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‘Zero Tolerance to Political Violence’: Could this be a DAMASCUS Moment for the Zimbabwe Police?

Recent calls by the Zimbabwe Republic Police (ZRP) to adopt zero tolerance toward political violence in the upcoming election are welcome and cannot be ignored by any peace loving Zimbabwean as we brace up for yet another defining moment for the country we love most.

In the past weeks the ZRP has consistently said that it will not tolerate political violence in national elections scheduled for this year and has warned perpetrators that they will face the full wrath of the law regardless of their political affiliation. In a space of less than three months, five high ranking ZRP officials took turns to grab every opportunity to call for a violence free election and specify action for would be perpetrators. Officially opening the ZRP Support Unit senior officers’ course at Shamva battle camp in Mashonaland Central province on 10 January 2013, police Deputy Commissioner General Innocent Matibiri said any disturbances to discredit the polls would not be tolerated.

Police Commissioner General Augustine Chihuri warned Zimbabweans while addressing two groups of officers; some leaving and others coming back from the United Nations (UN) peacekeeping missions in Sierra Leone, East Timor and Liberia. In his address he had this to say “Always be mindful that during election time, some misguided and politically immature people within our society may want to orchestrate violence in a desperate bid to bully people.” ZRP commissioner, Charles Mfandaidza, and police assistant commissioner, Bobby Murwira also added their voices to the noble cause this month.

From the manner in which senior officers in the ZRP have taken turns to speak on how they are going to deal with perpetrators of violence one can think that the current police force, which should be a police service was not around when politically motivated violence started to be unleashed on a people seeking to exercise their democratic right of choosing their on leaders since the dawn of the new millennium. On the other hand, one can take these utterances as a confirmation by the police that indeed in the past and particularly in 2008 they used to treat perpetrators of violence with soft and partisan gloves but obviously far from the zero tolerance they are proclaiming now.

Some have praised the statements by the police generals as a positive development anyone can expect from a law enforcement apparatus that is accountable and subscribe to good governance in its fullest sense. Some would decide to take it to be enough reason to dismiss calls for broader security sector reforms arguing that



A Zimbabwe Police officer at a polling station in Budiro suburb Harare during the 2008 March election.

the police have already instituted reforms in their conduct. The police officials’ utterances come at a time when public faith in the ZRP has plummeted because of what many perceive as its partisan stance. The Commissioner General, Augustine Chihuri, a self-proclaimed supporter of Zanu (PF) who occupied a front row seat as a delegate at the political party’s annual peoples’ conference in Gweru in December 2012, is among a group of security chiefs who have repeatedly refused to salute any political leader without liberation war credentials. This stance puts the institution he leads in a tight situation in terms of being non partisan in cases that involve their boss’s party of choice. Calls have been made for the reform of the security sector, police included; these have been dismissed by a number of high ranking government and Zanu PF officials including the ministers of Justice and recently defence. The academia has also added their voice some arguing that no country in the whole world can effect security sector reforms.

In the context of these debates the question that remains is: Can ZRP prove that they can go beyond rhetoric and deal diligently with perpetrators?

A revisit to the conduct of the same police force that is declaring zero tolerance to political violence in dealing with similar cases show their failure to rise above the political polarization that engulf the country when violence overcomes rationality in Zimbabwe. Speaking at a public meeting at a local hotel in Harare in May 2012, ZRP Assistant Commissioner, Rabson Mpofo was asked by the media on the partisan conduct of the force and in a vain attempt to absolve the force of allegations of extreme partisanship, Mpofo claimed:

“We should not take away the fact that the police force is a child of a Zanu (PF) government, but we are fair in dealing with cases of violence. We practice discretion in arresting the perpetrators; sometimes we don’t arrest them instantly but wait for the right time to do so.” Only a fortune teller can tell when the so called ‘right time’ will come because in the same month that Commissioner Mpofo spoke, on 26 May 2012 in Mudzi Mashonaland central, a police sanctioned political rally the MDC T turned violent in the full view of police officers.

It is on public record that that the MDC-T rally had prior police approval but was disrupted from its beginning by alleged ZANU-PF supporters led by political leadership in the area including a Member of Parliament and a ward Councilor. Rally participants reported that the police, including officers from the Internal Security and Intelligence Unit, refused to stop the ZANU-PF supporters from holding a disruptive, unsanctioned parallel rally and from attacking MDC-T supporters, including the elderly. From this case of politically motivated violence, MDC-T Ward 1 chairperson Cephas Magura was killed and several other MDC-T supporters were severely beaten in one of the worst eruptions of political violence of 2012. Even though arrests were latter made, the damage had already been done. *If the police failed to handle a simple sanctioned political meeting outside an election season, one has every reason to doubt their capacity to deal with potentially more volatile incidents that usually spoil elections in our country.*

Despite having successfully taken part in various peace keeping missions across the world ZRP fail to do the same at home when politically

motivated violence has led to loss of life and property. Without trying to be a prophet of doom, this is an appeal to the rank file in the police force to take time to think and reflect on their ability to deal with perpetrators of violence. Proponents of the deterrence theory believe that people choose to obey or violate the law after calculating the gains and consequences of their actions. The absence of the deterring effect in the Zimbabwean cycle of violence and crimes in general has had serious consequences, some perpetrators even walk shoulders high reminding survivors of past violence that they will do more when the time comes, With the culture of impunity in our country and the failure by police to act on perpetrators of violence in the past has resulted in continued acts of violence each time we go for an election at inter and intra political party levels. Only time shall tell whether what Mr Chihuri and his team said can be fully implemented by the police force that we have which has witnessed politically motivated violence under their nose and in some cases alleged to prefer charges on the victim or request the victim to bring the perpetrator to them.

Elections are coming and the police have a duty, not to be presiding officers but to protect the electorate and implement the zero tolerance to political violence. Based on the past allegations of politically motivated violence cases that were reported and are still to be investigated, the capacity of the current ZRP to implement what they are talking about remains a pipeline dream without inculcating a culture of respect for the rule of law. Totenda maruva tadya chakata! (We can speak confidently of success after the actual result).

By

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Six NGOs attacked within two (2) months

Zimbabwe Human Rights Association is appalled with the pace and growing trend in state interference with NGO work in the country. The civil society sector has seen six of its players being raided by the police and some drawn to courts between the month of January and February. Sadly, ever since we have heard of volumes of accusations labelled against civil society actors, we are yet to learn of a single entity that has been convicted or just found on the wrong side of the law.

Initially it was ZimRights that was attacked with the tormenting dating back to the 13th December 2012 when its Deputy National Programmes Coordinator was arrested allegedly for manufacturing fake voter registration slips. To follow was the laying of charges on ZimRights as an institution and the arrest of Okay Machisa the director, on 14 January and detained in remand prison for two weeks.

Last week the nation heard of the arrest of Bulawayo based National Youths for Development Trust officials reportedly for possessing voter registration slips. The offices for the organi-



sation were subsequently searched and some material collected to police station. The Bulawayo incident coincided with the summoning of Habakkuk Trust chief executive officer Dumisani Nkomo to Plumtree for questioning by police over a meeting the non-governmental organisation (NGO) held in the

area. Two days into this week, Zimbabwe Peace Project (Harare), National Association for Non-Governmental Organisation (NANGO Masvingo Office) and Masvingo based Com-

munity Tolerance Reconciliation and Development (COTRAD) were raided. It is sad but happening.

The worrying and suspicious part of it is that the trend usually surfaces when the nation is heading for some crucial national events. The situation that has

arisen is reminiscent of the period leading to the 2008 election. Taking into account that there is a possible referendum and general elections thereafter, we begin to think that this is the reason why civil society operations are curtailed. It is indeed tempting to conclude that some political players perceive the industry as a threat to their interests. ZimRights is of the view that civil society should speak with one voice before the whole sector is rendered obsolete. We also concur that the sector has to borrow a leaf from Pastor Martin Niemoller's teachings as quoted by Pedzisai Ruhanya that;

*First they came for the Communists
And I did not speak out
Because I was not a Communist
Then they came for the Socialists
And I did not speak out
Because I was not a Socialist...
...Then they came for me
And there was no one left
To speak out for me.*

Malawi advocacy Mission Briefing Paper: Crisis in Zimbabwe Coalition

Malawi Advocacy Mission: Executive Brief

1. The signing of the SADC and African Union (AU) sponsored Global Political Agreement (GPA) in September 2008 and the subsequent formation of the Zimbabwe Inclusive Government marked what the region termed the formal transition of Zimbabwe from a social, political and economic crisis to a peaceful, prosperous and democratic nation. The key to realise such a projection was hinged on the capacity to fully implement the agreement.

2. However, the reality on the ground is that Zimbabwe is headed toward a referendum and a general election this year without implementation of all reforms. From our informed analysis, we face a possibility of holding a fallacy election and regress in a crisis, unless all stakeholders ensure that agreed elections related reforms are implemented.

3. Malawi's role in influencing such reforms and implementation is very pivotal given that it is Zimbabwe's neighbour, a member state of SADC, the current deputy chair of SADC and an important player in in-

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a time to act

ternational politics.

4. It is against this background that as Zimbabwe civil society in alliance with our solidarity movements in the region are pleading with the Honourable Government of Malawi to persuade all political parties in Zimbabwe's Inclusive Government, fellow SADC and AU member states to play a more pro-active role in ensuring the implementation of election related reforms in the draft constitution, the GPA and emphasised in SADC communiqués.

Specifically we plead with SADC to:

Monitor and observe the constitutional referendum so as to measure the democraticness and preparedness of

Zimbabwe to hold a peaceful, free and fair election this year

Call for an extraordinary SADC summit on the Zimbabwe Election that will re-view the realignment of elections related provisions in the constitution with the current laws, adopt a code of conduct for political parties and a specific military code of conduct in the election

Deploy long-term observers to Zimbabwe to beef up a stretched Joint Monitoring Implementation Committee (JOMIC) as soon as the dates for the election are officially proclaimed to mitigate against state sponsored violence and harassment

of citizens

Assist Zimbabwe to have a peaceful transfer of state power from the current government to whoever wins and maintain SADC's current role until there is stability

Advise the Zimbabwe government that the control of diamonds by individuals, the military and political elite breeds ground for funding conflict which is a threat to Zimbabwe and the neighbouring countries

In summary, we are conscious of the challenges that Malawi faces hence we are most grateful that you have kept engaged on Zimbabwe. We are convinced that, with continued support from SADC, Zimbabwe can have sustainable peace, prosperity and democracy which will also, in an important way, enhance political and democratic stability in the region.

Socio-Economic Transformation a Safeguard to Constitutional Democracy

Zimbabwe's main political protagonists have finally agreed on a compromise draft constitution that is likely to be adopted by parliament and pass a referendum. This will pave way for an election, which one hopes will put to an end to the current unhappy marriage. There is no doubt that the final compact, though far from perfect, is an improvement from the current 1979 ceasefire agreement. But as the original saying goes, "the proof of the pudding is in the eating". Time will tell.

Gains to be made in terms of political and civil rights are often emphasized. But there should be a relationship between a constitution and people's material condition. In South Africa, where the constitution is celebrated as the best in the world, corruption, *tenderpreneurship* and intolerance of dissent by the ruling African National Congress (ANC) are often cited as threats to democracy, constitutionalism and stability. These are not the biggest threats however, unemployment, poverty and inequality are.

In Zimbabwe, it is unlikely that the prevailing social and economic woes will disappear overnight. Yet, despite attempts at creating a constitutional democracy, a lot hinges on the pace of socio-economic transformation. Already, the generality of Zimbabweans seem disillusioned with the current government of national unity. Gains have been piecemeal and isolated. On the whole, there has been no meaningful socio-economic progress to report on. Whether or not this will translate into a vote for or against either of the main parties in government depends on the voter's interpretation of the government's failure to deliver.

For some, the MDC led by Prime Minister Morgan Tsvangirai (MDC-T) has proven that it cannot deliver, while for others the party has done well within the limited circumstances. The latter blames ZANU-PF's intransigence for the limited progress. A third tier of opinion is that there is nothing materially different about the two parties. Some have held this view even before MDC came into government but may now point to reports of corruption involving certain individuals aligned to the MDC. To be sure, MDC-T has attempted to be seen to be acting against corruption. The extent to which this is convincing is difficult to tell. On its part, ZANU-

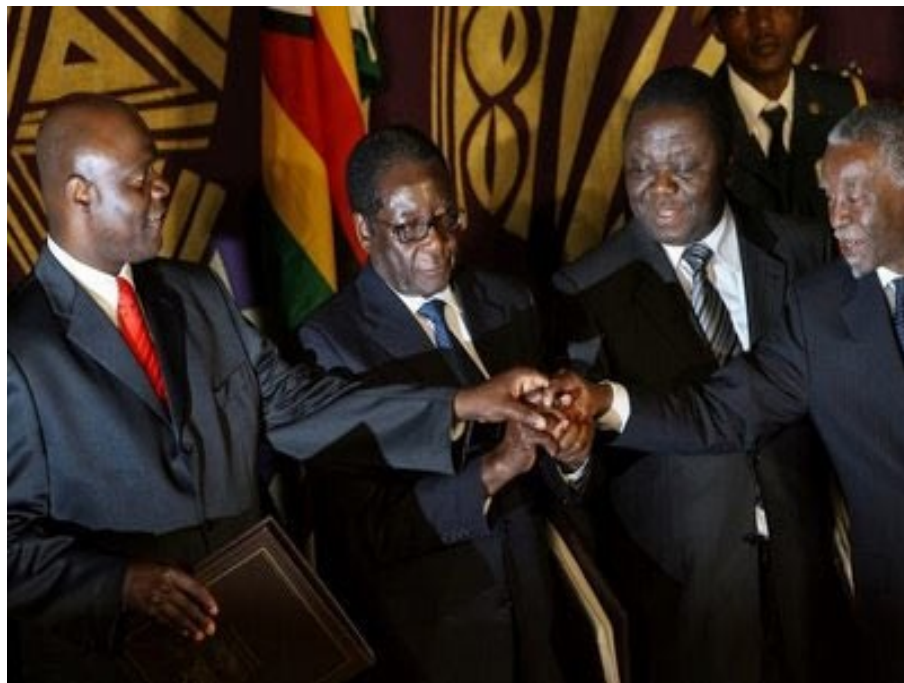


President Robert Mugabe and Prime Minister Morgan Tsvangirai

PF seems to have maintained its critical core of supporters. On the whole it does not seem that there has been any significant shift, exchange or intersection of support base between these main political parties.

Generally, and despite some polls and commentators suggesting otherwise, there is an expectation that a free and fair election will deliver victory for MDC-T. Since the MDCs have

It is safe to say, whichever party wins the next election, the ultimate safeguard to a democratic country is meaningful socio-economic transformation. The democratic space emanating from a constitution that provides for civic and political rights means sooner or later bread and butter issues must be addressed. If not, the very same democratic space can be a source of instability as people make demands. In turn political parties may re-



From Left, Deputy Prime Minister, Aurthur Mutambara, President Robert Mugabe, Prime Minister Morgan Tsvangirai and former South African President Thabo Mbeki

been vocal about the need for democratic reforms one is understandably made to assume that the outstanding reform agenda is safer in MDC's hands than ZANU-PF. This again, time will tell. It is still difficult at this stage to say whether MDC-T's willingness to compromise on certain key issues that were on the democratic agenda is mere pragmatism or a sign of wanting power at whatever cost or lack of power and poor negotiating skills or a combination of these.

sort to non-democratic ways to deal with dissent. This contradiction is most evident in the failed economic structural adjustment program (ESAP) in Zimbabwe and the rest of Africa. ESAPs were composed of liberal economic and political reforms. When the promised economic deliverables were not achieved and instead poverty and unemployment increased, a tension between the economic outcomes and the political reforms was inevitable.

Thus the immediate task for

winners of an election in Zimbabwe is twofold; 1) complete the necessary political reforms in line with the new constitution (some of which will in effect limit powers of the governing party) on one hand, 2) restore economic order, grow the economy, create jobs and deal with poverty on the other hand. The victorious party will have to manage the contradiction of having to perform this task while simultaneously consolidating its hold on political power.

But the most important challenge is addressing the triple challenge of unemployment, poverty and inequality. One hopes that sufficient socio-economic transformation happens fast enough. For, where a political leadership fails to deliver on the economic and social front, the temptation to rely on force and rule by law instead of rule of law is strong and hard to resist. In the extreme, political leaders end up atoning for their failures with the blood of their citizens. This partly explains why, most leaders despite humble beginnings end up dictators. Very few have the magnanimity to admit failure and quit.

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