has ever been devised to end oppression by an armed and violent regime of an unarmed population without external support – not in apartheid South Africa, not in colonial Rhodesia, not anywhere else.

African leaders may claim to wield the “legitimacy” and “tact” to engage Mugabe, but this is not what has happened. Blocking the attempt to censure Zimbabwe for human rights abuses at the United Nations and certifying bad elections as good is not quiet diplomacy. While the sentiment has often been expressed that those who want to be effective in their correction of Harare’s human rights misdeeds must beat Mugabe with an African stick and not a Western rod, Zimbabweans have seen no result from African censure.

Not that they love Mugabe, but they love the West less

Mugabe has invested in propaganda aimed at mobilising the continent to the defence of Harare’s lootocrats. His government spent an estimated US\$1 million on a sponsored supplement in *New African* magazine in a bid to explain away the brutalities of March 11th 2007. This has been accompanied by diversionary national theatrics, such as the church-driven “national vision” process, and poker-faced untruths: a 13-page document issued by the foreign ministry to African embassies claimed that opposition leader Morgan Tsvangirai was “at no time...assaulted while in police custody.”

These campaigns have obscured the mechanisms by which a small elite – guns veiled thinly under statutory instruments – can loot businesses, land, agricultural equipment, public service jobs and central bank credit with impunity. Their energies are devoted not to a genuine resolution of crisis, but to keeping Mugabe in power. Insecurity shackles

Mugabe to the presidential chair, while propping up the pretence at a national level of cohesion in the ruling ZANU-PF.

In response, the SADC and the African Union have failed to hold Mugabe accountable to the human rights and democratic standards of African treaty law, to which Zimbabwe is a signatory. This is what the new pan-Africanism – ushered in by the transition from the Organisation of African Unity to the African Union – is supposed to be about.

Democracy and human rights were at the core of far-reaching reforms to pan-African institutions in the last years of the 20th century. Given the historical memory of subjugation and the reality that contemporary global relations are far from equitable, Africans correctly aspire to define a democratic ethos for their continent. It is well and good that there is a commitment to be African, but surely the quintessence of being African should be about saying “never again” to human rights abuse and assaults on democracy.

Africa has played an important role in the United Nations and in the elaboration of international human rights instruments. Africans have been prominent in articulating alternatives to slavery, colonialism, neo-colonial pillage, structural adjustment programmes, the debt burden, global superpower unilateralism and military adventurism. This tradition of struggle provides the basis for Africa to expand, rather than diminish, the advance of democracy and universal human rights.

The regional leadership challenge

Africa today is no longer lacking in the area of an impressive infrastructure of norms and standards on democratic conduct and human rights observance. President Mbeki and other African leaders have advanced these systems as the *quid pro quo* for the international deals Africa is seeking through international policy platforms and trade meetings – at Gleneagles, Monterrey, Cancun and elsewhere. Granted, the West is by no means a beacon of morality, but it is surely cynical for African leaders to stall the advance of these reforms in protest against unfair terms of trade or unequal voting rights at the Bretton Woods institutions.

The devil is in the praxis. In this regard, the SADC should not allow Mugabe to indulge in the warped and self-serving rhetoric that claims Zimbabwe's elections satisfy the SADC Principles and Guidelines on Democratic Elections, agreed at Grand Baie, Mauritius, in August 2004.

These principles are compromised because they are legally subordinate to the national processes, laws and constitutions of SADC member states.² Election monitors, for example, are merely optional. According to the regional principles, monitoring takes place only “in the event a member state decides to extend an invitation to SADC to observe its elections”.

The principles require political parties to accept all election results “proclaimed to have been free and fair by the competent national electoral authorities in accordance with the law of the land”. There is no caveat about how those authorities are to be chosen in the first place, nor what standards should constitute a democratic minimum for the “law of the land”.

Thus, Zimbabwe’s elections have been accepted as free and fair, in defiance of the SADC’s own parliamentarians. A regional Parliamentary Forum – made up of more than 2,000 southern African legislators – declared Zimbabwe’s March 2002 elections to be fraudulent. Their verdict earned them a one-way ticket home.

Similarly, the African Commission on Human and People’s Rights has condemned Zimbabwe – apparently to no avail. Civil society entities across the region – trade unions in South Africa, lawyers in Mozambique and Namibia, university students in Swaziland – have demonstrated against abuses perpetrated in Zimbabwe.

Building critical mass

African leaders are not deaf to the moral urgency of these protests. To be sure, there is a growing consciousness that Mugabe does not represent the future that Africa seeks for itself. Zimbabwe’s president is falling out of step with a critical mass of thinking among African leaders.

In March 2007, as opposition leaders in Zimbabwe were beaten in police custody, President Festus Mogae was preparing to open a workshop of African parliamentarians in Kasane, Botswana. Drawing on the dignity of his native culture, Mogae observed that there is a saying in Setswana: “the cure of a word is to speak it”.

African luminaries such as Desmond Tutu, Nelson Mandela and Kofi Anan have admonished their peers, emphasising that Africans should not pull themselves down into the caricature of self-plundering buffoons. President Mogae made a similar case,

some years ago, when he translated another Setswana phrase to journalists who remarked on his choice of a scheduled commercial flight for an official presidential trip. “No individual can see the top of her own head,” he told reporters. The proverb is a counsel for humility.

Ghanaian president, John Kufuor, speaking in his capacity as chairman of the African Union, is “embarrassed” by events in Zimbabwe. Zambian president, Levy Mwanawasa, described Zimbabwe as a sinking *Titanic* – a Eureka moment regrettably not sustained. Tanzanian president, Jakaya Kikwete, says dialogue with the opposition is necessary. In contrast, Mugabe talks of “bashing” his opposition. Bishops within his own Catholic Church, alarmed by his choice of words, reproach him for language verging on hate-speech.

Self-interest is another incentive for change. In 2010, South Africa hosts the football World Cup. The event is an opportunity to advertise the competencies of post-apartheid southern Africa and organisers are mindful that another flawed election in Zimbabwe would cast a shadow over their achievement.

Policy makers in Africa no longer dispute the wider ramifications of misrule in Zimbabwe: Harare owes unpaid electricity bills to Mozambique, South Africa and the Democratic Republic of Congo. Its humanitarian crisis has spilled across borders onto the doorsteps of neighbouring countries. Impatience with Mugabe's politics has been openly expressed in Kenya, Nigeria and Senegal.

The route to constitutional reform

What then can Africa do to facilitate a meaningful – in the sense of what I would call a transformative – transition in Zimbabwe? As a first step, African leaders must:

- Disallow the pretense that their continent is supportive of torture, abductions and other human rights abuses.
- Distinguish clearly between expressions of solidarity with Zimbabweans and support for Mugabe and his henchmen.
- Refuse Mugabe's claim that “those who matter” – Zimbabwe's neighbours – are behind him.

As Zimbabwe moves towards parliamentary and presidential elections scheduled for 2008, the SADC must avoid pronouncements which dilute Africa's renewed

commitment to common, normative standards for human rights and good governance. Leaders need only follow the example of the African Commission on Human and People's Rights and the SADC Parliamentary Forum in calling human rights infractions by their name.

The regional initiative to agree on an economic rescue package for Zimbabwe must follow a new democratic constitution, and not the other way round. Any other condition will merely allow Mugabe's small band of super-Zimbabweans to capture the benefits of external aid. These are the same elite group who, in the boast of the wife of Zimbabwe's Defence Forces commander, already claim they are "gonna live forever".

The only sustainable solution to the Zimbabwean crisis is constitutional reform. Although mediators led by Mbeki favour this route, it does not empower ordinary citizens to limit the possibilities of a negotiated transition to closet "talks" between a few men who are able to fly between Pretoria and Harare. Leaders, in the widest sense of the term, could urgently convene a national conference of professional and peasant representatives, youth organisations, women's organisations, faith-based movements, political parties and many others to frame a transitional constitution. Its fundamental principles should include interim provisions for non-partisan control of government and the security forces, and a guarantee of free political and campaigning activity.

If the borders imposed on us by the Berlin conference of 1885 have become barriers to our hearing the torment of other Africans, the anti-colonial struggle was in vain. African leaders must no longer remain silent when the next un-medicated child dies in the ghettos of Zimbabwe, or when the next activist is tortured by secret police in Harare. Only the silence of the world enables such torments, as the Nobel Peace laureate Elie Wiesel eloquently remarked: "Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented...When human lives are endangered, when human dignity is in jeopardy, national borders and sensitivities become irrelevant."³

Tawanda Mutasah is a Zimbabwean lawyer and executive director of the *Open Society Initiative for Southern Africa*.