



## **THE INSIDE STORY**

### **Article No. 1**

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## **Introduction**

Dear Friends,

The Denis Hurley Peace Institute has been asked by a number of people to share the insights the Institute has in the various countries we work. We are therefore embarking on a new initiative of providing you with what we believe to be cutting edge insights into the countries that we work in. The first of these is an analysis of the present state of play in Zimbabwe. It was written by our Board Member, John Stewart. He shared this with us at our Board Meeting in early February of this year. The article offers a very good understanding of Zimbabwe's political scenario one year after the formation of the Global Political Agreement.

With best wishes,

Seán O'Leary  
Director  
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# Analyses for Action

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## **Ten theses on Zimbabwe's GPA, at one year's term since its formation: towards the breakthrough to start the transition**

1. The Global Political Agreement (GPA): entered into by the Zimbabwean political leaders at the behest of SADC, signed in an ambiguous and contested form in September 2008 and realised, after a dubious constitutional amendment, in the 'inclusive' government formed in February 2009, is a means not an end. Its purpose is to usher in a renewal of legitimate and democratic government. If it is not leading to that end, it becomes less and less valid. Implementing the provisions of the GPA will result in steps being taken towards the super-ceding of the GPA and the return to constitutional and legitimate government. Failure to implement its provisions, including by substantial delay, will bring a return to outright confrontation, antagonism and collapse.  
All efforts to support the full implementation of the letter and the spirit of the GPA must be supported, while recognising that it is a minimum agenda. Any activity that prevents, delays or disrupts its implementation must be condemned and penalised. At the same time, the GPA must not be seen as sacrosanct and unchangeable: if for example the constitutional process is delayed or otherwise impeded, this should not prevent the holding of an election, either with adequate domestic conditions, or with international facilitation. The end should be brought about by alternative means, should the original framework prove inadequate.
2. The spirit of the GPA is one of collaboration and cooperation, to start and sustain processes jointly agreed as being necessary for the political and economic recovery of the country. To the extent that goodwill and positive contributions were being contributed, one could say confidence and trust would be built up. But in practice it is transparently clear that there is a significant absence of good will and good faith

on the part of the former ruling party; and that instead of confidence-building behaviour, many actions have been deliberately and brazenly confidence-undermining.

Confidence-building measures should be encouraged, recognised and rewarded; confidence destroying or undermining measures must likewise be recognised, condemned and those responsible penalised.

3. Change, or transition, or transformation – the demands of different players – are all different dimensions, and components, of the societal dynamics that are both under way and impeded. The first stage of the necessary process is the ‘breakthrough’ – the ending of the monopoly of power by Zanu PF. [Some believed that the GPA was this breakthrough, but this was not the case, see number 7 below.] The second stage is the transition, the stage of fashioning and forming the new institutions that the future society needs, for healing the problems of the past and for preparing for the future. [This can only take place when the creative forces which inform new political forces are dominant in the political sphere, which is clearly not the case]. The third stage is the recovery, renewal, and transformation where transitional arrangements are confirmed or reviewed, and where a chosen and societally-agreed socio-political and economic dynamic, towards new ways of governing politically and economically, operates by consent and participation.
4. Legitimacy is derived from two sources, the means by which authority is conferred eg elections, and the degree to which the exercise of power is responsible. The GPA as an interim arrangement has a time-limited legitimation in terms of duration, and has an inbuilt impediment to legitimate implementation due to the two centres of power within government. Indeed it may be said that instead of polarisation existing between the regime (of ZANU PF) and the opposition (of MDC) that there is now a polarised government. The end product of the GPA process needs to be a government which is legitimate and is in a position to exercise power deliberately and responsibly. This requires an election, under adequate conditions of freedom of information and communication, safety and security, and identity, documentation, electoral lists, and professional management (see number 10).
5. The constitutional process established in terms of the GPA is important and significant, principally because of the process. Though flawed by bureaucratic and party political machinations, the process provides space for information flows, debate, awareness raising, discussion, experience-sharing and proposal formulation: all of this is good, and new and exciting, and valid for the long term. There are attempts to disrupt (or profit from) the process, at both central and local levels, but it likely that the process will go forward mainly positively – if with disagreements and discord - and engage many people in most parts of the country. The problem arises in the stages of integration, drafting and formulation. The principal difficulty is that for the constitution to be a good product there must be agreement on values and principles: but such agreement cannot be reached when there is still (extreme) contention about the questions of interests and power. If it is agreed that an election is a necessary step, and it is clear that the constitutional process may well be

blocked – by parliamentary vote, or unforeseen coalitions voting “no” in a referendum (if indeed conditions can be brought about to enable a legitimate referendum to take place) – then there must be a process to disengage the election from the constitution process. [In the present arrangement, the election is the prisoner of the constitution]

6. The national healing process is a necessary dynamic, but (in terms of achieving justice for victims) it is doomed to failure, in the present framework. A true national healing process can only take place where a political party or movement which largely represents the interests of victims (including those perpetrators who were also victims) is dominant in the political sphere: in a situation where the perpetrators of violence (and especially the organisers and planners of violence) remain dominant, victims’ interests and needs cannot be recognised and responded to. Of course, valuable work can be done with some victims, in terms of psychosocial and medical healing, and it is important to prepare for the larger scale comprehensive national healing – including truth, accountability and forgiveness dimensions – by collecting evidence and testimonies, and by modelling and testing healing and justice processes.
7. Though it is clear that the majority of the population voted for ‘change’ in 2008 (some wanting a change of persons, some wanting a change of institutions, almost all wanting a change of conditions), the hybrid that emerged through the GPA process, which is a fragile balance, almost a paralysis, in government is nothing like that change; and it conceals (imperfectly) the retention of power, and the will and determination to retain power, by the ZANU elite, and Mugabe. This power is exercised through a number of channels: security, political, economic. Indeed the provocative and confrontational stance taken by ZANU at its Congress in December blatantly asserts the inviolability, and unreformability, of the security forces, and the irreversibility and non-auditability of the economic stranglehold (even unto death?) that ZANUPF through its ‘farmers’ has on the land (for which the ‘operation’ entitled Clean Sweep is continuing now, towards the removal of every single white commercial farmer); and the retention in governmental posts and service, beyond statutory retirement, age disqualification and criminal and competence considerations of such unrepentantly partisan and unashamedly unaccountable persons as Mariyawanda Nzuwah, Paradzayi Zimondi, Johannes Tomana, Augustine Chihuri, Constantine Chiwenga, George Charamba and Tobaiwa Mudede (as leading examples, but with numerous followers), occupying key public service blocking (or potentially enabling) posts, indicates the political stranglehold that is exercised.

(I am reminded of the comment of Dzingai Mutumbuka, in 1981, saying to me, ‘here I am the Minister of Education [for ZANU PF], on the 14<sup>th</sup> floor of this building, with 13 floors of bureaucrats opposed to my policies below me, opposing me’. But Zanu (PF) then was in a position to drive forward its transition, and its transformatory process).

All three levels must be addressed: the security sector reform needs urgent and high-level attention, particularly from SADC, and from countries which have

successfully subjected the military to democratic control; corruption and asset-stripping needs investigation and auditing of processes of land distribution and accumulation, banking, natural resources and primary resource exploitation contracts; and the removal of political throwbacks of pre-pluralism times from key posts, and their replacement by professionals and democrats, needing the substantive application of the Police and Army acts, and the auditing of the departmental activities of these and a number of other 'political' civil servants, so that the public service can become a service of the public again.

8. People expected and voted in 2008 for change in their life chances and well-being, for the ability to feed themselves, to earn income from jobs, to be able to buy goods and find education and health for their children or themselves. To a degree things have changed beyond measure - from the dark days when a prominent supermarket in Harare offered only condoms and cabbages – necessary but insufficient for a full life, now there is the possibility, if one has the coveted u.s. dollar (or other hard currency) to buy nearly anything, where the health and education delivery systems are improving. However, the de-capitalisation that the country has suffered (making it a Highly Robbed Poor Country) (rather than a Highly Indebted Poor Country) means that national savings are depleted or diverted, investment is patchy and waiting for Confidence Building Measures, economic recovery is sluggish and so government revenue is rising only slowly. So there is no rapid change in life chances and employment opportunities, and even most of those with jobs exist on minimal incomes. In economic terms, there are two iconic opportunities for showing progress, for building confidence: change in the management of the Reserve Bank – 'towards a management which commands international confidence' – and a serious and substantive land audit, perhaps assisted by land reform practitioners of other countries of the SADC region. What is impeding these two issues? How can those blockages be dealt with? And what about establishing and operating an asset-tracing and recovery process?
9. Zimbabwe is the people who live in it, or wish to return having been forced to leave by circumstances, emergencies, survival or self improvement drives. Zimbabwe does not just need 'the six million who support us (ZANU(PF))' as Didymus Mutasa so chillingly said in 2005. The issues of belonging and of recognition still face many people here, and those who face the prospect of coming back. How are we, the nation, going to build inclusiveness, a recognition and mutual valuing of all? Surely there is the need for an effort to be made to discover, and have means of contact and communication – via unbiased and multi-polar media, for example – with the far flung and dispersed Zimbabwean population. It is known that a high proportion of Zimbabwe's professionals left the country in search of jobs and adequate pay; some found success, and others did not. The involvement and inclusion of the Diaspora is critically important, for the substantive roles that can be played, and for the confidence that will be engendered - though sufficient signs of confidence will be needed to draw many who are outside, back. The chaos and dispersal that has occurred, particularly in the last 10 years, but in certain ways and at certain times earlier, requires a stock-taking and a baseline survey, so as to

provide a way forward. What about designing a really creative, and therefore potentially generative, global census of the Zimbabwe population, inside and outside the country?

10. Central to the process of renewal going forward, of arriving at the beginning of a transition, is the achieving of the breakthrough – the ending of ZANU’s monopoly and dominance. While many things need to be done for this to happen, a central necessity is an election, as recognised in the GPA, which should be planned for a particular date, probably best in the middle of 2011, and which should be prepared for, independently of the constitutional process, which may or may not be completed in time for the election. What is critical is that the conditions for a ‘democratising election’ (as Nigerians say) be put in place. These involve:

- the guaranteeing of peoples safety and security – for freedom of expression, assembly, movement and association (through security reform including army disengagement for all domestic policing, police retraining and reorientation, through new leadership, exchanges and exposure to democratic and professional traditions, and the creation of a security agency governed by legislation and civilian inspection, and the disbanding and rehabilitation of all militias and private armies);
- the active operation of a plural and multi-dimensional professional and self-regulating media, especially radio and electronic means of communication; and
- the independent operation of electoral institutions, together with a massive initiative to provide Zimbabweans inside and outside the country with identity documents, and the ability and right to take part in choosing the country’s leadership at election time, and its mode of governing itself at referendum time .

The election should be set for a firm and definite date - with the proviso that should the processes of condition-improving not have fully been realised, with the holding of an adequate election not being within the competence of national authorities, it should be held at that date anyway, run and guaranteed by the guarantors of the GPA and supporters of the process of Zimbabwe’s steps ‘towards a homely home’ (quoting Patrick Hwande’s poem) : first the breakthrough, then transition, and then recovery.

Starting the transition, really and substantively, is urgent and possible, but only if the impediments and blockages, the spoilers and scavengers, are recognised and dealt with.

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Written by John Stewart, NOVASC Director

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