

ZIMBABWE BRIEFING

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Defending free expression and the right to know



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URGENT ALERT: MMPZ DIRECTOR ANDREW MOYSE TAKEN FOR QUESTIONING BY CID LAW AND ORDER HARARE

6th December 2011.

MMPZ Project Coordinator Andrew Moyse was this morning (at about 1130hrs) picked up from the organisation's offices by a team of five police officers from Harare's Law and Order Section led by Detective Assistant Inspector Phiri. The officers were armed with a search warrant and proceeded to search MMPZ offices for "material which comprises of compact disks containing Gukurahundi information". In terms of the search warrant, the police purport that they have reasonable grounds to believe that MMPZ officers may have acted in breach of section 31 of the Criminal Law (Codification and Reform) Act, that is, "publishing or communicating false statements prejudicial to the state". Pursuant to the search warrant, the police then took possession of 127 DVDs produced by MMPZ essentially calling upon the media to contribute to peaceful elections through fair, accurate and balanced coverage of election campaigns by Zimbabwean political parties.

Whilst the police officers indicated that Andrew was not formally under arrest, MMPZ is concerned that the police may detain him to investigate a matter whose circumstances and gravity do not at all warrant pre-trial detention. MMPZ urges the police to grant Andrew Moyse all his pre-trial rights and not to harm his physical and psychological person for the entire period he is in their custody.

In the meantime, MMPZ advocacy officers Fadzai December and Molly Chimhanda, and MMPZ's Public Information Rights Committee chairman for Gwanda Mr Gilbert Mabusa remain in police custody at Gwanda police station. They are being charged under POSA for failing to give notice of a meeting and also under the Criminal Law (Codification and Reform) Act for "participating in gathering with intent to promote public violence, breaches of the peace or bigotry".

MMPZ vigorously denies the allegations in both cases.

Ends//

The MEDIA UPDATE was produced and circulated by the Media Monitoring Project Zimbabwe, 9 Knight Bruce Road, Milton Park, Harare, Tel: 263 4 741816 / 778115, E-mail: monitors@mmpz.org.zw

Feel free to write to MMPZ. We may not be able to respond to everything but we will look at each message. For previous MMPZ reports, and more information about the Project, please visit our website at <http://www.mmpz.org/>



CiZC statement on the arrest of MMPZ staffers

Crisis in Zimbabwe Coalition condemns the ransacking by the police of the Media Monitoring Project of Zimbabwe (MMPZ) offices and detention of the Director, Andrew Moyse (pictured left) at Harare Central Police station.

The Coalition calls upon law enforcement agents to cease forthwith the apparent clamp-down on journalists and civic players. The arrest of Moyse comes barely 24 hours after police arrested MMPZ advocacy officers, Fadzai December and Molly Chimhanda, and Public Rights forum committee for Gwanda, Gilbert Mabusa for facilitating a civic education meeting.

Moyse is being charged under Section 31 of the notorious Criminal Law (Codification and Reform) Act, that is "publishing or communicating false statements prejudicial to the state".

December, Chimhanda and Mabusa are being charged under the nefarious Public Order and Security Act for allegedly failing to notify the police of a meeting held on the 24th of November 2011 in Gwanda and under the equally notorious Criminal Law Codification and Reform Act for 'participating in a gathering with the intent to promote public violence'.

Gwanda police also claim that the three were distributing subversive material which included a DVD on tolerance and peaceful elections. Their arrests come against the backdrop of increased tolerance of and onslaughts on journalists and the apparent shrinkage of democratic space in the country.

On the 2nd of December, Daily News Editor, Stanley Gama and reporter Xolisani Ncube were detained under defamation charges emanating from an article published in the newspaper with the headline 'Chombo brags about riches'. They were released pending further investigations.

The Standard Editor, Nevanji Madanhire and reporter Nqaba Matshazi were also arrested on the 15th of November facing charges of unlawful entry, theft and criminal defamation which emanated from an article published on the 6th of November claiming that Green Card Medical Aid Society owned by Reserve Bank of Zimbabwe Advisor, Munyaradzi Kereke is broke. The case against the two remains before the courts.

The Coalition views this incomprehensible and deliberate clampdown by law enforcement agents as a blatant attempt to impede on the operations of pro-democracy players and a negation of civil liberties.

Civics and journalists must be allowed to do their work without hindrance while citizens must be allowed to enjoy their fundamental freedoms which include the freedoms which include the freedoms of association and expression without undue disturbances from law enforcement agents.

The use of colonial style legislation to disrupt attempts by the media and civic players to create space for citizens to deliberate and debate on key national questions is unacceptable. Information is power and attempts to stop citizens from being empowered by the media and media groups is disempowering.

Zimbabwe is currently carrying out the constitution making process with prospects of elections within the next two years. It is critical for the political environment to allow greater citizen participation by allowing pro-democracy players to execute their mandates of creating a public sphere for the electorate without hindrances.

The Coalition demands that:

- The police immediately release Andrew Moyse, Fadzai December, Molly Chimhanda and Gilbert Mabusa from custody and grant them their pre-trial rights.
- The police allow journalists to practice their trade without fear of either persecution or prosecution
- Law enforcement agents cease forthwith the onslaught on pro-democracy players
- The inclusive government accelerates the legislative reform agenda to rid the nation of archaic, colonial style laws including POSA which hinder the full enjoyment of fundamental laws.

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Towards Restoration of Meaning to Elections

Coordinator's Note



dewaMAVHINGA

Elections – that formal process through which individuals are choose or are chosen to hold particular public positions, especially political in parliament or government – has, mainly in Africa, been riddled with obstacles and distortions that have virtually removed the essence of elections. That elections are supposed to give effect to the democratic principle of direct individual participation in the governance of their country ceases to become the case given the levels of violence, manipulation and control of electoral processes but those with vested interests. That Zambia recently held exemplary elections give rise to well-placed expectations that Zimbabwe could achieve the same if adequate preparations are made ahead of fresh elections.

Given the levels of violence, misinformation, vote-rigging and chicanery that has characterized previous elections in Zimbabwe, there is widespread disillusionment among or-

dinary Zimbabweans that elections are a viable vehicle through which citizens can effectively participate in choosing their leaders. Few believe that going for elections or voting would make a difference – or that their vote would count. As a result many do not bother voting at all. The 2008 elections were characterized by extreme levels of voter apathy, especially in urban areas and the low voter turn out created wider room for the manipulation of votes. For the person on the streets, elections have lost meaning, they have been reduced to a worthless exercise that needlessly exposes people to the risk of violence or some other political harm.

It appears that, just as the time came for Zimbabweans eager for political change to say enough is enough and put their faith in the electoral process to deliver political change, time is ripe for Zimbabweans to invest in elections to achieve peaceful, lasting political change. While the peaceful electoral process in Zambia, together with

an equally peaceful and smooth transfer of power for one administration to another may appear out of the blue and miraculous to observers it certainly was not. A lot of hard work went into preparing for elections and in ensuring that Zambia has credible, independent institutions responsible for elections management and the various pro-democracy political parties went on a massive drive to canvass for votes without resort to violence.

A key lesson that we can learn from Zambia is that democratic elections to not just happen all by themselves. A lot of work goes into restoration true meaning and relevance to electoral processes and into removing obstacles to the holding of free and fair polls. The Zimbabwe Electoral Commission (ZEC) does not just become truly independent and professional overnight, people must insist on and ensure its independence.

We need a massive, multi-sectoral and multi-pronged voter and civic

education drive across the country that restores people's confidence in the electoral process leading them to take immediate steps to be registered to as voters ready to make their voice heard. Voter education is essential to counter widespread misinformation especially in rural areas where potential voters have often been misinformed that the vote is not secret giving rise to a fear of reprisals from opponents who pretend to have mechanisms to tell a voter's choice.

A recent survey on electoral issues revealed appalling disinterest in electoral processes among the youths, the majority of whom have not bothered to be registers as voters. Political parties should not confuse rally attendances with registered voters, the two groups are often not identical and therefore political parties should seek to ensure that their members and supporters are registered to vote. Thousands of youths who would otherwise engage in political violence activities should

be targeted to register as voters and to be champions of peaceful elections as the only viable way to achieve lasting political change in the country.

Beyond the administrative aspects of preparing for elections, villages, wards, communities should organize their members into peace brigades with a responsibility to prevent violence, or expose wherever it occurs, and to defend peace in their areas. When communities preach and practice zero tolerance to violence it will be impossible for outsiders to instigate and perpetrate violence.

Communities should now plan of easy, but fast ways of monitoring and exposing merchants of violence and shaming the political leadership that promotes violence. With violence and ignorance, or misinformation out of the way, it will be possible to restore relevance and significance to elections.

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New radio stations but shame old message

Yet another chance to implement critical reforms in Zimbabwe, yet another lost opportunity. And once again it's President Mugabe and his ZANU-PF party who are left smiling – or, in this case, laughing all the way to the recording studios.

As many people had pessimistically expected, the Broadcasting Authority of Zimbabwe decided on Thursday to grant both of the new commercial radio licenses to groups loyal to Mugabe and his party – leaving proponents of media reform and anyone hoping for a freer and fairer media playing field ahead of possible elections next year disappointed and angry.

Broadcasting Authority Chairman Tafataona Mahoso said that the licenses had been awarded to Zimpapers – the publisher of the state-controlled and rabidly pro-Mugabe Herald newspaper among others – and AB Communications, which is controlled by former Zimbabwe Broadcasting Corporation (ZBC)

journalist Supa Mandiwanzira, who is closely aligned with ZANU-PF. The chairperson of the Media Institute for Southern Africa (MISA)-Zimbabwe, Njabulo Ncube, said the move was predictable adding that the two companies given licenses were no different to the national, pro-Mugabe ZBC.

“It's tantamount to applying lipstick to a frog,” Ncube said.

“It was – and still is – our belief that as long as the Broadcasting Authority of Zimbabwe – is not reconstituted, Zimbabwe will not have genuine independent broadcasters.”

Mahoso, former chairman of the defunct Media and Information Commission, which shut down the independent Daily News paper in 2003 among other actions which earned him the sobriquet of ‘Media Hangman’, said the two groups achieved the highest scores based on their proposals and public hearings held in Harare last month.

It would be interesting to see the scores since as Zimpapers name suggests, it pro-

duces newspapers and has no track record of creating radio shows.

However, it does have a history of publishing vitriolic attacks on the MDC and anyone who voices a different point of view to Mugabe and his party – as well as sycophantic praise pieces about the President and his cronies.

Unsuccessful short-listed applicants included Kiss-FM, whose backers include musical superstar Oliver Mtshali, and the South African-based Radio Voice of the People (VOP), which – as its name clearly suggests – actually produces radio content.

One of the key reforms in the Global Political Agreement was freeing up the airwaves and increasing the diversity of voices in Zimbabwe's media. These new licenses will do nothing of the sort.

All they will do is enhance ZANU-PF's dominance of the media landscape.

From Open Society Initiative for Southern Africa (OSISA)

Civics set to mark 16 Days of Activism

Crisis in Zimbabwe Coalition's regional Information and Advocacy unit in collaboration with CIVICUS and Women's Net are hosting a seminar on the 16 days of Activism against Gender Based Violence on the 9th of December.

A documentary with 16 stories on violence against women shall be screened at the event as well as a discussion on politics as a driver of violence against women especially in the Zimbabwe context.

The speakers will be from Crisis in Zimbabwe Coalition, CIVICUS and Women's Net who will discuss the importance of using technology to end Gender Based Violence.

The 16 Days Campaign themes, From Peace in the Home to Peace in the World: Let's Challenge Militarism and End Violence against Women, puts the spotlight on militarism and its role in perpetuating violence against women and girls.

“The violence we encounter is often profoundly influenced by national, regional, and international policies and practices, and challenges us to act in solidarity to promote an end to milita-

rism and violence against women,” says Dr. Radhika Balakrishnan, Executive Director of the Center for Women's Global Leadership; the coordinator of the 16 Days Campaign.

This year's theme comes in the backdrop of the political violence against women in Zimbabwe. The upsurge of reported cases of violence in Zimbabwe shows a disturbing trend. The Financial Gazette (November 17-27, 2011) reports that 2 536 cases have so far been reported in 2011, compared to the 1100 cases reported in the first half of 2010.

There has been a significant rise in violations of women's rights with the arrests and detention of human rights activist women, including mothers with minors, their rights to freedom of expression, association and peaceful protest violated which is in contravention to Committee on the Elimination of Discrimination against Women Act (CEDAW).

Zimbabwe has done a lot in terms of awareness, perception, definition and documentation of domestic violence and yet thousands of women and men continue to protect their abusive partners citing customary consideration.

According to a UNICEF analysis, Zimbabwe's increase in gender-based violence appear to arise from traditional practices and principles that include the subjugation of women, which is culturally permissible for a man to physically “discipline” his wife and children.

The 16 Days of Activism against Gender Violence is an international campaign originating from the first Women's Global Leadership Institute sponsored by the Center for Women's Global Leadership in 1991. Participants chose the dates, November 25, International Day of the Elimination of Violence against Women and December 10, International Human Rights Day, in order to symbolically link violence against women and human rights and to emphasize that such violence is a violation of human rights.

The 16 Days Campaign has been used as an organizing strategy by individuals and groups around the world to call for the elimination of all forms of violence against women.

By Regina Pazvakavambwa and Rumbidzai Matataba, Crisis in Zimbabwe Coalition Regional Office.

INTIMIDATION AND ATTEMPTS TO DENT CREDIBILITY: ZANU PF’s TACTIC AGAINST DEMOCRATIC ACTORS AHEAD OF ELECTIONS

Over the last couple of months there has been a series of seemingly unrelated events that have occupied the space of political discourse in the country, which few of us have bothered to tie together. In spite of the seemingly unrelated nature of the incidents and conversations around them, a clear thread can be pulled through them. At the centre of attacks on Civic Society actors’ by for instance The Patriot, or the unrelenting prosecutions for purposes of persecution that Journalists from the Standard and the Daily News are having to endure, is an attempt to damage the credibility, intimidate those that are pursuing a more democratic dispensation in Zimbabwe, and misdirect the public from real issues to carefully planted ruses.

The conundrum that pro-democracy actors have found themselves in has been that, focusing too much on the incidents presents the danger of creating the impression that, while they demand transparency, accountability and good behaviour from the state, they may appear not to be keen on allowing themselves to be subjected to the same scrutiny. So, oftentimes, these calculated attacks meant to create a credibility gap between democratic actors and their strategic audiences, intimidate them and move peoples attention away from pertinent political questions, are left unchallenged. The net effect being that ZANU PF gradually succeeds in its attempts, which more often than not, are based on half truths, calculated misinformation, sting operations, personal attacks and Google journalism.

Credibility is loosely defined as the quality of being trusted or being believed in. Often, this is a character that one gains through time, effort, and a track record in ones’ work that turns one into a trusted and credible commentator, actor, advocate or provider of information.

Take for instance the case laid against Nxaba Matshazi of The Standard and his Editor Mr. Nevanji Madanhire. This is not the first time that the Standard or its Editor has been subjected to unjustified police and judicial action. It is clear that in this case, there are two primary cases at the centre of this incident. The first is of misdirection. While credible cases of corruption, rape involving minors (which seems to have been swept under the judicial carpet) and release of information in the public interest can be laid against the Reserve Bank Advisor, Munyaradzi Kereke, together with a case of Rape - which seems to have been swept under the judicial carpet – people are forced to focus on issues around the sources of information, with Nxaba being portrayed as a thief for having written the story. We all believe in ethical journalism and agree that subjects in stories should be afforded the right of reply. Having said that, we also believe that unwarranted police and judicial action especially around civil defamation, is unwarranted and impedes the greater cause of freedom of expression. Journalists should not be arrested for doing their jobs. If this were the norm and the police and judicial action was not colour blind, journalists and columnists from the herald, Sunday mail and their sister paper the Patriot would have filled up the jails by now.

The foregoing is an example of how we are then suddenly forced to divert from issues of corruption, alleged rape and crumbling medical service to focus on an issue of law and media ethics, which is neither here nor there. It is the same case in Minister Chombo’s riches saga, a story which itself was first Brocken by the Herald in 2010, but which Xolisani and Stanley Gama from the Daily News are no w being persecuted for. In both instances, the journalists instead of digging deeper on the issues or working to-

DEFENDING DEMOCRATIC SPACE: Activists in this file photo march in campaign of a free media and against the intimidation of human rights defenders.- internet photo



wards producing more information on our public figures, in the public interest, are now having to focus on defending themselves in courts, and trying to see how to beat jail.

The second issue stems from the first. By portraying The Standard and The Daily News as unethical newspapers, their journalists as thieves and gossipers, and the Editors as reckless – there is a clear challenge to the credibility of the papers. The attempt is to create a credibility gap between the Newspapers and their readers, while at the same time intimidating into inaction the journalists in question as well as their peers who are seeing these things happening. All the while misdirecting the broader public from the issues as captured in the stories. In the case of the Daily News, attempts to enforce a credibility gap have also been by way of questioning their sources of resources for their production. Allegations were levelled to the effect that their printing press was bought by an “ obscure regime change” organisation and that they get their editorial policy briefs from the Americans.

Civic Society has not been spared, with attempts at enforcing this credibility gaps being along the same lines as the Daily News line of attack. In this respect the charge has been led The Patriot Newspaper, which has spun sensational stories based on a mixture of stolen information, Google journalism, self serving half baked political analysis and misinterpretation of basic information that is in the public domain online. Organisations such as the Crisis in Zimbabwe Coalition, the Zimbabwe Election Support Network, National Association of Non-Governmental Organisations, ZimRights and the Zimbabwe Congress of Trade Unions to name a few, have been the targets of the vicious attacks, with the calculated intention being to dent the credibility of these organisations in the work they do based on their receipt of foreign funding, and unfounded allegations that simply because they can attend meetings in London, they are now European Spies.

The Patriot, in whose Editorial of the 2nd of December 2011, pretty much dismissed any pretensions of being an independent Newspaper, has been aptly aided by the captured Public Media, but has gone a step further in propagating hate and putting lives of democratic actors at risks through the release of addresses of so called enemies of the state. The question is the motive be-

hind such actions. It is my hope that Supa Mandiwanzira and his editorial team are aware that if any harm of a physical nature occurs to these people based on the private information that they have provided that they will be responsible. Outside this calculated intimidation and misdirection (focusing on people instead of issues), the greater worry is that propagating hate at such levels is reminiscent of the Radio Stations in Rwanda, which played a huge part in sponsoring the genocide there in the 90’s, especially now that AB Communications now have a Radio Licence.

On the Political front, the attempt by ZANU PF to counter a self evident truth that they have been at the centre of most cases of political violence in this country, has been effected by way of fluent narrative and painting an image to the region that “all the violence “ is perpetrated by the Movement for Democratic Change. The attempt is to ensure that when violence visits innocent citizens or indeed members of parties opposed to ZANU PF they should lack the moral high ground because they too are violent creating a credibility gap between these actors and their audiences.

If it is true that the whole “ Marriage or non-marriage” of the Prime Minister is a sting operation, without getting to discuss morals in a political discussion, it can easily fit into this fold of attempting to damage his leadership credentials, parties brand and create a credibility gap between him and the electorate. This, as a strategy has already been proven by commentators in the captured public media and in the private media, who are already making the case that if Tsvangirai can’t organise himself and show leadership at the home front, how can he

organise and show leadership at a national level. Fair comment, I guess, but clearly, one that is instigated by calculated machinations, and also meant to divert attention from pressing national issues and key events to issues otherwise private and personal.

Now, this line of March on the part of ZANU PF is not necessarily new. What maybe new is the introduction of a few new players to play the same old song. Initially people may appreciate the fact that there is a new energy, but because the beat is the same, sooner rather than later monotony will set in and people will recall why the beat had become boring.

Those under attack are not perfect individuals or institutions, but they should take heart from the fact that people are not the fools that ZANU PF thinks they are, and are not as malleable as they have been ensconced to be. If you are credible you are credible, and it will take much more than this to erode that credibility. Unfortunately for a struggle for Democratisation that is over a decade old, Newspapers that have had Editors tortured before and forced into exile like the Standard, or ones that have been bombed into none existence for a period like the Daily News or indeed activists and organisations that base their work on convictions and have right on their side – it will take more than misdirection and intimidation to derail them. Attempts at intimidation, creating credibility gaps and misdirection, coming from where it is coming from, can actually be a badge of honour and an indication that you are doing something right.

By Mcdonald Lewanika, Director, Crisis in Zimbabwe Coalition

On every Thursday, read

ZIMBABWE BRIEFING

IN

GNU has failed on justice delivery



A TALE OF TWO LEADERS: The dysfunctional nature of the GNU has played itself out more publicly recently in what the author describes as a “de facto police state” in which the former ruling party, president Robert Mugabe-led ZANU PF has maintained control of critical justice delivery institutions making the work of the pro-democracy MDC led by Prime Minister Morgan Tsvangirai increasingly frustrating. -zimbabwepictures.com

ZIMBABWE’S attempt at a democratic political transition emanating from the March 2008 general election failed to produce a clear rupture from the past as was the case in Eastern Europe following the collapse of the Soviet Union in 1989. This failed totalitarian political rupture has grave consequences for transitional justice issues because the negotiated settlement left the repressive regime and its structures intact.

The functionality or otherwise of the Joint Monitoring and Implementation Committee (Jomic) and the inclusive government itself have to be understood and interrogated in terms of the nature of the political transition that came out of that failed democratic transition. The nature of the Zimbabwean state – which I posit as a continuation of the colonial state – also has a bearing on any attempts to democratise Zimbabwean politics. It is, therefore, critical to appreciate what a political transition is, the types of transitions, and the one that is operating following the signing of the Global Political Agreement.

Such kind of analysis will assist in appreciating why Jomic and the inclusive government have failed to produce the desired democratic political transition premised on the rule of law and the respect for citizens’ fundamental civil and political liberties. A political transition refers to a regime change or simply a change of governance.

A regime change is a change in the institutional structure of a given country. It is the formal and informal organisation of political power, and of its relations with the broader society. A regime determines who has access to political power, and how those who are in power deal with those who are not. It is possible to have a regime change without changing a leader but a regime change is not equal to the change of a leader.

For instance, if President Robert Mugabe loses the next election but the repressive and totalitarian system remains, then there will be no regime change. So the usual chorus of Mugabe must go is not good enough to democratize Zimbabwean politics and its institutions. The Zimbabwe case needs both the faces of the regime, that is Mugabe and other oppressive elements, and most critically the system to be overhauled.

There are basically three types of political transitions: Transition through transaction – This happens when the

authoritarian regime initiates the process of democratisation of the body politic but remains a decisive political actor throughout the transition although opposition political parties and other players are part of the process.

Transition via extrication – This type of transition occurs when the authoritarian regime is weakened but not as significantly as is the case in the transition by defeat. However, in this situation, the authoritarian regime has less power to negoti-

If Zimbabwe is to return to democratic legitimacy, the GNU should further respond to human rights violations by adopting laws which bar certain categories of former government officials and party members from public employment

ate as in transition by transaction. It will be slowly phased out of power.

Transition via regime defeat – This type of transition involves a decisive defeat of the authoritarian government leading to the end of authoritarian rule and the establishment of a democratic government. This is a very rare form transition. It happens in cases where revolutions take place. From these three types of transitions Zimbabwe is experiencing transition by transaction where the three MDC formations led by Prime Minister Morgan Tsvangirai and the others by Professors Arthur Mutambara and Welshman Ncube as well as President Robert Mugabe’s Zanu PF are in a compromise agreement following the signing of the GPA in September 2008. This was after the international community refused to legitimise the sham June 2008 presidential run-off. Comparatively, the Zanu PF side of government has more power in relation to its partners. That’s why the outstanding issues can only be resolved at the pleasure of Zanu PF. In a situation where a vanquished political party has total access to the state as is the case with Zanu PF, it becomes difficult to talk about the effectiveness of quasi-democratic bodies such as Jomic because what these bodies attempt to do is to create conditions that

will make sure that Zanu PF is removed from power. Zanu PF has successfully blocked most democratic initiatives. My argument is that the nature of the GPA and not Jomic is the one that is stalling the transition. What has failed is the GPA and the current government.

It failed from the start because the negotiators from the MDC formations did not gain enough leverage during the talks to enable transition through extrication as was the case with Zimbabwe after 1980. The coun-

try experienced transition by extrication where Ian Smith (pictured) was defeated in an election, accepted that defeat and elements of the colonial regime were axed out of the state step by step until they were all flushed out.

To worsen the situation, Zimbabwe’s problems are compounded by the undemocratic nature of post-independent Zimbabwe. Following the fall of the colonial government, the nationalist government of Zanu PF did not democratise the state. The theory of elite continuity came into effect in which Zanu PF elements occupied state positions and structures such as the security apparatus and media. Colonial and repressive laws were retained without democratising them. The colonial political culture of violence as well as dictatorship was taken aboard by the new rulers. Zimbabwe experienced a false dawn in 1980 and experienced the same following the signing of the GPA in September 2008.

The critical issue that confronts Zimbabweans is to work to democratise the state and its politics. They need to create rupture from both the colonial and Zanu PF systems of governance and make sure that the state is democratised. The state’s fundamental role is to protect and advance the rights and needs of its citizens.

The state must advance rather than

inhibit the democratic aspirations of the people. This cannot happen under its current organisation and leadership.

However, there are certain things, under this very constrained political environment, that civil society and the democratic forces should insist the GNU should do. For instance, to address issues of impunity, the GNU should be pressured to deliver justice to victims of the de facto police state. International law requiring punishment for atrocious crimes can provide an important counterweight to pressure from Zimbabwe’s ruling elite responsible for the Matabeleland and Midlands massacres and the post-2000 human rights violations.

This will assist in making sure that citizens know the price of trespassing the rights of others. It will make vigilante groups such as Chipangano and its leaders think twice before they commit crimes. This will not be done by Jomic because this body actually has sympathisers of Chipangano in its rank and file.

It will be done by civil society and other democratic forces through piling pressure on the prosecuting authorities and exposing the heinous activities of such groups. When prosecutions are administered and undertaken pursuant to the provisions of both domestic and international law forbidding acts such as genocide, crimes against humanity, torture and war crimes, they are less likely to be perceived or opposed as acts of revenge.

If Zimbabwe is to return to democratic legitimacy, the GNU should further respond to human rights violations by adopting laws which bar certain categories of former government officials and party members from public employment. Such measures will not be new to Zimbabwe; they have worked well in post-communist governments in Europe and Latin America. Such elements are rampant in country’s public service particularly in the security forces.

Zimbabwe is full of public officials who have been associated with human rights violations since Independence and their role in government is to block any judicial and political reforms that seek to make them accountable for their crimes.

By Pedzisai Ruhanya, a PhD candidate Media and Communication Research Institute at CAMRI, University of Westminster, London.