

ZIMBABWE TRANSITION BAROMETER

FEBRUARY 2013

Bi-monthly Report Analysing The Zimbabwe Transition



TREKKING THE TRANSITION

As of February 2013, Zimbabwe faces the prospect of a prolonged transition. Whether the country can progress or regress toward a democratic or derailed transition in the next 4 months entirely depends on the [in] action of all stakeholders.

Crisis in Zimbabwe
Coalition
a time to act



Introduction

Introduction

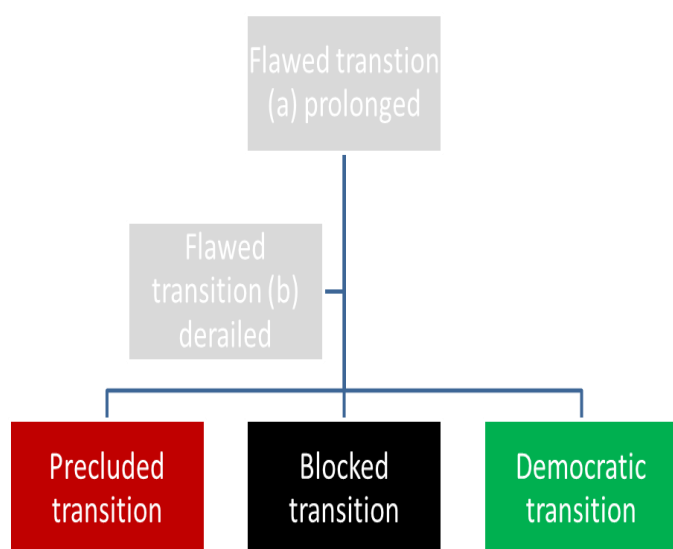
Our third edition of the Zimbabwe Transition Barometer continues to focus on key transitional issues and how they affect the quest for democratisation in the country. Zimbabwe's transition is hypothetically supposed to lead to democratisation; beyond the immediacy of stability and elections. The focus in this issue is on six areas that have an impact on the transitional process.

The areas of focus are:

- ◆ Zimbabwe Election Commission's readiness for elections (voter registration)
- ◆ Constitution process (breaking the deadlock)
- ◆ GPA periodic review mechanism
- ◆ Restoration of economic growth and stability
- ◆ Behaviour and conduct of State organs and institutions
- ◆ Security of persons and prevention of violence

Reform progress and impediments of each of these areas are assessed against the broader goal of democratisation. Their impact on political processes and the possible scenarios that arise from related prevailing matters are also highlighted. For each area of focus, some recommendations are also made in order to ensure that the ultimate goal of democratisation remains as key.

At a theoretical level we develop on the work of Michael Bratton and Nicolas van de Walle, who have studied regime transitions in sub-Saharan Africa. In their seminal book, 'Democratic experiments in Africa', they identify four possible outcomes of a transition, which we employ as analytic lens. These are precluded transition, blocked transition, flawed transition and democratic transition. However, we develop this framework by proposing two variants of a flawed transitional outcome. The first variant is a premature end to the transition and the second is a prolonged transition as shown in the diagram below.



Possible Transitional Outcomes (PTOs)

In the following section we explain the paradigms above and pose questions as to whether these paradigms capture the developments in Zimbabwe in the past two months. We start with Precluded Transition?

Precluded Transition: (Red Zone)

A precluded transition signifies a *cul de sac* in negotiations among the parties. The situation is characterised by prospects of a civil war, armed rebels and warlords without effective control from the central govern-

ment. Is Zimbabwe going toward a precluded transition or rather a blocked transition?

Blocked Transition (Black Zone)

In blocked transitions 'rulers ma[k]e insincere and tactical concessions aimed at buying time to show up collapsing authority, *with no apparent intention of implementing elections* or surrendering power' (Bratton and van de Walle 1997:170 my emphasis added). Is this where Zimbabwe is heading? These are some of the questions that this barometer will seek to answer based on the political situation for the past two months. We have argued before that Zimbabwe seems to be heading toward a flawed transition. Is this still the case?

Flawed Transition (Grey Zone)

A flawed transition is reflective of a situation where the incumbent allows grasshopper reforms to take place resulting in some positive democratic outcomes. However, in this process the incumbent is still determined to control and manipulate state institutions such as the security sector as well as electoral rules. In this scenario one is likely to have artificial elections that work in the favour of the incumbent. Can this be a possibility for Zimbabwe? If it is, what is likely to happen in such a scenario? What variant of a flawed transition will this take? This is an area that Bratton and van de Walle did not consider because they were dealing with grand theories to understand the continent's trajectory. Given the specificities of Zimbabwe, we make a proposition for two variants of the Flawed Transition model. These are a derailed transition and a prolonged transition.

(a) Derailed (Dark Grey Zone)

This marks a situation whereby the incumbent manages to skilfully manipulate state institutions and the voting process and manages to gain a semblance of legitimacy that allows him or her to form a government without a pact with other opposition players. This provides a façade of legitimacy without proper democratic reform.

(b) Prolonged (Light Grey Zone)

In these circumstances the incumbent will manipulate the electoral processes and manages to emerge as a 'winner' but lacks legitimacy to constitute a functional government without the cooperation of opposition actors. The incumbent is then forced to continue working with the protagonists for an effective government. The reasons might include no clear majority in Parliament to pass budgets *et cetera*, lack of local, regional and international endorsement of the election. In this regard, the incumbent is forced to have some kind of agreement with opposition forces and in this case the transitional arrangement is prolonged. Is Zimbabwe heading toward this or rather it is heading toward a prolonged transition or democratic transition?

Democratic Transition (Green Zone)

A democratic transition occurs, at least, when there is a competitive, free and fair electoral environment that leads to a legitimately elected government taking state power in a peaceful way as occurred in South Africa in 1994.

Which trajectory is Zimbabwe following? As the Zimbabwe political landscape shifts; the key outcome of democratisation must remain a pivotal guide. This report is mainly informed by political developments between December and February 2013.

EXECUTIVE SUMMARY

The year 2013 has begun on a rather surprising note with parties to the GPA having reached consensus in the constitution writing process. This therefore seems to indicate a defined pathway towards a possible election in 2013. It is however important to realise that there are still some key reforms demanded by civil society which are still outstanding. Adopting a new constitution does not automatically translate to addressing these key reforms. In fact the adoption of a new constitution sets another dimension of challenges; where a legislative framework has to be put in place and then be implemented in order for the political environment to transform and therefore be conducive for a credible election. This barometer report discusses some of the key issues that still need to be addressed or considered so that there is possible redress before the next poll.

The Zimbabwe Electoral Commission has since missed its 3 January 2013 deadline to commence a mobile nationwide voter registration process. However, it has been noted that voter registration has been taking place in some urban centres without much publicity and information being provided to would-be voters. Political parties, especially ZANU-PF has taken advantage of this 'concealed' voter registration process to marshal its supporters to register. There are also reported incidents of persons from the housing cooperatives (mainly around urban and peri-urban areas) who are registering through ZANU-PF community leaders. Despite these activities, the lack of funding from treasury has delayed an open, nationwide and transparent voter registration process. Government has however approached the United Nations Development Program (UNDP) for electoral funding assistance and it is hoped that such funding will be provided in time to effect pre-election processes. However should the UNDP and other development partners provide such funding, it is hoped that they will follow through such provisions with insistence on early election observation by both local and regional mechanisms and bodies. Delayed voter registration will have adverse effects on democratisation as some potential voters may be excluded from participating in the polls while clandestine registration processes may aid possibilities for election rigging.

Although the political parties have been commended for reaching agreement/consensus in the constitution process, it is however important to note that this has potential to further exclude civil society and the citizenry from active participation in political processes. President Mugabe and Prime Minister Tsvangirai have agreed on pre and post-election processes and outputs. Although this will provide some political stability it may also be a bad precedence for democracy in Zimbabwe. President Mugabe and Prime Minister Tsvangirai seem to have adopted an "exclusionary" approach to political processes in the country. They have bestowed upon themselves the powers to determine the political trajectory of the country without due consultation of civil society or the broader citizenry. Consensus in the constitution process; though progressive on one hand, also stands to promote the pre-eminence of political parties' pacts as a way of undermining popular democratic input. The consensus in the constitution process may also force the political parties in the GPA to rush towards elections even before addressing pre-election reforms. A rushed election and the exclusive political supremacy attained by the GPA parties all tend to work against the democratisation trajectory that civil society has aspired to promote.

The GPA provides for an annual periodic review of the agreement and relations within it. No such review has been undertaken since the signing of the agreement. The GPA further instructs that at the completion of the constitution process an overall review of the GPA must take place. The intention of this clause being to ensure that there is constant realignment of the agreement to the broader transitional framework. It is assumed that any democratic process always includes the broad spectrum of stakeholders for any evaluation of agreements and tenants that govern a nation-state. Failure by the GPA parties to institute periodic reviews have therefore led to the denial of citizens' democratic right to participate in such evaluation as well as to access information on the performance of the transitional governing mechanism imposed upon them through political party negotiations.

The GPA is also instructive on the need for economic restoration and growth. Despite the initial gains in the productive sector realised just after the inception of the GPA; mixed results have been realised thereafter. Mining and agricultural sectors seem to be growing in output but manufacturing continues to be depressed. Capacity utilisation has fallen from 57.2% to around 44.2% in 2012 compared to the previous year. The finance ministry has indicated a couple of issues that have negatively affected economic growth, these being: poor rainfall patterns; policy inconsistencies and uncertainties; lack of capacity sources; indiscipline in the finance sector; and general global economic performance. Political patronage continues to play a huge role in the economy with people aligned

to ZANU-PF being the greatest beneficiaries. The diamond revenues continue to be contested and this has raised suspicion of both side-marketing as well as "looting" by politically connected individuals. The depressed economic recovery prospects as well as political patronage continue to stifle the citizen's democratic right to resource income. Social services continue to underperform thereby depriving citizens of basic social support. Some politicians have used patronage as a way to "buy" political support thereby compromising democratic participation in political processes.

State organs continue to be manipulated for political gain; against the GPA's emphasis on the need for them to be non-partisan. The minister of defence recently endorsed that military personnel can participate in political processes and even join political parties. This tends to deride the democratic practice of the political neutrality of state institutions. Military deployments have continued in many rural areas across the country for alleged intimidation ahead of the upcoming election. The South Africans have however warned their Zimbabwean counterparts on the need to maintain political neutrality. It is hoped that such intervention will translate to the region's intolerance of what the Zimbabwean security sector has been at for some time now.

The GPA is also clear on the need to address security of persons and the prevention of violence. In the last couple of months, President Mugabe has been preaching peace and the need for violence free elections. However, as much as Mugabe has been on record declaring such good intentions; the behaviour of state institutions and some of his party stalwarts point towards some disturbing irony. Jabulani Sibanda has now moved from Masvingo and is terrorising villagers in Manicaland with threats of violence, should they vote ZANU-PF. He has been using hate speech at the same time that President Mugabe has been proclaiming peace. The police have raided and arrested pro-democracy activists at: ZIMRIGHTS (including the chairperson of Crisis Coalition – Okay Machisa); National Youth Development Trust (NYDT) and of late at the Zimbabwe Peace Project (ZPP) and Zimbabwe Election Support Network (ZESN). In Mutare the US ambassador to Zimbabwe, Mr Bruce Wharton, was ambushed by ZANU-PF supporters and no known arrests have been made, further urging the culture of impunity that has permeated the Zimbabwe body politic.

As of mid-February 2013, we conclude that Zimbabwe is heading toward a Flawed Transition, characterised by positive reforms but with the incumbent still determined to manipulate state institutions and electoral processes to gain an unfair advantage that allows it to retain state power. However, at this juncture the incumbent might be trying to gain political legitimacy through grand concessions such as on the constitution and election dates without ceding much on democratising state institutions which gives room for manipulation of the whole process. However, due to the fact that SADC, civil society and the media have kept on trekking the transition and exposing the anomalies it appears difficult for the incumbent to opt for a derailed transition. As of February 2013, the incumbent would need the cooperation of protagonists which is an indicator toward a prolonged transition. Our preference is a democratic transition and we hope this timely observation will lead to the intensification of game-changing activities. Failure of which there might be need to think through how one can shape the prolonged transition so that it becomes more inclusive. In the next chapter we give the detail.

3.0 Trekking the Transition

3.1 Barometer Indicator 1: ZEC election/referendum readiness (voter registration)

3.1.1 Source of Barometer Indicator

Section D of the election roadmap signed in July 2011 by the political party negotiators outlines the need for election reforms prior to elections. These pre-election reforms include the following:

- i Enactment of agreed electoral amendments
- ii Voter education
- iii Mobilisation for voter registration
- iv Voter Registration
- v Preparation of new Voters Roll
- vi Inspection of Voters Roll
- vii Clean up Voters Roll and produce Final Voters Roll

Issues related to voter registration and the voters' roll make up the broader perspective of the pre-requisite reforms under section D of the election roadmap.

3.1.2 Key Prevailing issues



Zimbabwe Electoral Commission Acting Chairperson, Joyce Kazembe

Voter registration is seen as one of the key processes to ensuring the credibility of the next election in Zimbabwe. This is against a background of a tainted voters' roll which many have indicated is in need of revision. In a voters' roll audit carried out in 2010 the Zimbabwe Elections Support Network (ZESN) highlighted that 41% of the people on the voters' roll now reside outside the areas where they are registered while 27% are deceased. The voters' roll is also known to have names of deceased persons as well as incredible figures of up to 41,119 centenarians as well as "no less than 16,828 registered voters with the same date of birth, given as 1st January 1901". These issues contribute to the lack of confidence in the current voters' roll as a tool which can be employed for credible elections in Zimbabwe. Electoral reforms must therefore include the institution of a new voters' roll in order to exterminate the incongruences highlighted as well as instil confidence in all stakeholders to the process.

At the end of December 2012, Prime Minister Morgan Tsvangirai announced that he had reached an agreement with the Zimbabwe Electoral Commission to begin a nation-wide voter registration exercise on 3 January 2013. However the exercise had to be postponed as there was no available funding. To-date, the voter registration process has been held back due to lack of funding. Minister of Justice and Legal Affairs and the Minister of Finance have however made a formal request for funding (for the entire referendum and election process) to

the United National Development program; asking for a figure of US\$225million. It is hoped that their efforts to raise funding will be timeous enough to allow for enough time for voter registration, way before the election.

3.1.3 Effects on Democratisation Process

The Registrar General's office however concedes that voter registration is an on-going exercise and is carried out throughout in between elections. While others have been registering there are many more; especially in remote areas; who have no access to registration centres. There are also some within accessible areas who are not aware that voter registration is in progress. In order for voter registration to be democratic, the process must be well publicised and carried out on a non-partisan basis. This is however not the case in Zimbabwe. There are reports of people in certain urban constituencies (especially around new housing schemes) where residents are being registered through ZANU-PF marshals.

John Aldrich indicates that "turning out to vote is the most common and important act citizens take in a democracy". Denying citizens the right to vote implies robbing them of their deserved participation in democratic processes; which by right many constitutions (including Zimbabwe's current one) accords them.

Manipulated or discredited voters' rolls are also the source of "election rigging". This can be through "enrolment fraud"; which is the inclusion of false information in a voters' roll which may then be used to inflate, deflate or include non-qualifying voters in the roll; especially in key constituencies.

Zimbabwe Election Support Network, *A report on a voters' roll observation conducted in Zimbabwe, April 2010*, p.5-6.

R.W Johnson, *South African Institute of Race Relations, Preventing electoral fraud in Zimbabwe, May 2011*, p.7.

Elias Mambo, "Zimbabwe: Govt Requests UNDP to Mobilise Funds for Polls", *Zimbabwe Independent Newspaper*, 8 February 2013.

3.1.4 Barometer Indicator Scorecard

Barometer Score Card Code: **Green** - High Implementation Score; **Orange** - Medium Implementation Score; **Red** – Low Implementation Score

EVALUATION COMPONENT	SCORECARD CODE	NOTES
IMPLEMENTATION PROGRESS		◆ Nationwide voter registration delayed by lack of funding ◆ Voter registration being carried out discreetly in some areas. ◆ Current voters' roll is discredited and seen as non-compliant to a democratic and credible election ◆ With elections earmarked in 2013, time is fast running out for a comprehensive voter registration process to be conducted across the country.

3.1.5 Possible Scenarios

There is likelihood that elections will be conducted without a new voters' roll. This will merely premise the eventual election on a voters' roll amenable to electoral manipulation as well as exclusion of potential voters. There may however be possibilities of funding being available late, which will make it impossible to carry out a comprehensive voter registration process. This will result in exclusion of some voters. If voter registration starts late, political parties may scramble to only focus in registering voters within their areas and constituencies of greatest domain. We may therefore likely see another political contest in prioritising areas voter for registration for (i.e. urban versus rural areas).

3.1.6 Key Recommendations

- ◆ SADC and civil society must insist on a new voters' roll before the next election
- ◆ Election date must also be determined by the completion of a satisfactory nationwide voter registration process (amongst other key pre-election demands).
- ◆ Should the UNDP (or other development partners) provide funding assistance for the election, this should be on condition that the Zimbabwe government allows independent monitoring of elections by both local and regional bodies.
- ◆ This observation must begin as soon as the election date is announced

jennet Nagy & Jessica Bracke, "The community tool box: Conducting a direct action plan", University of Kansas, 2013
 Aldrich, John A. 1993. "Rational Choice and Turnout." *American Journal of Political Science* 37, p. 246–78.
 "Electoral background: electoral fraud and multiple voting", Australian Electoral Commission, April 2010

3.2 Barometer Indicator 2: Constitution Process (breaking the deadlock)

3.2.1 Source of Barometer Indicator

Article VI of the GPA instructs the writing of a new constitution (within a period of 18 months from inception of GPA). The SADC communiques (August 2012, December 2012: January 2013) have been emphatic on the need to complete the constitution process before the holding of elections in Zimbabwe.

3.2.2 Key Prevailing Issues

In January 2013, the GPA principals agreed on the outstanding issues in the constitution draft which had been brought to them by the special cabinet committee on the constitution (which had been set up to break the impasse). The respective party policy making structures (Politburo for ZANU-PF; and National Executive committee for MDCs) endorsed the draft before it was sent to parliament.

The consensus on the constitution, despite it moving the process ahead came as a surprise to many, given more than three years of heckling by the political parties. There are indications that the concurrence was based on key compromises by the political parties around the following issues:

- ◆ Presidential powers
- ◆ National Prosecuting Authority
- ◆ Devolution
- ◆ Constitutional court
- ◆ National Peace and Reconciliation Commission
- ◆ The Land commission

2.3 Effects on Democratisation Process



Copac co-chairpersons from left, Hon Munyaradzi Paul Mangwana, Hon Douglas Mwonzora and Hon Edward Mkhosi alongside the committee's spokesperson Hon Jessie Majome at a Press conference at the Second All Stakeholders' Conference in Harare last year.

Henrik Friberg-Fernros and Johan Karlsson Schaffer proffer what they term as the “paradox in deliberative democratic theory”. Whereas they uphold the need and effectiveness of consensus in political systems, they also allude to the fact that at times such consensus can impede continuous public discourse. In this regard, if political elites (in this case the principals of the GPA); reach consensus, there then exists potential that they assume total decision making in the political process which then alienates the public's input.

Civil society has criticised the constitution writing process as being driven by political parties

and therefore defeating the ideals of a “people driven” process. At this juncture, the consensus that the political parties have reached; though progressive in some extent; is likely to further estrange the input of citizens in follow-on political processes. There are indications that Mugabe and Tsvangirai have reached some form of a pact on what kind of election they want and how they will need to contain each other (and/or each other's parties) in case one of them wins. If this goes ahead, it will serve to define the country's political landscape as being characterised by what the main political parties agree to and what they envisage as necessary for the country. This will further annihilate the principles of deliberative democracy and inclusive citizen participation.

3.2.4 Barometer Indicator Scorecard

Barometer Score Card Code: **Green** - High Implementation Score; **Orange** - Medium Implementation Score; **Red** – Low Implementation Score

EVALUTATION COMPONENT	SCORECARD CODE	NOTES
IMPLEMENTATION PROGRESS		♦ Political parties have reached consensus in constitution process ♦ This consensus is not likely to translate to pre-election reforms, further disagreements are expected as we move closer to elections ♦ Civil society and citizens are being alienated from decision making by the GPA political parties and this may continue towards elections ♦ A referendum date is set which will lead to eventual elections.

3.2.5 Possible Scenarios

The processes towards elections are likely to be determined by the political parties; since they have struck consensus in the constitution process. The role of civil society and the broader citizenry is likely to be underplayed by the GPA parties as they seek to consolidate such consensus in defining processes towards an election. The parties are however likely to return into another cycle of disagreement; should there be lack of clarity on how the election road maps are to be handled given the emergence of a new constitution which is likely. ZANU-PF has already indicated that the party will not entertain any further reforms or go back to the election road map as the new constitution becomes the supreme law of the land. The MDC parties are however on record alluding that the election road map will still need implementation despite the possibility of a new constitution taking shape. The interaction of the new constitution, together with its legal framework and the current on-going SADC led reform process is unclear.

3.2.6 Key Recommendations

- ♦ SADC will need to be decisive and to engage with the political players in order to ensure there is clarity; otherwise the country goes into another long drawn reform impasse.
- ♦ Civil society must be pro-active in establishing a broad-based local election monitoring framework in order to avoid exclusion by political parties and SADC
- ♦ Civil society must advocate and lobby for free space for citizens to express themselves in the upcoming referendum process.
- ♦ Civil society needs to build its constituency capacity and legitimacy in order to attain higher levels of bargaining power in political processes (civil society needs to strengthen its mandate by ensuring it connects and represents grass roots structures).

3.3 Barometer Indicator 3: GPA Review Mechanism

3.3.1 Source of Barometer Indicator

Article XXIII of the GPA instructs that there be an annual periodic review of the agreement. The agreement specifies that the following shall be subject to the periodic review: “economic (restoration of economic stability and growth, sanctions, land question) Political (new constitution, promotion of equality, national healing and cohesion and unity, external interference, free political activity, rule of law, state organs and institutions, legislative agenda and priorities) Security (security of persons and prevention of violence) and Communication (media and external radio stations)”. Article XXIII also specifies that consultations shall be undertaken with consultation of the “guarantors”. It further instructs that upon the completion of the constitution process, the GPA and the relationships within it shall also be reviewed.

3.3.2 Key Prevailing issues

There has been no known periodic review of the GPA since its inception. This is a breach of the agreement. Such periodic reviews would have been critical in providing the public with indications of the state of the agreement as well as possible pointers for realignment. The review would have also indicated the key weaknesses in the implementation of the agreement as well the performance of the various signatory parties and their due compliance to its provisions. Now that the constitution process is moving towards the referendum, it will be critical to have a review of the GPA (at the conclusion of the constitution process). Should this be undertaken it will assist in the following ways:

- ◆ It will provide an overview of the key challenges in the implementation of the GPA which will be key considerations in anticipating key obstacles in shaping an environment conducive for a credible election.
- ◆ It will provide an opportunity to hold the GPA parties to account, which may shape their eventual conduct in the pending election
- ◆ It will also assist in determining whether the country is ready for an election or not.
- ◆ It will help expose the unimplemented areas of the GPA which may need to be addressed before an election is held.

3.3.3 Effects on Democratisation Process



From Left, Prime Minister Morgan Tsvangirai, President of South Africa Jacob Zuma, President Robert Mugabe and Deputy Prime Minister Arthur Mutamba

Cracknell states that “the trend towards the use of participatory methods in monitoring and evaluation is undoubtedly the most significant change currently taking place in the field of evaluation”. This is termed participatory evaluation, indicating that all key stakeholders must be part of the evaluation process. It therefore implies that if the review of the GPA had indeed taken place; with application of best practice; then it should have been approached from a broad participatory angle. In this case civil society and the citizenry should have been consulted and involved in such review.

The GPA states that the signatory parties needed to assign two members each to the periodic review committee. It was however expected that in the spirit of democracy, this committee would have either included civil society and broader citizenry or at least consulted with them in attaining an objective, balanced and over-arching evaluation of the GPA.

The failure by the GPA parties and the “guarantors” to push for periodic reviews therefore denotes to a

negation of Zimbabweans’ democratic right to both participate and be informed of the status and performance of an agreement that has been employed to govern them.

3.3.4 Barometer Indicator Scorecard

*Barometer Score Card Code: **Green** - High Implementation Score; **Orange** - Medium Implementation Score; **Red** – Low Implementation Score*

EVALUTATION COMPONENT	SCORECARD CODE	NOTES
IMPLEMENTATION PROGRESS		◆ No annual periodic review has been undertaken by the GPA parties since the inception of the agreement ◆ There is no indication of the parties' preparation for a post constitution process evaluation of the GPA

3.3.5 Possible Scenarios

It is unlikely that there will be any review of the GPA even upon the completion of the constitution process. The parties signatory to the GPA seem eager to proceed to elections and this is likely to suppress any intentions at evaluating the agreement. The precedence set from the first year of the GPA (where instruction to review was breached) is therefore likely to continue until the expiry of the agreement. This will likely lead to an election that does not fully take into account the outstanding reforms under the GPA; thereby leading towards some flawed transition.

3.3.6 Key Recommendations

- ◆ SADC should call for a special Zimbabwe elections summit upon the completion of the constitution process. This summit can also be employed to carry out an evaluation of the GPA as a way of exposing any outstanding issues that may likely affect the pending election. In that regard, civil society must be invited to provide input for such evaluation and to recommend a way forward in light of key indications arising from the evaluation.
- ◆ Civil society must begin to put mechanisms in place to provide a GPA evaluation in the post constitution period. This must be a result of the monitoring and observation activity of the GPA.
- ◆ Civil society must insist on an evaluation of the GPA at the completion of the constitution process and before an election is held, in compliance to the agreement.

3.4 Barometer Indicator 4: Restoration of Economic Growth and Stability

3.4.1 Source of Barometer Indicator

Article 111 of the Global Political Agreement hereinafter referred to as the GPA mandates the government of national unity to formulate and implement an economic recovery strategy plan. Key to this agenda is the addressing of issues of production, food security, poverty and unemployment and the challenges of high inflation, interest rates and exchange rate.

3.4.2 Key Prevailing issues

The implementation of a set of economic reforms since the formation of the Government of National Unity (GNU) has led to the stabilisation of the economy. This saw the halting of galloping inflation to single digit level and return of the economy to the growth path. According to the African Development Bank, “Real GDP grew by about 6% in 2009 and is estimated to have risen strongly to about 9.0% in 2010, reflecting strong performances in mining (47% growth) due to rising mineral and metal prices and higher agricultural output (34% growth) arising from higher output of tobacco, sugar, maize and cotton. Despite this growth in mining and agricultural activity and output; it has failed to stimulate a growth in the manufacturing Industry. John Robertson argues that this inverse relationship between agriculture and manufacturing is as a result of agrarian system based on the assault of property rights and failure to appreciate the complicated nurture of market mechanisms, financial relationships and property rights that used to keep the economy growing. More so, capacity utilisation in the manufacturing industry has dropped by 13 percentage points, from 57.2% to 44.2%. This has seen retailers resorting to imported products to fill the shelves at the detriment of local producers. A CZI economist observes that a snap retail survey across shops in Harare showed that 65% of the items on shop shelves are imported. The general picture from the productive sector of the economy points to a declining economy four years down the line after the initial hopes generated by the adoption of multi-currency regime.

The Ministry of Finance Mid-Term Fiscal Statement and Reserve Bank Monetary Policy Review 2012 identify a number of factors negatively affecting growth, and key among them are;

- ◆ A poor rain season
- ◆ Policy inconsistencies and uncertainties
- ◆ Lack of capital and the absence of alternative financing instruments
- ◆ Revenue underperformance against a high unsustainable wage bill, crowding out social and infrastructure spending among others.
- ◆ Indiscipline in the financial sector
- ◆ Adverse global economic developments and difficult external positions.

The revenue side of the economy has witnessed minute or no growth, resulting in the government failing to fund key government activities and reforms. The options have been very limited for government as the use of multiple currencies technically excludes deficit financing. Furthermore a majority of treasury bills it floated found no takers on the market. Reportages of leakages within the extractive industries have meant low revenues coming to the national coffers and accusations have been mostly directed at diamond mining companies. Partnership Africa Canada claims that more than US\$2bn in diamond revenue has failed to be remitted to the state and found its way to the ZANU PF patronage lines. Despite spirited denials from ZANU PF, the recent squabbles over diamond proceeds in Manicaland by ZANU PF officials gives credence to the PAC claims, as in two instances ZANU PF Manicaland Provincial Chairman (Mike Madiro) is alleged to have collected US\$750,000.00 and misappropriated it with some provincial leadership members. There have also been concerns about the capacities of Zimbabwe Revenue Authority (ZIMRA) effectively dealing with the challenge of revenue leakage. For instance in the Finance Bill and Budget Debate of 2012 it is observed that projected revenue had a huge disparity with present volumes of import. Two cases in point highlight this anomaly:

- * Import of vehicles alone in 2012 was to exceed US\$1.4bn against projected revenue of US\$392 million, and
- * Imports were expected to exceed US\$8bn and customs duty only reflected 4.8% of import trade when the averaged customs duty was 35%.

Considering the accuracy of the figures this would amount to revenue of over US\$2.5bn from customs only.

Global Political Agreement , Article 3.1(a)

African Development Bank, “Zimbabwe Country Brief 2011-2013”, <http://www.afdb.org/fileadmin/uploads/afdb/Documents/Project-and-Operations/Zimbabwe%20Country%20Brief%20June%202011.pdf>, accessed on 04 February 2013.

John Robertson, “Zimbabwe’s Economy in the First Quarter”, February 2013.

Confederation of Zimbabwe Industries, “The Annual CZI Manufacturing Survey 2012”

Dephine Mazambani, “Closures Hit Manufacturing Sector”, <http://www.czi.co.zw/images/stories/pdfFiles/a.pdf>, accessed on 04 February 2012.

See, Ministry of Finance, Mid-Term Fiscal Statement 2012 and Reserve Bank Monetary Policy Review 2012.

3.4.3 Effects On Democratisation Process



Minister of Finance, Tendai Biti, Flanked by media people just before his budget presentation in 2012 at the Zimbabwe Parliament

The decline in capacity utilisation and manufacturing sector has potential negative ramifications to the growth of the economy and shrinking of the revenue base. This is more telling in CZI President's warning that when producers close shop there will be no tax base to talk about and that may cripple government activities. The small revenue base has meant constrained fiscal space for the government to support key democratic reforms around issues of elections. The under resourcing of institutions such as the Zimbabwe Human Rights Commission and Zimbabwe Electoral Commission are some of the cases in point. ZEC was reported broke and to have failed to start voter registration in January 2013 as per schedule, which gives inadequate time for electoral preparation.

The gross revenue leakages within the extractive industries in particular have meant poor or no remission of funds to treasury. This has greatly undermined the capacity of government to finance key operations and reforms. PAC observes that in the 2011 February fiscal update the Minister of Finance alleges that US\$300million collected by the Zimbabwean Minerals Development Corporation (ZMDC) and the Minerals Marketing Commission of Zimbabwe (MMCZ) had not been remitted to the national coffers. Furthermore, mystery surrounds the 2.5 million carats of diamonds valued at conservative estimates of US\$200million following the Kinshasa agreement.

The failure of revenue to be directed to national coffers has been juxtaposed to stories of unexplained and unclear wealth accumulation of ZANU PF personalities and functionaries seconded to institutions dealing with diamond mining. This has seriously undermined the state, creating shadow state structures and mafia type syndicates engaged in resource plundering at the expense of national development. The extractive industry is thus mired in controversy and opaqueness with no any form of public accountability as the military remains firmly in control of this sector. William Reno characterises this as the shadow state, where these syndicates represent informally commercially oriented networks. The continued opaqueness of the extractive industry and failure by treasury to lay its hands on revenue from this sector is by design and fits well into Chabal and Daloz's analytical framework of instrumentalisation of disorder, Paul Cramer's analogy that 'War' is not a stupid thing and William Reno's shadow state. The recent allegations of Meikles having donated about 550 vehicles to ZANU PF worth US\$14million, after reportedly forming Meikles Resources Pvt Ltd and going into a partnership with ZMDC to seek a diamond mining licence. This raises questions of improper/corrupt funding of the ZANU PF War-Chest, the national coffers gain nothing. Moreover, a weak economy cannot sustain the constitutional democracy Zimbabwe wants to build.

Nelson Banya, "Cash Strapped Zimbabwe Fails to Sell T-Bills Again", Reuters, <http://www.reuters.com/article/2012/11/06/zimbabwe-bills-idUSL5E8M61VG20121106>, accessed on 06 February 2013.

Partnership Africa Canada, "Reap What You Sow: Greed and Corruption in Zimbabwe's Marange Diamond Fields", November 2012.

Parliament of Zimbabwe, http://www.parl.zim.gov.zw/attachments/article/30/27_November_2012_39-03.pdf, accessed on 06 February 2012.

Kumbirai Katsande, "Positioning Manufacturing For Economic Growth", <http://www.czi.co.zw/images/stories/pdfFiles/b.pdf>, accessed 06 February 2013

Kennedy Maposa "Zim Votes: Biti Seeks Donors for Elections", <http://mg.co.za/article/2013-02-01-zim-votes-biti-seeks-donors-for-elections>, accessed on 06 February 2013.

Partnership Africa Canada, "Reap What You Sow: Greed and Corruption in Zimbabwe's Marange Diamond Fields", November 2012, p2

Ibid.

3.4.4 Barometer Indicator Scorecard

Barometer Score Card Code: **Green** - High Implementation Score; **Orange** - Medium Implementation Score; **Red** – Low Implementation Score

EVALUTATION COMPONENT	SCORECARD CODE	NOTES
IMPLEMENTATION PROGRESS		♦ Economic gains attained at inception of the GPA are being eroded ♦ Political patronage systems continue to manifest in the economy ♦ Serious lack of capital and capital sources in the economy ♦ Incapacity to sustain and maintain democratic reforms

3.4.5 Possible Scenarios

The KPCS admission of Zimbabwe and continued opaque nature of the extractive industries means treasury will have to content with a low revenue base. At the same time there are potential threats of the loot accrued from the extractive industries used to fan violence and intimidation. The secret bankrolling of ZANU PF by diamond firms as shown in the Madiro and others case, and Meikles donation of 550 cars; show that behind the curtains brown envelopes will continue to be forwarded to ZANU PF while the national coffers remain dry. The most probable threat will be the existence of well-resourced paramilitary groups or militias competing with under-resourced national institutions and organs. In an event of election that goes unfavourable to these groups there is a possibility of eruption of lawlessness and chaos.

3.4.6 Key Recommendations

- ♦ Civil society needs to continuously mobilise and exert pressure on the extractive industries and push for more transparency. There is need for follow up on on-going research on the extractive industry, build up on the reports produced and further advocacy.
- ♦ Civil Society needs to continuously explore the new frameworks of engagement under the Kimberly Process in particular the discourse around conflict diamonds and push for measures that will seek to curtail the opaque nature of the extractive industry. This will also entail more advocacy work particularly within African countries and the Third World who have been stalling reforms within the Kimberly Process.
- ♦ There is need to revisit the debate around the Diamond Control Revenue Bill of 2011 and push for legislative reforms that promotes transparency within the extractive industries. Therefore there is serious growing need for legislative reform and alternative models of revenue collection that seeks to minimise the current excessive revenue leakages.
- ♦ Finally there is need for Government, Civil Society and Business to engage on the issue of the economy and remove all policy inconsistencies and address challenges that are stagnating growth. Key issues to consider will be indigenisation, land question, liquidity challenges and power generation and infrastructure development.

Robert Mhlanga, a former Mugabe pilot and Chairman of ZMDC was reported to have bought an R200million mansion in La Lucia, Durban, South Africa and Obert Mpofu (current Minister of Mines) bought into ZABGG bank and has unexplained wealth.

See, Southern Africa Resource Watch, "Zimbabwe: Mines Committee Barred from Chiadzwa Again", <http://www.sarwatch.org/india/124-mining-and-politics-in-zimbabwe/1376-zimbabwe-mines-committee-barred-from-chiadzwa-again.html>, accessed 06 February 2013.

All Africa, "Zimbabwe: Meikles Mogul Donates Cars to ZANU PF", <http://allafrica.com/stories/201302081274.html>, accessed 12 February 2013.

3.5. Barometer Indicator 5: Behaviour and conduct of State Organs and Institutions

3.5.1 Source Of Barometer Indicator



From right, Augustine Chihuri, Police Commissioner General, Constantine Chiwenga, Zimbabwe Defence Forces Commander, Perence Shiri, Commander of Air Forces of Zimbabwe and Paradzai Zimondi, Prisons Commissioner General.

Article XIII of the Global Political Agreement compels state organs and institutions to be non-partisan and impartial in the discharge of their duties. The parties to the GPA therefore bound themselves to the following:

- ◆ Inclusion of human rights, international humanitarian law and statute law in the training curriculum of members of the uniformed forces; so that there is greater understanding and full appreciation of their roles and duties in a multi-party democratic system;
- ◆ Ensuring that all state organs and institutions strictly observe the principles of the Rule of Law and remain non-partisan and impartial;
- ◆ Laws and regulations governing state organs and institutions are strictly adhered to and those violating them be penalised without fear or favour; and
- ◆ Recruitment policies and practices are conducted in a manner that ensures that no political or other form of favouritism is practised.

3.5.2 Key Prevailing Issues

Article XVIII remains one of the key contested areas of reform within the GPA. Key among the issues is to do with the role of uniformed forces in a democracy and their impartiality. Leading personnel within the uniformed forces have openly pronounced their loyalty and support to ZANU PF, which has led to SADC to warn the military of their behaviour and not meddle into politics but remain professional, at the side-lines of the South Africa-Zimbabwe 7th Joint Permanent Commission on Defence and Security held at Mount Nelson Hotel in Cape Town from November 21-23 2013. The Minister of Defence (Emerson Mnangagwa) has been on record arguing that the military have a right to be actively involved in politics. These statements are clear instigation of indiscipline within the uniformed forces, and a form of dishonesty, given the history of the uniformed forces in perpetuating electoral related violence in Zimbabwe.

On the other hand, the threat of Alfonso Dhlakama's RENAMO resorting to war to settle its grievances with FRELIMO has seen the deployment of soldiers along the Mozambican/Zimbabwean border in Manicaland province. However, this has raised fears about the possibly abuse of the army to harass non-ZANU PF members on the pretext of national security. This is despite that Dhlakama's threats are more imagined than real as RENAMO has lost its fighting capability.

3.5.3 Effects On Democratisation Process

The failure to undertake reforms within the security sector by the GNU presents challenges to the transition to democracy in Zimbabwe. The un-reformed security sector remains a distant cloud in the horizon that may brew a storm in Zimbabwe's transition. ZANU PF has treated the issue of security sector reform as a taboo and prevented any attempts to professionalise this sector. This is more telling in Defence Minister Emmerson Mnangagwa's statements; *"They want to hear that you are compliant, that you accept security sector reforms. What does that mean? It means to have non-governmental organisations and trade unions operating in the defence forces. Pasi nazvo! They would want you to say you are non-political, you must serve any Government"*. This has a potential effect of instigating a coup by the uniformed forces in the event of an unfavourable electoral outcome to ZANU PF.

Furthermore, the politicisation of the uniformed forces may create an undisciplined military that may end up subverting civilian rule, thus undermining democracy. A failure to rein in the uniformed forces may also create an unfair electoral playing field given the experiences of 27th June 2008 run-off election where certain sectors within the security sector unleashed an orgy of violence and terror through operation *makavhotera papi*?

The continued arrests, political prosecution of CSO activists and non-ZANU PF members further erodes the public's confidence in democratic pro-

Global Political Agreement, Article 13:1
Global Political Agreement, Article 13:2(a, b, c and d)

The Zimbabwe Mail. "Soldiers Free to join Political Parties of Their Choice", <http://www.thezimbabweemail.com/zimbabwe/15679-soldiers-free-to-join-parties-of-their-choice-mnangagwa.html>, accessed on 07 February 2013.

Tangai Chipangura. "It is the Generals, Not Foot Soldiers Cde Mnangagwa", The Newsday <http://www.newsday.co.zw/2013/02/05/it-is-the-generals-not-foot-soldiers-cde-mnangagwa/>, accessed on 07 February 2013.

3.5.4 Barometer Indicator Scorecard

Barometer Score Card Code: **Green** - High Implementation Score; **Orange** - Medium Implementation Score; **Red** – Low Implementation Score

EVALUTATION COMPONENT	SCORECARD CODE	NOTES
IMPLEMENTATION PROGRESS		♦ Security sector operations continue to be partisan ♦ Minister of Defence has endorsed that military can be involved in politics and can join political parties. ♦ Deployments of military personnel in communities is seen as a way of intimidating voters before the upcoming elections

3.5.5 Possible Scenarios



The current threats or challenges posed by the unreformed state organs and institutions in Zimbabwe can lead to a failed democratic transition. The first threat is the failure of uniformed forces accepting an unfavourably electoral outcome. The second threat is the erosion of public confidence in organs of the state and institutions. The third threat is undermining peaceful transfer of political power to whoever wins.

The first threat may lead to the uniformed forces contesting an electoral outcome that they perceive is inimical to their interests. This is more apparent in statements made by Major-Generals Douglas Nyikayaramba, Trust Mugoba and Martin Chedondo, who openly declared their loyalty to Zanu PF and said they would not salute Morgan Tsvangirai, who is the most likely person to beat Zanu PF to the Presidency of Zimbabwe. The second threat is the erosion of public confidence in organs of the state and institutions such as the army and police force as guarantors of peace and stability, and as well as the judiciary system. Such a scenario may seriously undermine these institutions and promote lawlessness as the public will lose their trust and take matters into their own hands. The most dangerous threat, though latent is the loss of faith in seeking power through civilian means and resort to armed violence as an alternative. This may lead to a Somalia type of society where factions of warlords end up controlling certain sections of society.

Therefore, the situation remains dicey and very fragile, with need for sober minds to address the concerns raised in Article XVIII. The holding of elections without reforms dealing with the conduct of uniformed forces may torpedo democratic transition.

3.5.6 Key Recommendations

- ♦ Civil society needs to continuously press for security sector reforms and continuously raise this in its advocacy work. This needs to be re-emphasised within the region that the military still pose a serious threat to the democratic transition in Zimbabwe
- ♦ Alternatively, instead of trying to address the whole agenda of security sector reform, which has proven to be difficult and too encompassing, parties within the GPA or CSOs may lobby SADC to develop a specific code of conduct for military conduct during elections. This could be signed by the parties as a way of regulating the way in which the military must behave during elections. This is provided for in the African Charter on Democracy and Governance. It specifies that specific code of conducts for political stakeholders can be signed to regulate their conduct and behaviour during an election

Meaning, "Down with security Sector reform".

The Zimbabwe Mail. "No To Security Sector Reform", <http://www.thezimbabwemail.com/zimbabwe/15699-no-to-security-sector-reforms-mnangagwa.html>, accessed on 07 February 2013.

This is Shona vernacular for whom did you vote for? This was after Zimbabweans had overwhelmingly voted for the MDC-T in the presidential elections of March 2008, handing Robert Mugabe and ZANU PF their first major electoral defeat.

Tangai Chipangura. "It is the Generals, Not Foot Soldiers Cde Mnangagwa", The Newsday <http://www.newsday.co.zw/2013/02/05/it-is-the-generals-not-foot-soldiers-cde-mnangagwa/>, accessed on 07 February 2013.

3.6 Barometer Indicator 6: Security of Persons and Prevention of Violence

3.6.1 Source of Barometer Indicator



Crisis in Zimbabwe Coalition Chairperson and Zimrights Director, Okay Machisa hugging his daughter on his release from the police custody.

for persecution. This has seen the arrest of CSO personnel or the raiding of offices on baseless grounds of looking for subversive material. Currently the Offices of the Zimbabwe Human Rights Organisation (ZIMRIGHTS), National Youth Development Trust (NYDT), Zimbabwe Peace Project (ZPP) have been raided. The ZIMRIGHTS director Okay Machisa and Deputy Programmes Coordinator Leo Chamahwinye have been arrested.

There is also a growing culture of impunity amongst perpetrators of violence such as war veterans. The campaigns by Jabulani Sibanda in Masvingo and Manicaland provinces show continued belief in the use of violence and intimidation tactics for electoral gain. This is in stark contrast of Article 18.5 (a-c). Despite the general calm and peace that has existed after the consummation of the GPA there have been isolated cases of political violence. In November 2012 the MDC -T Treasurer for John Kinnaird and his wife Jackie were attacked by a group of ZANU PF members and made off with some cash. There have also been intensified calls from political leaders on the need to conduct violence free elections. President Mugabe has of late on a number of occasions called for violence free and peaceful elections.

These calls against violence were also echoed by the Zimbabwe Republic Police, through Deputy Commissioner Godwin Matanga; “I wish to assure the country that ZRP (Zimbabwe Republic Police) will be equal to the job at hand,” he said. “The organisation will not fold its arms and watch lawlessness being perpetrated against peace-loving Zimbabweans. Perpetrators of violence will be brought to book regardless of political status or affiliation”. However, the prevailing situation is that despite these calls this has done little to deter especially ZANU PF members from violent conducts with no action taken against them. In Mutare the American Ambassador, Mr Bruce Wharton, was ambushed by a rowdy group of ZANU PF women who stripped naked in front of him in protest. There was no any reprimand taken on this group by ZANU PF and no action taken by the Police despite the acts of public indecency.

Article XVIII of the Global Political Agreement speaks to the security of persons and prevention of violence. It notes and deplores the use of violence in resolving political differences and achieving political ends by political parties, State actors and Non-State actors. It further raises concern on the displacement of people by the election of June 27, 2008 and its ramifications in curtailing free will in making political choices. The parties to the GPA therefore, commit themselves to the preservation of peace and security through the denunciation of, and desisting from all forms violence; government to apply the law impartially in bringing perpetrators of violence and ensure the security of all persons and property.

3.6.2 Key Prevailing issues

There has been the continued arrest of non-ZANU PF party activists and civil society personnel. The detention of MDC-T Youth Leader (Solomon Madzore) and others over weak charges is one case in point. Furthermore, there has been a steady rise in the number of Civil Society Organisations or leaders being targeted



Zimbabwe activists in Pretoria South Africa, protesting at the Pretoria High Court about the denial by South African Police to arrest perpetrators of violence in Zimbabwe when they enter South Africa. The call by the activists was later granted by the High Court.

Global Political Agreement , Article 18

Global Political Agreement , Article 18.1

Global Political Agreement , Article 18.2-4

Global Political Agreement , Article 18.5(a-j)

Crisis in Zimbabwe Coalition. “Police Raid ZPP Offices in Harare”, February 12, 2013.

See, Tichaona Sibanda. “Jabulani Sibanda Threatens MDC Supporters in Chipinge”, <http://www.swradiofrica.com/2013/01/21/jabulani-sibanda-threatens-mdc-supporters-in-chippinge/>, and Newsday. “Sibanda Exposing Mugabe Duplicity”, <http://www.newsday.co.zw/2012/11/24/sibanda-exposing-mugabe-duplicity/>, accessed on 08 February 2013.

Crisis in Zimbabwe Coalition, “CSO’s Joint Statement on the Criminalisation of CSOs and Their Work in Zimbabwe” 18 January 2013.

Tererai Karimakhwenda. “MDC-T Treasurer Speaks About Kadoma Violent Attack” <http://www.swradiofrica.com/2012/11/02/mdc-t-treasurer-speaks-about-violent-kadoma-attack/>, accessed on 08 February 2013.

3.6.3 Effects on Democratisation Process

One of the key erosion of democracy in Zimbabwe has been the culture of violence and lawlessness that started with the farm invasions of 2000, June 2000 elections and culminating to the March 2008 elections. Machakanja argues that, “*One distinctive feature of the Zimbabwean crisis is that the 10-year period of political violence is seldom described as an ‘armed conflict’ due to the latent nature of the issues that fed and sustained the crisis*”. Therefore this has seriously undermined democracy in Zimbabwe as opposition parties have always met strong violence and intimidation from ZANU PF.

The National Democratic Institute in a presentation before the US House of Representatives on International Relations Sub-Committee on Africa in June 2000 observed that, “*The effects of violence and attempts at political intimidation have undermined trust among many Zimbabweans in the secrecy of the ballot and have raised fears of retribution for voting against the ruling political party*”. Therefore, the transition to democracy in Zimbabwe is under threat as civil liberties are curtailed and security of persons not guaranteed. According to the International Institute for Democracy and Electoral Assistance (IDEA), “*The concept of human security emphasizes the protection of people from grave threats to their lives, safety from harm and violent conflict...*” However, the continued pose of threat to CSO leaders and activists, journalists and non-ZANU PF political party members by war veterans and State organs and institutions presents a major threat to the transition in democracy.

3.6.4 Barometer Indicator Scorecard

Barometer Score Card Code: **Green** - High Implementation Score; **Orange** - Medium Implementation Score; **Red** – Low Implementation Score

EVALUTATION COMPONENT	SCORECARD CODE	NOTES
IMPLEMENTATION PROGRESS		◆ As Mugabe calls for peace, there is evident violations by party supporters and securocrats ◆ Culture of impunity continues ◆ Worrying trend of crackdown on pro-democracy activists and civil society

Newsday. “Police Warn Against Violence”, <http://www.newsday.co.zw/2012/12/05/police-warn-against-violence/>, accessed 08February 2013.

The Zimbabwe Mail. “I Will Continue to Strip ZANU PF Stripper”, <http://www.thezimbabwemail.com/mobile/zimbabwe/15522-i-will-continue-to-strip-zanu-pf-stripper.html>, accessed on 08 February 2013.

Pamela Machakanja. “National Healing and Reconciliation in Zimbabwe: Challenges and Opportunities”, <http://www.ijr.org.za/publications/pdfs/UR%20AP%20Monograph%201%20Zimbabwe%20WEB.pdf>, accessed on 08 February 2013.

National Democratic Institute, http://www.ndi.org/files/1144_zw_demline.pdf, accessed on 08 February 2013.

IDEA. (2006) “Democracy, Conflict and Human Security, Policy Summary: Key Findings and Recommendations.” P6.

3.6.5 Possible Scenarios

Cervellati et al further observe that, “*violent conflict during democratic transitions have persistent negative effects on the quality of the emerging democracies*”. The failure to address issues of violence and impunity by the GPA is most likely going to negatively affect the forthcoming elections as some communities will be gripped by fear to go and vote. There is a huge potential of apathy in the coming elections. Bekoe observes that, “*An analysis by Afrobarometer of Africans’ view of democracy suggests that poor elections are to blame for dissatisfaction with elections as means to attain political representation ... On the other hand, Zimbabwe, Nigeria and Zambia, where elections have been more violent and controversial, are the least satisfied.*” Therefore, there is a great likelihood that forthcoming harmonised elections maybe marred by voters’ indifference.

The other most likely scenario is that there will be no violence to the proportion of 2008 but isolated cases of covert violence to cow citizens into political submission. This will entail intimidation of people and reminder of the violence of 2008. War Veterans Leader, Jabulani Sibanda is running similar campaigns in Manicaland and Masvingo Province. Alternatively the level of intimidation maybe modelled along the *operation chimumumu* conducted during the constitutional outreach programme.

The last likely scenario is that there will be increased political prosecution and intimidation of pro-democracy activists. This will be more pronounced as we gear towards elections, mainly to intimidate CSOs. The expected result will be a cowed civil society and continued threats to the security of persons. The forthcoming election will be a make or break for ZANU PF and MDC, hence the high stakes and risks for CSOs.

3.6.6 Key Recommendations

- ◆ Civil Society Organisations need to build and strengthen its regional solidarity programmes especially around the arrest of CSO activists and leaders.
- ◆ There is also need to seek increased support for human rights defenders especially towards the elections as more people will likely face political prosecution.
- ◆ There is need for intense civic education campaign, particularly among the new generation of first time voters.
- ◆ There is need to lobby for long term international observers to the electoral process. With the possibility of involvement of the UNDP in the electoral process opportunities for lobby and advocacy exists for CSOs to press for the elections to be conducted under acceptable international standards and guidelines.

4.0. Within the Light Grey Zone

Based on the six indicators used to measure Zimbabwe’s transition trajectory in the past two months, we now need to theorise what kind of transition the trajectory is taking. Note that transitional politics by its very nature is fluid and Zimbabwe is no exception. Consequently, this is a time-bound analysis as of mid- February 2013 which we shall re-visit in April 2013. Where is Zimbabwe heading toward? We have highlighted the four transitional outcomes which are precluded transition, blocked transition, flawed transition (derailed and prolonged) and democratic transition. We now revisit them in relation to our analysis of Zimbabwe Election Commission’s readiness for elections (voter registration), Constitution process, GPA periodic review mechanism, Restoration of economic growth and stability, behaviour and conduct of state organs and institutions and security of persons and prevention of violence.

As from our previous edition we maintain that Zimbabwe is not heading toward a precluded transition because there are no evident prospects of a civil war, there are no warlords and armed groups fighting the state like the situation in Sudan in the 1990s. We also reaffirm that the past two months have not changed our view that the country is not precipitating toward a Blocked Transition. It is clearly evident that Zimbabwe is moving toward an election. The political parties in the inclusive government have set the referendum date on March 16 and the harmonised elections tentatively in July 2013. Given the targeted persecution of NGOs working on elections related issues and the manipulation of state institutions and electoral processes to favour the incumbent in the past two months we still conclude that Zimbabwe is not yet on the path to a democratic transition.

However, from our analysis one can not conclude that the Zimbabwe transition is taking a trajectory of an abstract Flawed Transition as we concluded in the previous months. This is not because our analysis was wrong but as we hinted, political transitions are very fluid in nature and whatever analysis we make is informed by developments on the ground. The political events in the past two months have been more fluid and require a conceptual re-work of orthodox theories meant to understand transitions in Africa. The incumbent is making frantic efforts to gain political legitimacy through concessions to selected reforms consistent with characteristics of a flawed transition. However, the incumbent is finding it difficult to acquire legitimacy due to counter-efforts from the independent media, civil society, other political parties, SADC and the international community. Hence without prospects of legitimacy and stability the chances of a derailed transition are slim. This is compounded by the unlikelihood of an outright parliamentary majority. We therefore conclude that Zimbabwe is heading toward a more specific variant of a flawed transition which we have defined as a prolonged transition. Whether Zimbabwe will proceed toward a democratic transition or regress into a derailed transition will effectively be determined by the (in) action of all stakeholders in the next 4 months. Our next review is in April 2013 after the referendum.

In summation, we restate our case in the table below.

Transition Projection as of February 2013

Possible Transition Outcomes (PTOs)	Transition code	Is this Zimbabwe's trajectory?	Why?
Precluded transition		NO	State is functional No civil war No military warlords
Blocked transition		NO	Referendum set for March 2013, Elections likely in July 2013
Flawed transition (a) Derailed		Less likely	Political legitimacy difficult to attain Outright parliamentary majority difficult to get The cost of opposition too high for stability
Flawed transition (b) Prolonged transition		Most likely	Manipulation of state institutions undermining legitimacy Manipulation of electoral processes eroding legitimacy Contestation over electoral processes Outright parliamentary majority difficult to win Need for legitimization from opposition Trends of elite cohesion
Democratic transition		NO	No security of persons Undemocratic conduct and behaviour of military elites Partisan voter registration Harassment and political persecution of civil society activists No money to fund necessary programs Contested voters' roll