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Media Monitoring Project Zimbabwe

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Election Watch 2013-16

HATE SPEECH

Hate speech poisons pre-election environment

Hate speech, never far from the editorial pages of some sections of Zimbabwe's media, has returned with a vengeance in recent weeks.

The arrest and harassment by the authorities of MDC-T officials and others, and the response to these events by civil society and the international community, have apparently sparked these latest outbursts.

This was reflected by the proliferation of hate language, mostly in reports and on the opinion pages of the government-controlled state newspapers.

In March alone, for example, there were 14 articles in these state-controlled papers that contained abusive, intimidating, intolerant and false commentary against human rights defenders, mainly those figures and institutions in civil society, and particularly against human rights lawyer Beatrice Mtetwa. Others to fall victim of this onslaught included those critical of ZANU PF policies, among them Reserve Bank Governor Gideon Gono.

Mtetwa was arrested and detained on March 17th for allegedly obstructing the course of justice and insulting police officers when she attended the scene of a police raid on the Prime Minister's Belgravia offices where four MDC-T officials were arrested and subsequently charged with impersonating police officers.

At the same time, the state-owned *Herald* carried a series of stories undermining the reputation of High Court Judge Justice Charles Hungwe and the Zimbabwe Anti-Corruption Commission (ZACC).

In the case of Justice Hungwe, *The Herald* stories allegedly exposed what it quoted unidentified **"experts"** and commentators describing as **"gross incompetence"** or **"criminal negligence"**. This initially referred to a story the paper carried claiming the judge had failed to sentence a man he had convicted of murder and armed robbery 10 years ago and who was still languishing in remand prison.

This story followed hard on the heels of the news about the judge's decision to grant the anti-corruption commission warrants to search the offices of three ZANU PF ministers, specifically, Indigenization Minister, Saviour Kasukuwere, Mines Minister, Obert Mpofu, and Transport Minister Nicholas Goche.

In all, the paper carried six news stories related to the judge's alleged irregular conduct and four critical opinion pieces that also attacked Mtetwa and ZACC's commissioners. Notably, the Judicial Services Commission was reported as raising questions about columnists "maligning" a member of the judiciary. But later, after Justice Minister Patrick Chinamasa had submitted a report to the President on Justice Hungwe's conduct, *The Herald* carried another news story (15/4) reminding its readers that the law states President Mugabe has no option but to institute an inquiry into the judge's conduct.

The paper's 16 news reports of irregular activity at the anti-corruption commission also emerged after Judge Hungwe had granted the watchdog search warrants for the offices of three ZANU PF ministers.

Subsequently, the paper reported on the "transfer" of ZACC's chairman of commissioners and of allegedly corrupt and irregular activities at the commission.

In one of the four critical opinion pieces *The Herald* and its sister paper, *The Sunday Mail*, carried on the attempts by ZACC to investigate the activities of the three ministers (*Sunday Mail* 27/3), Reserve Bank Governor, Gideon Gono, was named as the source of information and was accused of feeding this to the four MDC-T officials arrested and detained on charges of impersonating police officers. They were accused of collecting information and compiling "**dockets**" on the activities of the three ministries and feeding the information to ZACC.

In this way the state newspapers implicated Justice Hungwe in what their opinion writers described as a conspiracy to discredit the ministries under investigation, and of "collaborating" with Mtetwa's defence counsel to have the human rights lawyer released on bail at an urgent hearing at midnight held at the judge's farm. In its news report (27/3) *The Herald* suggested the circumstances in which the bail order was granted was highly irregular, citing "the absence of an official from the Attorney-General's office".

Altogether, the state newspapers carried 23 news stories related to these events and 11 editorial opinion pieces and so-called news analysis.

MMPZ judged that as many as 14 of these stories contained elements of hate speech where abusive and offensive language was used to reinforce their perception that the players in these events had contributed to destroying their own reputations and deserved the criticism.

Part of the definition of hate language is its intention to excite hostility and public contempt for those individuals or groups who are its targets. Once this has been achieved it is easier to suggest the victims no longer deserve to have their basic human rights protected.

With the help of its unidentified **“analysts”, “experts”, “sources”** and commentators, the state Press – and especially *The Herald* – set itself up as the investigators, judge and jury in their pursuit of dismantling Justice Hungwe’s reputation, and those of Beatrice Mtetwa, Gideon Gono and the ZACC commissioners.

Reinforcing these anonymous voices in their news pages, ZANU PF’s Politburo member Jonathan Moyo, *The Herald’s* political editor Caesar Zvayi and columnist Panganai Kahuni, acted as the main architects of this campaign in the opinion and analysis columns of the state papers, supported by UZ lecturer Charity Manyeruke and Gabriel Chaibva, another ZANU PF acolyte who defected from the MDC-T.

Beatrice Mtetwa

Much of the content of the attacks on Mtetwa in the month clearly attempted to destroy the lawyer’s public reputation, discredit her work and offend her personally.

For example, in *Untouchable: The sad story*, published in *The Sunday Mail* (24/3), Moyo describes Mtetwa as a **“self-styled human rights lawyer who is known less for her legal thinking or practice and more for her stage-managed antics in and outside the court, some of which have been used by dubious institutions to reward her with equally dubious awards that do not have self-evident merit”** (*The Sunday Mail*, 24/3).

Criticizing her on the basis of her Swazi origins, he claimed that Mtetwa, **“who hails from Swaziland and who lives in Zimbabwe on a work permit as a resident who travels on a Swazi passport”** had become **“a notorious untouchable celebrated in the legal fraternity not for her legal work about which there’s precious little to show, but for her corrupt presumption of impunity when it comes to her now well-documented reckless confrontation with law enforcement agencies always designed to grab dramatic news headlines”**.

Moyo said that in her **“latest brush with the law”**, Mtetwa **“rushed to the scene of the crime and because she presumes herself to be an untouchable with impunity, she hit the ground with her foul mouth against the police as wide-open as Morgan Tsvangirai’s zip”**.

In another article, *Of disrespectful daughters-in-law*, which appeared in *The Herald* (27/3), Zvayi scorned Mtetwa on the grounds of her descent and marital status. It also carried a latent threat that she was a foreigner and could face the prospect of being deported.

He wrote: **“This daughter-in-law of ours, who is in fact no longer with the son who brought her here, should remember that she stays here on the good graces of the same Government she bad mouths without a sense of irony. If that Government did not respect her rights, it would have cancelled her residency permit ages ago and put her on the next plane to Mbabane... And there won’t be anything she or her friends like Kerry Kennedy can do about it”**.

Justice Hungwe

In their news stories on Justice Hungwe's alleged misconduct, (*The Herald*, 16, 21, 23, 24 & 25/3 and 1, 2, 4, 5, 6 & 10/4 and *The Sunday Mail*, 24/3), the state papers resorted to using unnamed sources to attack the judge.

For example, *The Sunday Mail* (24/3) quoted an unnamed "advocate" equating Hungwe's failure to sentence the man he had convicted of murder and armed robbery to "**criminal negligence**".

Said the advocate: ***"This means the public...has suffered double jeopardy. On the one hand we have justice denied through Justice Hungwe's grossly delayed sentence dating back to some 10 years ago. On the other hand, we have a very clear unavoidable case of either gross incompetence or criminal negligence on Judge Hungwe's part whose delayed sentence is nothing short of an inexcusable scandal which smacks of corruption of the criminal justice system."***

Similar sentiments were echoed by "**social commentator**" Gabriel Chaibva, who was reported "**slamming**" Hungwe: ***"Justice was not delivered here... In my view the judge is answerable to this case... In politics such cases are treasonous..."*** (*The Herald*, 25/3)

Anti-Corruption Commission

THE state media also carried reports criticizing ZACC for launching investigations into the suspected corrupt operations of the Zimbabwe Mining Development Corporation (ZMDC), the National Indigenization and Economic Empowerment Board (NIEEB) and the Zimbabwe National Road Administration (Zinara) – entities which fall under the jurisdiction of three ZANU PF ministers.

The campaign against ZACC escalated after the corruption watchdog obtained search warrants against the three ZANU PF ministers from Justice Hungwe on March 11th.

In addition to criticizing ZACC for "**unprocedurally**", "**erroneously**" and "**illegally**" obtaining the search warrants and targeting ZANU PF officials, the state papers also carried reports raising other allegations against ZACC, which undermined its credibility (*The Herald*, 16 & 22/3 and 11/4 and *The Sunday Mail*, 24/3).

These mostly centred on corruption and included reports that ZACC had misappropriated US\$5,5 million provided by the RBZ in 2008 for the commission to provide houses for its workers; that Gono was the brains behind ZACC's attempts to investigate ZANU PF ministers; and the arrest and court appearance of senior ZACC officials on corruption and impersonation charges.

An article in *The Herald* (2/4) titled: ZACC: *Who will watch the watchers?*, summed up the newspaper's attitude towards the anti-graft body: ***"Despite being in existence for over a decade, ZACC has not justified its existence..."***

"All of a sudden the commissioners have got off their laurels, a commendable development if the manner they are going about it was not so suspicious".

The article complained: ***"No one knows the criteria the ZACC commissioners are using that makes them target three ministries and the state enterprises that fall under them all headed by people drawn from one of three political parties in the inclusive Government, ZANU-PF".***

Earlier, *The Herald* (21/3) reported unidentified ***"analysts"*** and ***"sources"*** also accusing ZACC of pursuing political objectives.

One of these was reported claiming: ***"The MDC-T has identified these ministers and the state enterprises that fall under them as three of the four critical pillars to the ZANU-PF campaign and its message, and hence is using its appointees in ZACC to try to soil the ZANU-PF campaign".***

CONSTITUTIONAL REFORM

Media fails to probe referendum results



Zlatkovsky (Russia)

WAN-IFRA

ALL the media gave widespread coverage to the 'successful' holding of the constitutional referendum on March 16th.

According to figures released by ZEC, 3,079,966 people voted for the adoption of the draft constitution, while 179,489 voted 'No'. A total of 56,627 ballots were rejected, bringing the total number of votes cast in the referendum to an historic 3,316,083 (ZBC, 19/3, 8pm and *The Herald*, *Daily News* & *NewsDay*, 20/3).

Following ZEC's announcement of this extraordinary result, all the media responded by publicising congratulatory messages from a wide cross-section of Zimbabwean society, the region and the international community, endorsing the referendum as having been 'credible' and 'peaceful'.

Peace during the referendum was never an issue. All media were at least united in documenting the process as being held under generally peaceful conditions.

But was it credible?

There appeared very little media scrutiny of the administration of the vote itself. For example, none of the media investigated or sought information from ZEC and other election watchdogs on how post voting procedures had been conducted and managed.

That is, none showed an interest in examining the transparency of the vote counting, tabulation and verification of the results and how these had been conducted.

This lack of hands-on journalism manifested itself in the way the private media failed to compare its earlier reports of widespread voter apathy to the massive turnout eventually announced by ZEC.

This gap remains to be explained.

Although some of the private media reported the NCA and the MDC-T accusing ZEC of rigging the results (*Daily News*, *Financial Gazette* and *Zimbabwe Independent*, 21, 28, 29/3 and SW Radio Africa, 9/4), none of them investigated these claims.

In one such case, the *Daily News* (21/3) reported NCA chairman Lovemore Madhuku telling a news conference in Harare that his organization did not recognize the results on the grounds that the figures were **“doctored”** by ZEC.

Madhuku claimed that the **“conduct of the referendum was neither credible nor satisfactory”**, adding: **“To claim that there was close to a million more voters in the referendum than in the March 2008 harmonized elections is to take the public for fools”** (*Daily News*, 21/3).

He cited several reasons, including that of an inadequate notice period; that copies of the draft were unavailable; that State and donor resources were only available for the “Yes” campaign; that the police banned many vote “No” rallies; and that those opposed to the draft were subjected to hate speech by Prime Minister Tsvangirai, who described them as **“nhinhi”** (stubborn) in Sunningdale and as having **“mamhepo”** (possessed evil spirits) at a Bulawayo rally.

In another story, the *Independent* (29/3) reported MDC-T secretary-general Tendai Biti claiming that exit polls conducted by his party’s polling agents indicated the referendum figures were **“tweaked”** by between 10 and 15%.

Speaking at a public discussion hosted by the Sapes Trust think-tank NGO in Harare, Biti alleged discrepancies between ZEC’s figures and those collated by MDC-T agents, whom he claimed, **“covered all the polling stations nationally”** (*Independent*, 29/3).

Biti said that he was dismayed that some constituencies and districts recorded a higher voter turnout than the population ordinarily resident in the areas according to the last census statistics: **“We did not announce our own set of results out of respect for ZEC and (Justice) Rita Makarau, but we are fairly convinced by our parallel processes”**.

The previous day (28/3), the *Gazette* reported the findings of the Elections Resource Centre (ERC) stating that there were anomalies in ballot counting, mostly citing the case of Glen View South constituency, while SW Radio Africa (9/4) reported UK based Zimbabwean activist Ephraim Tapa, who was visiting Zimbabwe, claiming **“widespread voter apathy”**.

The *Gazette* reported the ERC as saying that returning officers at some counting centres **“were not at liberty to either disclose or display the results as they were being channelled directly to the national command centre”**.

But without the media taking any investigative interest in these issues, such claims of electoral irregularities by the MDC-T, the NCA and other election watchdogs in civil society risk being dismissed as lone voices in the wilderness.

Such lack of interest is an indictment of the media's watchdog role to encourage transparency and accountability in national processes and ensure that the citizenry is informed and empowered.

RIGHTS ABUSES

Rights violations reflect crackdown on civil society

THE media recorded 23 incidents of rights abuses, 17 (79%) of which appeared in the private media.

The remaining six featured in the official state media.

Here is a selection of some of them:

- A warning by police spokesperson Charity Charamba that people who receive radios that are not compatible with State-owned stations will be arrested together with organizations, which distribute the gadgets. Charamba told journalists at a Press conference in Harare that the possession and distribution of the devices was illegal. She accused foreign-based radio stations that include Studio 7, of disseminating hate speech and creating fertile ground for political violence. The private media reported the warning as having set the stage for a massive crackdown mostly against people living in rural areas, as they are ones who tune in to independent radio stations, such as Studio 7 and SW Radio Africa, as alternative sources of information to the state broadcaster (*Daily News* and *The Standard*, 20 & 24/2).
- News of a police raid on the Bulawayo-based Radio Dialogue during which they confiscated short wave radios from the community radio station (*The Zimbabwean* and *NewsDay*, 1 & 14/3).
- Reports that four journalists from Zimpapers' Star FM and ZBC were in trouble for insinuating on air that President Mugabe had Malawian ancestry. The journalists said this during Mugabe's birthday commemorations on February 21st. It is understood that two of the journalists who were congratulating Mugabe on his 89th birthday claimed that the President was born near Kutama Jesuit Mission in Zvimba to a Malawian father, Gabriel Matibili, and a Shona mother Bona. *NewsDay* (23/2) reported Zimpapers chief executive officer Justin Mutasa confirming the development.



- A police raid on Tsvangirai's alleged communications office in Belgravia, Harare looking for “**subversive**” material and the arrest of four of his officials - Thabani Mpofu, Felix Matsinde, Warship Dumba and Annah Muzvidziwa for impersonating police officers (ZiFM & Studio 7, 17/3 and *Daily News*, 18/3).
- The police also arrested prominent human rights lawyer Beatrice Mtetwa during the raid for allegedly obstructing the course of justice and insulting police officers that were arresting her clients (ZiFM & Studio 7, 17/3 and *NewsDay* and the *Daily News*, 18/3).
- The alleged bombing of the home of ZANU PF activist William Chapepa by suspected MDC-T supporters in Makoni West. Chapepa, who is an aspiring councillor in the district, was critically injured in the attack (ZiFM, 13/3).

What they said...

"In Zimbabwe we have many of our own who have endorsed the culture of violence. This includes the MDC-T, IDAZIM, Beatrice Mtetwa, and some sections of the civil society, such as Transparency International, Crisis Coalition of Zimbabwe, and Defenders of Democracy, some lawyers of Human Rights and some Commissioners and Executives of ZACC. These institutions have exhibited a clear European genre of violence and anarchy" – The Herald's columnist Panganai Kahuni accusing the MDC-T and civic groups of promoting violence and instability in Zimbabwe so that the West would find an excuse to effect regime change (4/4).

"However, like their Western mentors who claim to be civilized but enjoy the mutilation of mankind, these so-called civil societies are obsessed of causing anarchy and mayhem" - Kahuni (The Herald, 4/4).

"Europe's asymmetric preaching of democracy, freedom of speech, freedom of assembly and observance of the rule of law is a ploy to cover up [the] anarchic behaviour of MDC-T's uncouth political activists such as [NGO leader, Jestina] Mukoko, [human rights lawyer, Beatrice] Mtetwa, some lawyers of human rights, civil society" - Kahuni (The Herald, 4/4).

"In the interest of fair application of the law, Mtetwa and Justice Hungwe must, with immediate effect, resign as they have become political activists there by tarnishing the image of the legal profession. The MDC-T must remember that violence is a Western culture that has no space in mother Africa" - Kahuni (The Herald, 4/4).

"It is so disheartening to note that people of high academic stature can take pride on running institutions like SAPES as a vehicle for regime change. This institution, that has failed to meet the ordinance status of a university, continued to be used by the West as a propaganda institution to advance Western interests. What is more denigrating is that the majority of those who run SAPES have nothing positive to offer Zimbabwe" – Kahuni (The Herald, 21/3).

"The coterie of the so-called public speakers, who they invited in the wisdom of them being experts, are just a bunch of Western propagandists. These propagandists, who pretend to speak with love and passion for our great nation, include the likes of Brian Raftopoulos, Piers [sic] of the International World Crisis, [and former American Ambassador to Zimbabwe] Charles Ray, just to mention a few" - Kahuni (The Herald, 21/3).

"The way these merchants of hope continued to talk about electoral reforms and security sector reforms are scaring too. The reason for all this negative discourse...is simple. Most of these presenters invited by SAPES come from the civic organizations that were formed and are aligned to Europe and America" - Kahuni (The Herald, 21/3).

"The MDC-T is the only party that has a bad name. It's unfortunate that we don't have laws regulating political parties, but you cannot have a party named after a person and use his face as the party's symbol" – NCA chairman Lovemore Madhuku criticizing Tsvangirai for personalizing the MDC-T (The Herald, 21/3).

“We don’t mind whoever wins the election. We now know that we have a dictatorship in place. And the choice between the MDC-T and ZANU PF is a choice between two dictators...” - Madhuku speaking in an interview with the *Daily News* (21/3).

“They both were in government and have nothing to show. As for Mr Tsvangirai, he got in there, did nothing, but consumed the little resources excessively. They caused a lot of movement to and from SADC. They want South Africa to have credit for nothing...” – UZ lecturer Charity Manyeruke urging Zimbabweans to be wary of the “uncanny similarities” between MDC-T leader Morgan Tsvangirai and Kenya opposition leader Raila Odinga (*The Herald*, 21/3).

“I was called all sorts of names by Jonathan Moyo that I was a sell-out, there was a lot of character assassination against me by him in the electronic and print media. I never sued him or anybody for these malicious statements, but I am sure he now knows that his was just a lost cause” – Copac co-chairman Paul Mangwana speaking to the *Daily News* (21/3) soon after the announcement of the results of the constitutional referendum.

“Ask yourself that in that accident, had it been me who died and she had survived, what would have happened? One of the fundamental things is that the main actor doesn’t die if the film is still on” – Prime Minister Tsvangirai telling senior government officials, close family members and MDC-T members during a memorial service for his late wife, that it would have been disastrous had he died in the accident, which killed his wife (*NewsDay*, 7/3).

“After reading that, I just thought WOW! Is he suggesting that Susan was a ‘bit’ actress so it was okay because the main actor was still there, the show would go on? He really needs real adviser, not just hangers-on who tell him what he wants to hear. Currying favour got us to where we are now – stuck in IMPUNITY SQUARE” - Veteran journalist and feminist Grace Mutandwa reacting to Tsvangirai’s utterances (*New Zimbabwe.com*, 8/3).

“He is an open-zip and shut-mind main actor. Talk about putting one’s foot in one’s mouth. The man is legendary” - Clemence Manyukwe, political editor of the *Financial Gazette* responding to Tsvangirai’s tasteless comments (*New Zimbabwe.com*, 8/3).

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