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GNU: A STRATEGY TO FOSTER DEMOCRACY ? A CASE STUDY OF ZIMBABWE'S 2008 GOVERNMENT OF NATIONAL UNITY

BY

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ABSTRACT

The predominant discourse around Governments of National Unity (GNUs) in Africa involves the role they play towards ushering nations from dire political situations to a more democratic dispensation. Contemporary studies on African GNUs highlight that these governments have been utilised to serve as conflict resolution mechanisms and they have realised much success in pacifying violent situations. This study seeks to explore into the 2009-2013 Government of National Unity (GNU) that was employed in Zimbabwe with distinct attention to the extent it managed to usher Zimbabwe towards a more democratic order. The study assesses how effective and sustainable the Government of National Unity was in advancing and endorsing the democratic agenda in Zimbabwe. The study exhibits that though the 2009 Zimbabwean GNU realised some democratic virtues during its tenure, it could not assure continuity of these virtues after its tenure lapsed and in some instances the GNU alone could not address important issues owing to its inherent limitations, as such the study examines these limitations. In an attempt to gauge the margin of lag with regards to democracy in Zimbabwe, the study challenges whether Zimbabwe had been operating within the framework of democracy or otherwise since its independence in 1980.

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DEDICATION

This dissertation is dedicated to my family – My husband and my children. I thank you so much for the prayers and moral support that you gave to me day and night. You are much appreciated.

Chapter One

Introductory Chapter

Introduction

In essence a GNU (Government of National Unity) is a temporary conflict resolution measure and as such it is inherently limited. As a consequence of this and other limitations the GNU could not address some of the core issues facing Zimbabwe and it is one of the aims of this study to investigate into these limitations. The major debate surrounding the 2009 Zimbabwean Government of National Unity (GNU) involves the Government's margin of adherence to the aims of the Global Political Agreement (GPA). This political agreement that was brokered between the principal contending political parties (ZANU PF, MDC- Tsvangirai, and MDC-Mutambara) included within its scope advocacy for the promotion of democracy in Zimbabwe, restoration of the economy and the end of violence which had become norm in 2008.

Cognizant of the honest observation that promotion of democracy was one of the prominent outlined aims in the Global Political Agreement, the study will examine the GNU with specific attention to how effective it was as a strategy to promulge and foster democracy in Zimbabwe. The study will also try to assess how suitable the GNU was as tool employed to alleviate the political deadlock resulting from the controversial 2008 elections in Zimbabwe. Contemporary studies on the role of GNUs in addressing issues to do with political stability and peace in Africa suggest that it has become a norm for GNUs to be employed in countries facing political crises as a temporary measure to curb a potential volatile atmosphere. Against this background, the study will seek to clarify whether the GNU was employed as a tool aimed to create appealing

conditions for democracy in Zimbabwe or merely as a temporary conflict resolution contingency plan.

Background of the study

Field research highlighted that democracy is a broad discipline and that there is no singular or a unified understanding of democracy. Three of the interview participants to this research linked democracy to elections. To them, citizen participation in government typically through elected representatives[1] was the yardstick for democracy. Interviewee 2 interestingly noted:-

> *Zvinhu zvanga zvakanaka kudhara, ma elections angoitwa zvakanaka pasina kana noise yese iya yemuna 2008. Zimbabwe yanga yagara iine democracy taingoda ka 'touch up' chete otherwise diagram tatinaro*[2]. [Zimbabwe had always been a democratic state, elections were held peacefully and the process streamlined. Zimbabwe just needed sensitization because we already had an intact framework for democracy]

Given the historical background of Zimbabwe under the colonial administration where the black populace had no voice in governance or policy making processes, this newly attained right to vote has since been viewed by some as more than just a democratic act but instead as democracy itself. Deliberately or subliminally, Zimbabwe under President Robert Mugabe from the onset had always portrayed and implied deep affiliation to the values of democracy primarily through holding periodic elections from the year 1980 to date. These periodic elections then gave an impression of a nation running under the banner of democracy but regardless of this virtue of citizen participation, elections alone do not translate to democracy.

Up until the late 1990s, Zimbabwe had been largely dominated by ZANU PF under the leadership of the President Robert Mugabe who continuously won the presidential elections and his party members holding the majority of seats in both the National Assembly and Senate. However, despite portraying a democratic oriented front on the surface, the increasing challenges

facing Zimbabwe began to raise suspicion and ultimately directed President Robert Mugabe and the Zimbabwean African National Union-Patriotic Front (ZANU PF) to both local and international scrutiny.

A newsprint article in 2010 attempted to highlight some of the challenges that emanated under the watch of the President Robert Mugabe and ZANU PF and amongst these were the collapse of the agricultural sector, the plunge in life expectancy, deterioration of health care and the near collapse of the education system[3]. The collective impact of the growing discontent with the ruling government was the formation of a new political party called Movement for Democratic Change (MDC) led by Morgan Tsvangirai.

Morgan Tsvangirai's Movement for Democratic Change (MDC) urban support was primarily fueled by his promises to address the economic relapse amongst other grievances the populace carried and as such MDC became a major competitor of the ruling party ZANU PF. Evidently in a report compiled by the Inter- Parliamentary Union on the 2000 Parliamentary Elections, it is noted that MDC won almost as many elected seats as the ruling Zimbabwe African National Union - Patriotic Front (ZANU-PF) by securing 57 against 62 seats[4]. To further assert the significance of MDC in the political arena the report also states that the 24-25 June 2000 parliamentary elections were the most closely contested since independence from Britain since 1980[5]. From the above, one can argue that for the first time in post- colonial Zimbabwe the ruling government was on the uncomfortable end of the whip.

In the following years, ZANU PF allegedly turned to unorthodox measures to ensure their continued survival and rule. In the period leading to 2008, extreme and repressive measures were employed by the ZANU (PF) government to assure electoral victory and to ensure that a defeat at

the polls would never happen again[6]. Press interference and censorship, politically motivated violence and intimidation proliferated all in a bid to retain power. Andrew Moyse argued, that among the greatest casualties had been Zimbabweans' constitutionally-guaranteed right to freedom of expression and their subsidiary rights to receive and impart information without hindrance[7]. A review of the radical changes in government code of conduct following the Parliamentary Elections and the constitutional referendum of 2000 suggests that these two occurrences served as a wakeup call for the ruling party and helped conscientize them on the growing discontent of the public and as well as how MDC had become a major threat to their existence.

Regardless of the multiple attempts made by the international community to advise against the political violence and intimidation, those whose allegiance seemed not to lie with ZANU PF continued to suffer persecution. Against this background one can argue that it was highly improbable for Zimbabwe to hold free and fair elections under such circumstances, in fact state interference was likely to happen given the lengths the ruling party had gone to retain power. Commenting on the issue of politically inspired violence in Zimbabwe, UN Security Council, Mr. Ban Ki-moon expressed that "there has been too much violence and too much intimidation. A vote held in these conditions would lack all legitimacy"[8]. The then, US Secretary of State, Ms Condoleeza Rice shared the same views with Mr. Ban Ki-moon. Rice affirmed that the attacks on the opposition have reinforced that it is impossible for there to be a free, fair or peaceful election in Zimbabwe on June 27[9].

Perhaps one of the most pivotal occurrences that led to the negotiations leading to the creation of a GNU between Morgan Tsvangirai and Robert Mugabe was Mr. Tsvangirai's withdrawal from the June 2008 presidential run-off elections. It is important to note that during the March 2008

ballot, Morgan Tsvangirai had secured more votes than Robert Mugabe but however as the Zimbabwe Electoral Commission puts it, Tsvangirai did not win the absolute majority required for office. The period leading to the next scheduled run-off elections was once again characterized by infringement of civil liberties and alleged state orchestrated violence against MDC supporters and officials. Consequently, Morgan Tsvangirai withdrew from the run-off elections leaving the President, Robert Mugabe to compete and emerge victorious in the June 2008 presidential elections ignoring SADC's advice to postpone the run-off to avert a catastrophe in the region[10].

This development pushed the major international bodies to intervene into the Zimbabwean situation. The AU Chairperson in liaison with Thabo Mbeki, the designated mediator to Zimbabwe began to deliberate on how best they could resolve the conflict between the two political parties. Thabo Mbeki took point in the negotiations between the conflicting parties and eventually ZANU PF and MDC through the Global Political Agreement settled for a Government of National Unity.

From the brief history of the period leading to the creation of the GNU given above, it is justifiable to argue that at this point there was no political stability nor there was democracy in Zimbabwe. As such the GNU was employed as an attempt to alleviate the political stalemate, resolve conflict and re sensitize democracy in Zimbabwe.

<u>**Statement of the Problem**</u>

African countries have over the years portrayed a pattern where rule sorely lies with those in positions of power in major institutions of government while their counterparts, the citizens, wield no actual power nor voice in governance or decision making processes even though they

exercise their voting rights. Elections in Africa through political rhetoric have been manipulated to serve as a yardstick for democracy, while other equally important principles of democracy are ignored. Instances where GNUs were established through mediation processes for example in Kenya, the facilitators are primarily concerned with ending the immediate violence while little is achieved with regards to creation of conditions favourable to foster democracy.

Literature Review

The origins of democracy can be traced back to ancient Greece. It is believed that democracy was born when one Athenian leader, Cleisthenes introduced a system of political reforms that he called demokratia, or "rule by the people"[11]. This political system, regardless the limitations provided a propitious foundation for the development and spread of the modern day democracy.

The Concise Oxford Dictionary defines democracy as a form of government in which the people have a voice in the exercise of power, typically through elected representatives, state governed in such a way[12]. The democratic form of government is an institutional configuration that allows for popular participation through the electoral process[13]. A democracy should recognise the two main virtues of political participation and political contestation.

There are three main types of democracy; direct democracy, indirect democracy and presidential democracy. Direct democracy entails direct participation in governance by the citizen. Under direct democracy power out rightly lies with the populace, it permits citizens to shape policy firsthand by expressing their preferences in raw form than funneling them through representatives[14]. Direct democracy is characterised with contestation and a lot of checks on how the government is running and achieving against the yardstick of population's will. The collective impact of these checks becomes a more effective and efficient form of government,

which in theory suggests, direct democracy is an ideal type of democracy. However, a publication by The Saylor Foundation suggests that direct democracy is best compatible with a smaller political community. They argue, small towns or indigenous communities where everyone knows one another and the issues under debate directly affect them, such an arrangement is ideal. However, once there is an expansion in the size of the electorate and the scope of policy areas, direct democracy can become unwieldy[15]. Schmidt acknowledges the presence of a relationship between performance profiles and types of democracy[16].

Indirect or representative democracy refers to a scenario where the populace elects a body of individuals who will advocate for or represent them in decision making processes that govern the state. An indirect democracy is a type of democratic government in which voters choose delegates to create the laws of government on their behalf[17]. Unlike direct democracy, representative democracy is more streamlined because direct citizen participation (which usually results in protracted decision making processes) is limited to periodic elections.

Rainer Benz points out that making legislation requires a lot of technical knowledge and understanding of the issues being considered[18] which in most instances the general population do not possess. Indirect democracy therefore avails the virtue of a body of individuals with an appreciation of issues being deliberated on to make more rational decisions. He further goes on to say, indirect democracy is responsive to the will of the people, while at the same time not being too responsive[19]. Though this responsiveness to the will of the citizen is in close proximity to the representative's will to retain power or position of power, this can still be credited as an advantage of indirect democracy.

However, indirect democracy has its fair share of limitations and among these is the fact that it can easily change from a democracy to an oligarchy. Unlike in direct democracy where the population can contest and vote off representatives at any given time, indirect democracy appoints members for a legally stipulated time frame in which they cannot be replaced until the next election. The limitation therefore is the fact that, in the event an individual in power goes rogue the populace legally cannot do anything to rectify the situation.

A review of African governments that champion themselves to be driven by democracy suggest that these governments have actually derailed to oligarchy, rule by a few. Dr. G. Tarugarira and Dr. E. Ziso note that within a period of about four decades, Africa south of the Sahara has witnessed a plethora of political transitions, but basically categorized into the transition to and from democracy[20] with decolonization representing transition to democracy while authoritarian regimes and dictatorship represents the transition from democracy. These governments have justified and identified themselves as liberal democracies because they somewhat recognize regular periodic elections and as well as civic liberties. When voted into power, these individuals start to identify themselves as an elite class and gradually they start advancing their personal endeavors at the detriment of the electorate. Elitism is therefore closely associated with representative democracy.

Types of democracy can further be subdivided into systems of democracy and under this category lies the parliamentary system of democracy and the presidential system of democracy. The parliamentary system of democracy encourages contestation of ideas (in the form of policy or issues brought before parliament for decision) and as such more rational decisions are reached or agreed upon.

The Saylor Foundation argues that, in presidential democracy the performance of members in both branches of government is evaluated by the voting public[21]. This suggests that similar to both direct and indirect democracy, the public have a say in the way the state is governed. However under this system of democracy, the issue of presidential veto in relation to the approval of laws stirs controversy as to whether this veto is democratic or otherwise. It is noted in the publication by The Saylor Foundation that, 'According to critics, the ability of one man to overturn a policy, which has been approved by electorally appointed representatives, undermines the spirit of democracy[22].' The Upper House of Representatives also referred to as the Senate can however reverse the presidential veto but it needs a 2/3 majority vote to overturn veto and in most instances the ruling political party (usually behind the president) dominates in both houses. The circumstances surrounding an attempt by the Senate to overturn presidential veto are seemingly suggests improbability of success.

While there are different types and systems of democracy, it is imperative to note that they should be guided by a set of basic principles that include amongst others :- Citizen Participation in the decision and policy making process; Democracy calls for equality of all people; Political tolerance; Transparency in governance; Regular, fair and peaceful elections; and Decentralisation of power.

GNU can be defined as a government formed by a coalition of parties, typically during a time of national crisis. Mukuhlani refers a GNU to a case in which all the major political parties in a country form a governing coalition[23]. National Unity Governments are formed as strategy or a measure to address potential conflict(s), usually motivated by political reasons. Goredema indicates that power sharing deals are fast becoming in Sub-Saharan Africa and have implemented as a way of accommodating political and military protagonists into working

together[24]. In comparison to a normal democratic setup, Mapuva quoted by Chinyere, points outs that negotiated government on the opposite end, is a government that comes into being when opposing or competing factions in a nation fail to hold a free, fair and participatory election process resulting in disputed elections that may lead to an undeclared state of war like in the case of Zimbabwe where the GNU was established after disputed elections[25.]

Thus a GNU can best be described as a type of government constituting different contending political parties as means to address the immediate ideological and potential conflict through power sharing. To Chigora and Guzura, power sharing is defined as the equal distribution of power among power centers[26].… Power centers in this instance being the major contending or contesting political parties. Walter quoted by Goredema, defines power sharing as stipulated guarantees that offer the sharing and dividing of power between former foes, offering combatants, rebel groups or the opposition, seats in a new government as stipulated in a peace agreement[27] as was the circumstance with Zimbabwe.

More often GNUs are a product of mediation efforts by international bodies so as to try and alleviate the usually volatile atmosphere. Studies suggest that in most African states that employed a GNU, disputed elections was largely the key reason leading to the formation of a GNU. As Tumbare puts it, it is important however to note that while recent examples of GNUs came out of election disputes this has not always been the case[28].

Further, it is of paramount importance to be cognizant of the fact that in most instances GNUs are imposed on a nation experiencing crisis through mediation while the electorate has no voice in the process. This has often led critics to argue that GNUs have largely played a part in the legitimisation of illegitimate governments by availing more office time to the incumbent despotic

government. Perhaps one of the most prominent features of African GNUs that are established during and or after a state of emergency is the continued dominance by the previous incumbent and this continues to undermine the expected performance and reform rate. Timothy Scarnecchia notes that historian Dr. Mazarire through his piece "ZANU-PF and the Government of National Unity" in *The Hard Road to Reform*, did an excellent job of portraying how and why ZANU PF successfully continued to dominate the GNU[29]. To support the view that this continued dominance in government by the previous incumbents undermines performance, Dr. D. Goredema notes with regards to the status quo in 2012 that it appeared that the GNU was failing to play its Mosaic role[30]of ushering Zimbabwe from a dire situation to a more stable and democratic dispensation. The same can be said with regards to the state of affairs in Kenya after the establishment of the 2007 GNU. The Kenyan government was largely characterised by distrust and dominance by the Party of National Unity over the Orange Democratic Movement in policy making processes and well as veto.

While it is the intention and duty of Governments of National Unity to promote democracy, contemporary studies on such African governments revealed that in some instances these GNUs lack traction or affirmative action with regards to enforcing and compelling adherence to reforms primarily because separatism runs deep in these governments. Goredema shared the same sentiments with regards to the GNU, she reports that while the GNU brought forth some economic stability the government could not guarantee any permanent resolutions as the government itself was shaky and largely featured threats of disintegration attributable to the lack of proper coordination and cooperation by major political protagonists[31].

The 2007 Kenyan GNU highlighted this lack of co-ordination. It had been promised that at least fifty seats in parliament should be designated to women in an attempt to encourage gender equity

and equality but however this goal was not realized. The Kenyan GNU could have achieved this goal if they had not merged this plight for women with another amendment (creation of new constituencies) which required two thirds majority to be passed by parliament.

More so, Maina mentions that the trend towards power sharing is a long standing solution and has been utilized a conflict resolution tactic[32]and gives evidence of this assertion through examples in Zimbabwe, South Africa, Ivory Coast and Kenya. However, in response to journalist Violet Gonda's question on his reaction to the establishment of a GNU in Zimbabwe, political commentator Brain Kagoro shared;

> …SADC acted like God and directed that there must be by decree a GNU.
> Firtsly, there's national about it, secondly there's absolutely no unity in. So
> as an exercise in futility it's a waste of time…[33]

He challenged the viability of power sharing in a state where there was no unity and consensus in government. Maina reports that GNUs do not necessarily translate to a new political trend and this has proved to be true in the Zimbabwean situation. While the 2009 Zimbabwean GNU was signal to a transition of the nation, the political arena and practice realised little to none in terms of adjustments.

A growing body of recent scholarship puts political settlements at the center of the development process. The political settlements approach focuses on the formal and informal negotiations, bargains, pacts and agreements between elite actors, as crucial drivers of the locally effective institutions and policies that promote or frustrate the achievement of sustainable growth, political stability and socially inclusive development[34]. How events unfolded in Zimbabwe, South Africa, Kenya inter alia support Law's view that political agreements are central in development processes and in this case central in nation rebuilding via political agreements and GNUs.

Following controversial presidential elections that led to a violent and unstable atmosphere in Kenya in the year 2007, the then United Nations Secretary-General, Kofi Anan through mediation managed to broker a deal between the major conflicting parties through a political agreement that ultimately led to the formation of a coalition government with Mwai Kibaki of the Party of National Unity (PNU) as president and Raila Odinga of the Orange Democratic Movement (ODM) as prime minister.

The political atmosphere in Zimbabwe in 2008 became highly unstable and continuously deteriorated following the disputed presidential elections and as such an expedited and immediate course of action was required to alleviate the situation. The SADC mediation team with former president of South Africa, Thabo Mbeki running point, managed to convince the contesting political parties to reach a consensus. This consensus culminated in the signing of the GPA in September 2008 and the subsequent formation of the GNU in February 2009 as a framework for addressing the crisis and map a better future for the nation[35].

While GNUs and coalition governments seem to be similar on the surface, Tumbare argues that these two, contrary to popular projections, differ in principle and intent[36]. She argues, coalition governments arise upon realisation of the fact that some goals cannot be achieved working separately ultimately leading to the union of different political parties whereas GNUs might arise resultant of dispute of power[37].

For the purposes of this study, a GNU is understood as a form government constituting a coalition of parties, especially in a time of political meltdown which is used as a strategy to temporarily contain or address the immediate and potential conflict.

Purpose of the Study

(i) Aim

The aim of this study is to review and establish whether the GNU was a strategy employed in Zimbabwe to foster democracy or rather to serve as a mere conflict resolution measure.

ii) Objectives

The study seeks to :-

- Investigate into the extent GNU managed to promote democracy in Zimbabwe

- Assess the achievements and failures of the GNU

- Establish whether a GNU was the right tool to promote democracy in Zimbabwe. How suitable was it for the agenda?

- Highlight on some of the factors that undermined the GNU's ability to execute its goals.

Research questions

(1) Is there a relationship between a GNU and Democracy?

(2) To what extent did the GNU manage to foster and promulge democracy in Zimbabwe?

(3) Was the GNU the suitable tool to further the agenda of democracy in Zimbabwe?

(4) With reference to the Zimbabwean situation, was it a matter of re-sensitization of democracy or democracy never existed in Zimbabwe?

Theoretical Framework

The study adopts the utilitarian theory. Mill points out that, little progress has been made towards deciding the controversy concerning the criterion of right and wrong[38]. Utilitarianism is an ethical theory according to which the rightness and wrongness of acts depends entirely on facts about the maximization of overall well-being and it is closely associated with the phrase 'the greatest good for the greatest number[39].

Eggleston states that utilitarianism is effectively defined by five characteristics[40] (consequentialism; welfarism; individualism; aggregation and maximisation), but however it is important to note that the major idea behind the theory is that the greatest good or well-being is concluded from the number of satisfied people. Loosely explained the theory suggests that a decision's moral worth is directly proportional to consequence.

The theory has its fair share of limitations and amongst these is disregard of the people who do not fall under the bracket of the 'majority'. Unlike other scholars on the utilitarian theory, John Stuart Mill attaches great significance to rationality guiding decisions and quality of consequences or outcomes. As such the extent to which the GNU managed to foster democracy in Zimbabwe and the yardstick to be used when considering the achievements or otherwise of the GNU should be based on this theory in general but with greater reference to the ideas forwarded by Mill.

To complement the utilitarian theory, the study will adopt the Joseph Juran Theory on quality. Quality can be defined as the ability of a product to consistently meet the needs or requirements of the consumer for the stipulated time frame ultimately leading to consumer satisfaction. Grimsley notes that according to the Joseph Juran theory, quality also means all of the activities

in which a business engage in, to ensure that the product meets customer needs[41]. Under this light, the GNU will represent the "product"; the electorate (general populace) being the "customers" and the "business" representing both the external and internal players that were mandated to ensure the GNU would end violence in Zimbabwe and create conducive conditions to promote and promulge democracy (SADC mediation team led by Mbeki, the three political parties that made up the GNU).

Through the Joseph Juran theory, the study investigates the input provided by the SADC mediation team in ensuring that the GNU would continuously meet the needs of the populace and as well as the role played by ZANU PF, MDC-T under Tsvangirai and MDC-M under Arthur Mutambara in nation rebuilding and the promulgation of democracy in Zimbabwe. The theory's primary function in the study is to evaluate the steps taken by the GNU itself, the regional and international community in compelling consistent adherence to democracy, 'quality assurance'.

Research Methodology

Using the above mentioned theories as guide, the study employed the qualitative research method to explore into the GNU with greater reference to the extent to which it was successful in promoting democracy in Zimbabwe. Qualitative research was principally used to procure insight into undisclosed rationale or basis, sentiments, and motivations behind course of action(s).

Case study research, through reports of past studies, allows the exploration and understanding of complex issues. It can be considered a robust research method particularly when a holistic, in-depth investigation is required[36]. Through case study methods, a researcher is able to go beyond the quantitative statistical results and understand the behavioural conditions through the actor's

perspective. By including both quantitative and qualitative data, case study helps explain both the process and outcome of a phenomenon through complete observation, reconstruction and analysis of the cases under investigation[42].

Source identification, that is, published and unpublished books and reports, newspapers, blogs other publications with significant relevance to the study was the initial step of the research. Source identification was afforded antecedence because it provides the basic coordinates guiding the study. To complement the secondary sources identified under the criterion of relevance, the researcher used an assortment of data collection methods which include inter alia, individual interviews and focus group discussion. Focus group discussions and individual interviews are adopted in the study predominantly by virtue of offering a broad range of information, perception and opinion on the research topic and as well as their inherent quality of creating platform to seek more clarification on issues being raised as opposed to other data collection methods.

A total of twenty interviews were carried out, and the criterion used to select the participants was based on expert and purposive sampling. Expert sampling entails assessment of opinions forwarded by people possessing a relatively high level of expertise or knowledgeabitity to the study while purposive sampling involves deliberate selection of participants based on their ready ability to provide necessary data. These particular methods were adopted because they promote research quality and rigour.

Data collected will not be used for purposes other than those told to the participants. The participant were notified of their right to withdraw any information they wish to and as well as their right to contribute towards the research anonymously.

Chapter Breakdown

Chapter One:

Introductory Chapter

The Introductory Chapter seeks to deliver the background of the study, statement of the problem, research objectives, aim of the study and also look at the research questions. The Chapter also focuses on the theoretical framework to guide the study, research methodology and provides a pithy literature review of democracy and the GNU.

Chapter Two:

Overview of the 2009 Zimbabwean Government of National Unity

This Chapter focuses on the general political background prior to the establishment of the GNU and the relationship between the Global Political Agreement and the Government of National Unity. The chapter assesses the role played by Thabo Mbeki as mediator and counsel to Zimbabwe in ensuring continuity of unwavering adherence to the GPA by the GNU. The composition and restructuring of government under the GNU and as well as challenges that the GNU faced during it tenure are explored in this chapter. The Chapter challenges whether the GNU was a suitable strategy to address political crisis in African and gives an evaluation of the Government of National Unity.

Chapter Three:

Zimbabwe and Democracy

The chapter is primarily concerned with establishing the margin Zimbabwe was lagging or up to date with democracy in both the pre-GNU and post- GNU eras and as well as during the tenure. The chapter reviews some of the prominent regional guidelines on democracy and uses these as yardstick to evaluate the margin of adherence or otherwise to democracy by Zimbabwe.

Chapter Four:

Summary and Conclusion

This chapter gives a comprehensive synopsis and conclusion of the study.

ENDNOTES

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CHAPTER TWO:

Overview of the 2009 Zimbabwean Government of National Unity

Introduction

The political atmosphere in Zimbabwe following the controversial 2008 presidential elections became highly unstable and as such the international community, through the SADC mediation team led by former South African President, Thabo Mbeki intervened in a bid to alleviate the crisis. The mediation team managed to broker a deal between the three major contending political parties through the Global Political Agreement (GPA). The agreement ultimately led to the creation of a GNU. The GPA served as set of principles or framework in which the newly formed coalition government would operate.

As such, the Chapter will review the Global Political Agreement of 2008 and establish the extent to which the GNU adhered to the principles mandated by the GPA. The Chapter challenges and whether the GNU was the right strategy to address the political crisis that was in Zimbabwe.

Background to GNU

It is of colossal significance for one to have an in-depth appreciation of the political situation that characterized Zimbabwe prior to the creation of the GNU in 2008. The creation of an opposition party, MDC led by Morgan Tsvangirai, is arguably one of the earliest signals that Zimbabwe had deviated from the route it was expected to travel by the general public. Despite the obvious grievances from the people concerning inter alia the depreciating economic status, the ruling party, ZANU PF continued to reign victorious. In the end, the legitimacy of these continued victories became questionable.

Over the years, Robert Mugabe's position continued to face stiff antimony from MDC. Subsequent to the pressure subjected to the ruling part ZANU PF and the head of government Robert Mugabe, the state turned to repressive and unorthodox means of addressing opposition.

Morgan Tsvangirai's urban support was perhaps the first group to fall victim to the wave of intimidation and alleged state orchestrated violence. The June 2000 Parliamentary Elections, to date, are considered the most closely contested since Zimbabwe's independence from Britain in 1980[1] where the opposition party MDC won almost as many elected seats as the ruling party ZANU PF[2]. Critics argue that, the government's domestic policies that followed such as Operation Murambatsvina were aimed at disbanding and destabilizing Morgan Tsvangirai's urban espousers.

Those who had lost their urban dwellings to Operation Murambatsvina were argued to have been relocated to satellite settlements where they were again subjected to intimidation and violence under ZANU PF chiefs. Politically oriented violence and coercion in the period leading to the 2008 Presidential Elections became a norm in Zimbabwe. Resultant of the political feud that was being experienced by Zimbabwe, the international community was forced to engage into the situation through mediation as an attempt at restoring peace and creating a framework to aid nation rebuilding. The mediation process led to the signing of the GPA which subsequently led to the creation of the GNU.

The relationship between the Global Political Agreement and the Government of National Unity

The GPA was intended to be the framework for the newly formed coalition government in Zimbabwe, the agent to guide GNU procedurally, essentially to determine way of governance. Its

core aims were aligned with resolving the immediate political crisis that was in Zimbabwe in 2008 and as well as a creating genuine, viable, permanent, sustainable and nationally acceptable solution…and chart (a) new political direction for the country"[3].

Regardless the obvious limitation of the GPA, there is no doubt that this political agreement was Zimbabwe's best option at addressing the political, democratic and social situation in Zimbabwe.

Thabo Mbeki's role as mediator and counsel to Zimbabwe

This subsection will dwell on the role played by Thabo Mbeki as mediator to the Zimbabwean crisis in ensuring that the GNU would adhere to the principles outlined in the GPA. It will investigate on Mbeki's efforts towards ensuring that the GNU continuously meet the mandates of the GPA.

Through field research the researcher was able to decipher that SADC is generally commended for its role in pacifying the political meltdown attributable to the 2008 presidential elections. In response to a question on the role played by SADC in promoting democracy and ending the political violence and coercion, Interviewee 10 fervently noted:-

> Let us review some of the principles that SADC necessitated and draw conclusions of how significant a player it was. Under the patronage of SADC, the GPA demanded regular free and fair elections, reform in the major institutions of government in alignment to the global regulations and established standards of democracy, equality and rule of law…I could go on but generally speaking SADC's intervention was timely, equal effort by the composition of the new government was all Zimbabwe needed at this point[4].

However, considering the state of affairs that characterized Zimbabwe in 2008, it is clear that Zimbabwe was in desperate need of an impartial body to act as a mediator or facilitator towards national peace and reconciliation. Matyszak points out that the "global political agreement"

(GPA), which emerged left Mugabe's extensive powers almost untouched[5]. In this light it becomes vividly clear that the possibility of transition and power sharing was minimal.

Thabo Mbeki as the main broker to the Zimbabwean crisis was responsible for ensuring Zimbabwe's smooth transition from the status quo to a democracy in all senses. The GPA which he sold to Zimbabwe as a strategy to address the violence, democratic deficiency among other vices had a number of short falls. It is important to note that his duties as mediator were not to seize as soon as he set in place a strategy to address the Zimbabwean crisis but to extend to continuous engagement, checks and balances to ensure that the GPA was to be implemented in the GNU with the aim of achieving peace, political equality (power sharing) and as well as the promulgation of democracy.

Contrary to what was expected of the deal brokered by the SADC mediation team, Matyszak points out some of the loopholes that worked against transition and instead favoured the political status quo prior to the negotiations. Matyszak points out that,

> Mugabe had conceded power in only three areas. Firstly, the number of ministers he could appoint was limited to 31. Secondly, of these 31, 16 were to be nominees from the combined MDC formations. Thirdly, constitutional amendment 19 provides that all appointments made by Mugabe "in terms of the constitution or under any legislation" must be made "in consultation with"17 Morgan Tsvangirai – and "in consultation with" was defined to mean "after securing the agreement or consent of"18 effectively giving Tsvangirai a veto power over such appointments. In exchange for these concessions, the agreement provided that Mugabe would "continue" in office as president. Mugabe's problem of legitimacy was thus immediately resolved. The benefits for the MDC formations were to be implemented later, and would be dependent on Mugabe's whims[6].

Against this background it is clear that, resultant of the ambiguity of the amendments drafted into the constitution, it was manipulated by the President Robert Mugabe to support and retain his position in government. It was Mbeki's duty to challenge and address these shortfalls and ensure that the GNU ran under the framework defined by the GPA untainted by manipulation schemes.

Further, other critics suggest that Thabo Mbeki was pro ZANU PF even before his involvement with Zimbabwe as mediator. During his tenure as mediator, Mbeki rebuked any foreign attempts at intervention in Zimbabwe and maintained that Zimbabwean issues should be resolved by Zimbabweans regardless rife violations of civil liberties. His policy of 'quiet diplomacy' as put by Matyszak earned him harsh criticism and questioned his willingness towards a reformed Zimbabwe. Under circumstances where these affiliations to ZANU PF and President Robert Mugabe are deemed truthful, it is tempting to assume that in instances where the GNU deviated from the course set by the GPA, they did so consciously and out of ignorance.

The Restructuring of Government

Through article XX of the GPA, the principals of all three political parties namely Robert Mugabe, Morgan Tsvangirai and Arthur Mutambara, agreed to the establishment of "power sharing" in the "unity" government. Among the core mandates stipulated in the GPA was equity in government. The GPA called for equal representation of females in government. The provisions of Article XX in comparison to other articles was intended and in actuality wielded legal traction that could be enforced. Acceptance to form an inclusive government characterized with power sharing, despite limitations, was viewed as fulfillment of the will of the citizens of Zimbabwe.

Composition of the Government (GNU) -The Executive

At this point it is of paramount importance to note that in a democratic setup, either under presidential or parliamentary democracy there is a clear separation or demarcation of power. Under presidential democracy the president is both the head of state and government which brings forth into existence the executive body that is separate from the legislative body. The

GNU assumed a similar stance upon its establishment however, the presence of 'democracy' under a presidential democracy depends equally on the separation of power aspect as it will on other fundamental principles of a democracy.

Under the GPA, President Robert Mugabe retained his positions as head of State and Government, the Commander-In- Chief of the Defense Forces of the Republic of Zimbabwe and well as the Cabinet chairperson while his counterparts, Morgan Tsvangirai of the MDC-T party became Prime Minister and Prof. Arthur Mutambara of the MDC- M Deputy Prime Minister respectively. The political agreement stipulated that the President's appointments were to be reduced to 31 and from these 16 were to be nominees from the two principal signatories from the MDC factions. The appointments were to be carried out in consultation with the Prime Minister. Under Article 20.1.1 of the GPA, it is established that the Executive Authority of the Inclusive Government shall vest in, and be shared among the President, the Prime Minister and the Cabinet.

Matyszak and Reeler argue that having made this declaration, the subsequent paragraphs in this Article do not in fact invest any executive authority in the Prime Minister[7]. In plain sight, these conditions set or framework established by the GPA seems favourable to sustainable development and national recovery but however as mentioned before the ambiguous nature of the GPA in giving concise definitions and clarification to some aspects continued to undermine the performance of the GNU.

Further, although the President had to consult the Prime Minister when considering appointments, Matyszak and Reeler also argue that beyond consultation, the Prime Minister did not have any power to define the portfolios[8]. The collective impact of the ambiguity complex of

the GPA was leaving most of Robert Mugabe's powers intact and unchallenged. As a result, the GNU which was expected to pioneer Zimbabwe to into an era of recovery, peace and democracy was seriously undermined. The distinct demarcations between the Executive, Legislative branch and the Judiciary proposed by the GPA and soon to be implemented in the GNU began to fade before they were even established.

In violation of Article 20.1.6 of Schedule 8 of the GPA which stipulates that the president could only appoint thirty-one (31) Ministers, records show that by February 2009 the President, Robert Mugabe hand appointed an additional ten (10) Ministers to the stipulated figure. Although this matter could be legally challenged, critics argue the President had re-hinged his influence on all three arms of government and little could be achieved under such circumstances.

Against this background, it is tempting to argue that contrary to popular projections, the GPA failed to provide a streamlined strategy or framework for the GNU to operate within and as such it remained a possibility that the GNU might fail to address the crisis of Zimbabwe.

Challenges Facing the GNU

For the greater part of the negotiations leading to the formation of the GNU, Tsvangirai maintained that he would not be pushed into an agreement, he echoed his message of "no deal better than a bad deal"[9]. Matyszak and Reeler points out that MDC supporters enthusiastically welcomed the signing of the GPA[10] probably because they assumed the agreement it a good deal as Tsvangirai had reassured his comrades he would deliver a good deal.

Tsvangirai was however rather impatient in challenging matters that lacked clarity for example the executive role and authority of the Prime Minister lacked clarity and on the other hand accountability issues with regards to the President were presented in a rather unclear and muffled

manner. Although one cannot disqualify the efforts made by Tsvangirai to address these issues, one can argue that he had a hand in the future problems that the GNU faced because he signed the GPA before these issues were resolved. Political commentator, Brain Kagoro mentions that with political parties every decision they are faced with they are primarily concerned with retaining political power which he coined 'what they perceive as political mileage'[11]. This burning desire to acquire political mileage with every decision has in instances like the signing of the GPA, worked in detriment of the nation at large. The following were some of the prominent challenges that the GNU faced:-

Executive Appointments

The GPA declared that appointments in the Executive would be done in consultation of the Prime Minister. Consultation in this context suggested reaching a consensus with the Prime Minister before appointing ministers or deputy ministers. This was not always the case with all appointments that were made during the tenure of the GNU, records hold that some executive appointments were made at the President's discretion only, unilaterally. Such appointments became rampant and this only drove the nation towards acrimony and far from goals of democratization and unity. The appointment of the former governor of the Reserve Bank of Zimbabwe, Gideon Gono is an example of one of the unilateral appointments made by Robert Mugabe.

In cases where appointments were made in concurrence with Morgan Tsvangirai, President Robert Mugabe made sure that the MDC nominees were allocated to "empty" portfolios, junior portfolios or portfolios related to infrastructure or service delivery – all of which were in a parlous state[12].

Political Stability and the Observation of Human Rights

Achieving political stability, peace and the observation of Human Rights were some of the immediate or primary objectives of the GNU. The Zimbabwe Europe Network (ZEN) and its National Reference Group; Crisis in Zimbabwe Coalition, National Association of Non-Governmental Organisations (NANGO), Zimbabwe Human Rights NGO Forum and Zimbabwe Congress of Trade Unions (ZCTU) noted in their review of the implementation of the GPA in the GNU that the operating environment remains restrictive as witnessed by the infringement of free political activity as seen through disruption of rallies, peaceful marches and meetings organised by political players and civil society[13]. Similar to the observations made by The Zimbabwe Europe Network (ZEN) and its National Reference Group, Interviewee 6 shared the following sentiments:-

> Even after the inauguration of the GNU, human rights continued to be trampled on and more troubling was the issue of state backed violence against the people who did not approve of them. Even when the government expected to put an end to such practices was in full swing, reports of MDC abductions were still being made, take for instance the Beatrice Mtetwa unlawful detaining and arrest…political tolerance was and still is deficit in Zimbabwe[14].

Violation of Human Rights continued to proliferate under the GNU's watch. In 2012, SADC leaders expressed concern that Zimbabwe was still characterized by politically motivated violence after the murder of MDC activist, Cephas Magura at Chimukoko Business Centre on 26 May 2012[15].

In July 2012 the Herald newspaper reported that ZANU PF party activists were alleged to be politicking food aid ahead of elections to influence voters during the party's restructuring exercise through the District Coordinating Committee elections[16].In other terms, the political situation in Zimbabwe was seemingly backtracking to the conditions that were in place prior to

the negotiations aimed at reformation. Similar if not worse can be said of the violation of human rights during the GNU.

The Security Sector

Article XIII of the GPA called for ethical code of conduct of the police and security sector and encouraged a nonpartisan approach in the execution of their duties. Both the regional and international communities, notably the AU and SADC challenged and called for an expedited effort towards reform the security sector but despite these efforts the security sector maintained its ties to the President and ZANU PF. Evidence of these alleged ties can be drawn from the honest observation that from most of the reported cases of politically motivated violence against MDC supporters and officials, no confirmed arrests were made. In relation to the politicizing of food aid, The Zimbabwe Europe Network (ZEN) and its National Reference Group points out that a task force on food security was mandated to ensure that there is no politicization to access the state of the food crisis in the country but two months later no formal report on that subject had been submitted yet[17].

Constitutional Reform

The GPA had called for a new constitution primarily because of the flaws pointed out by the MDC parties in the old constitution. Much emphasis was put on the unbridled authority the old constitution granted the Executive which had subsequently led to a less transparent mode of operation in government. As such the GPA penned out the procedural framework a new constitution was to be drafted. In accordance to the GPA, the process should have involved consultation with the public; further deliberation by COPAC; and finally referendum for final approval by the people, in that order respectively. However, after the second step, the draft

constitution was in violation of the process outlined by the GPA, submitted to a ZANU PF led secondary analysis which resulted in 266 amendments to the draft constitution. This deviation from the process was both undemocratic and detrimental to the efforts aimed at national stability, unity and recovery.

The Economy

Through provisions of Article III of the GPA, all three parties in the GNU reached consensus on giving antecedence to economic recovery, stability, transparency and accountability. Though measures were set in motion to achieve economic stability notably through introduction of a multi-currency system, GNU still faced challenges. The major reasons behind these challenges include the underperformance of the primary economic sectors such as agriculture and mining. Critics have credited this underperformance to the unstable political situation in Zimbabwe and as well as the lack of foreign investments. Foreign investments were discouraged by the Zimbabwean debt history among other factors that will be explored into. Records hold that Zimbabwe had an overhanging debt estimated to be at US$10.7 billion in June 2012, which translated to 111% of Gross Domestic Product (GDP) [18]. At one point, the Zimbabwe Electricity Supply Authority owed the Hydro Cahora Basa of Mozambique over US$4 million. Reports of Zimbabwean aircrafts being seized on foreign airports over unpaid debts also helps portray how deep in debt Zimbabwe was.

Against this background, it is clear that Zimbabwe was not an inviting nation with regards to foreign investments. Cognizant of the fact that foreign investment is a major pillar in stable economies world over, lack of the latter simply meant economic recovery in Zimbabwe was to become a protracted voyage.

The Indigenization Bill

Perhaps one of the most prominent obstacles to foreign investment to date was the GNU's Indigenisation and Empowerment policy which transferred the majority of shareholding to the indigenous people in foreign-owned businesses. This move by the GNU gravely undermined Zimbabwe's potential at receiving investments in general and economic recovery in particular as it sorely depended on the input of investment.

Sanctions

Economic recovery equally depended on the end of Zimbabwe's international economic isolation. The sanctions needed to be lifted as means to facilitate sustainable solution to the challenges facing Zimbabwe according to Article IV of the GPA. However it is imperative for one to understand that economic sanctions imposed on Zimbabwe had been used as political rhetoric by the ruling party ZANU PF and the President but sanctions alone cannot account for the situation Zimbabwe had found itself in with regards to it economy, a series of bad policies, lack of transparency and accountability also had a hand in the deterioration of the state of affairs.

Media and Freedom of Expression

Media and freedom of expression falls under democratic reforms. A democratic setup encourages the independence of media and advocates for the civilian's right to access impartial and unbiased information. GNU maintained the Access to Information and Protection of Privacy Act of 2002, and this act alone challenges the government's willingness to cut ties with newspapers. The Act served as a tool to supervise material to be published which stands in direct contradiction with democracy at large and the right to access unbiased information.

Is GNU a suitable strategy to address political crisis in Africa?

There is no distinct consensus concerning the suitability of GNUs in addressing contemporary political deadlocks in Africa. Most critics argue, GNUs in fact legitimizes and affords more 'office time' to tyrants. Study of contemporary GNUs employed in Africa will help establish whether a GNU can be successfully used to address political crisis.

With the exception of South Africa, review of the events leading the creation of a GNU in Zimbabwe and as well as in Kenya suggest that GNUs are primarily considered as a conflict resolution strategy. 'Conflict resolution strategy' in the context of putting to an end the immediate violent situation on the ground, a temporary cease-fire in a way. Following the 2007 disputed presidential elections in Kenya, Kofi Anan (mediator to the Kenyan political impasse) brokered a deal between the two contending political parties which eventually led to the creation of a GNU.

Similarly, Thabo Mbeki talked the major contending political principals into a settlement (the GPA) that ultimately led to the establishment of a power-sharing government. It is important to note that in both instances, mediation was primarily directed at establishing peace or gave priority to the resolution of peace.

As one would assume, given the basis upon these GNUs were born, the principals did not trust each other and bluntly expressed the GNUs protocol lacked transparency and the depth of co-operation was depressingly shallow. In the case of Zimbabwe, this unwillingness to work together can be traced back to as early as the negotiation table prior to the creation of GNU. Despite having legal leeway to contest Mugabe's legitimacy as the president, Tsvangirai chose not to contest when the GPA stipulated that Robert Mugabe would assume/ retain power instead

he took the route of sulking over issues and pointing out the obvious but not taking a stance to rectify what he was pointing out. Had he contested perhaps the GNU would have been set in motion on a different note. Correspondence on Reeler and Matyszak notes that at the very least, the petition would have been a high chip to put on the negotiating table[19].

Further, for a nation to realise political stability and democracy, the presence of a fully functional electoral system is prerequisite. The GPA under Article X had made initiative to ensure that every Zimbabwean citizen will have the right to peaceful, free, fair, and regular elections. One cannot disqualify the legal traction the GPA had given but however due to the absence of separation of powers, electoral reforms established or not would eventually amount to nothing. Using Zimbabwe and Kenya as examples, GNUs proved to have a weakness when it came to limiting the power of the head of the Executive and as well as ensuring complete separation of power. Despite their contextual differences or orientation, Interviewee 6 and 5 shared similar sentiments with regards to the GNU's limited success in promoting democracy. Their argument is centered on separation of power. The duo argues that similar to the era prior the GNU, the tenure of the GNU was characterized by centralization of power. Centralisation of power became the main obstacle for fruition of democracy in Zimbabwe. Interviewee 6 shared the following opinion;-

> The principle behind the separation of powers in a democracy is that each branch of government keeps the next in check. This is a measure that ensures that no single branch becomes excessively powerful than the other. In essence it prevents abuse of power by any singular individual, party or force. Now imagine a scenario where all three arms of government fall under the jurisdiction of one man. The GNU was destined for failure before it was even operational[20].

Interviewee 5 also added:-

> Honestly I am worried that people expected a radical shift in policy and the likes and at the same maintain the organizational structure that initially failed Zimbabwe. I have heard people say the insanity is doing the same thing over and over again and expecting a different outcome. *Hameno, ndiwo maonero anguwo*[21] [This is my opinion]

Collectively, these two key informants agreed that separation of power was a necessary pre-requisite for democracy.

Regardless the declarations to prioritise economic recovery, perhaps one of the first actions the GNU did in Zimbabwe was burden the already crumbling economy. With inflation still high, the government accrued more expenses through the mere size of government. The same can be said for the Kenyan GNU. In an attempt to cling onto majority through numbers and perhaps as appeasement, additional ministers and deputy ministers were appointed into the Executive, unconstitutionally. In the end the GNU ended up burdening the economy it was meant to revive. With a government comprised of 309 members, Zimbabwe incurred a significant expenditure bill, which was something the economy could not afford to do at the time. In many ways, economic stability determines political stability and as such the GNU itself in this instance was detriment to the efforts towards political stability.

Any GNU formation should be complemented with a course of action aimed at addressing the underlying political crisis or any other reason the GNU might have been established. The major challenge GNUs face in alleviating political crisis in Africa is that not much is invested into securing a plan to complement the newly formed government. While others might argue that in the case of Zimbabwe the Global Political Agreement was the plan or course of action, it is imperative to emphasize that efforts should not seize soon after a plan is secured but should extend to a later stage where there is a body that compels conformity to the course of action. In concise terms, any GNU formation should be complemented by a plan that addresses the

underlying crisis and also by a body that can take affirmative action. In this light GNUs in African have been portrayed as unsuitable strategies to address the political crisis because they fail to invest the above mentioned complementary tools, without which most of these governments serve no significant purpose.

Evaluation of the GNU

The GNU managed to pocket some significant achievements during its term in Zimbabwe. Notable virtues included putting an end to the political stalemate that had resulted in politically oriented violent crimes against humanity. Restoration of peace in Zimbabwe was the first priority mandated to the GNU and the GNU's achievement of this goal raised anticipation for a more democratic Zimbabwe.

The economy experienced considerable improvements, the GNU had initiative to introduce a multi-currency system in Zimbabwe which helped with the economic relapse. There was considerable reduction in inflation rates. The inclusive government managed to contain the inflation within the target rate of 3.5-4.5 % …[22].In a bid to realise media diversity and plurality, establishment of new radio stations and publishing companies was supported by the government through granting of operation licenses. Attributable to their spiral complex in Zimbabwe, Political intolerance, coercion and violence were gradually reduced over time.

Deterioration of the health care sector was among the grievances identified by populace. Some major steps were taken to address this effect for example the Ministry of Health and Child Welfare in response to a measles outbreak in the country, launched a joint campaign and immunised approximately 5 million children against the disease[23].

It was stipulated in the terms of the GPA that no party or individual was to have a monopoly over state apparatus, instruments or institutions but however this tendency continued to loom throughout the GNU's reign. Further, the GPA had mandated the principals in the GNU to work together in re-engaging the international community with a view to bringing to an end the country's international isolation. This is one of the GNU's outstanding failures. The lift of economic sanctions was viewed as major step towards a streamlined transition to development for Zimbabwe.

It is of great significance to note that, while the GNU managed to completely and in some instances partially achieve its goals as outlined by the Global Political Agreement, the democratic sector witnessed limited success. Democratic reforms were undermined primarily because the previous perpetrators were still part of and largely influential in the present incumbent body.

Conclusion

Evident to the finding of this Chapter, it is fair to argue that the GNU realised some positive virtues in Zimbabwe notably in the economy, media, food and health sectors. The 2008 situation had left the health sector understaffed and destabilised attributable to the general economic plunge and shortages in medical supplies and indispensable medicines however the health sector under GNU realised significant donor support to remedy the situation. Hyperinflation was reduced through innovative policies under the GNU such as the multi- currency system. Furthermore, regardless the unchanged high cost of living, food availability in stores remained steady. However despite its undoubtable endeavors, as a means or strategy aimed at promoting democracy, the GNU failed to be an effective agent.

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Chapter Three:

Zimbabwe and Democracy

Introduction

The Chapter is principally concerned with the portraying the margin Zimbabwe was lagging with regards to democracy. The researcher chose to explore and discuss regional documents that provide the best guiding principles or framework to foster and maintain democracy predominantly because Zimbabwe is a signatory to all. These documents include the AU Constitutive Act, The African Charter on Democracy, SADC Principles and Guidelines Governing Democratic Elections among other documents.

To address the applicability and relevance, Zimbabwe's adherence to democracy will be evaluated against the yardstick set by regional standards of democracy, African democracy as such.

AU and the Constitutive Act

Background to the establishment of the African Union

During the 1990s proposals were collectively brought forward by Javier Perez Cueller, Boutros Boutros- Ghali and Kofi Anan for more involvement and contribution of regional organisations with regards to issues of conflict resolution, protection of Human Rights and maintenance of international peace and security[1].

It is important to note that at this time the Organisation of African Unity (OAU) was involved in what Kindiki labels 'modest efforts' directed at achieving the above mentioned goals. Since its establishment in 1963, the OAU's main objectives, as set out in the OAU Charter, were to

promote the unity and solidarity of African states; coordinate and intensify their cooperation and efforts to achieve a better life for the peoples of Africa; safeguard the sovereignty and territorial integrity of Member States; rid the continent of colonisation and apartheid; promote international cooperation within the United Nations framework; and harmonise members' political, diplomatic, economic, educational, cultural, health, welfare, scientific, technical and defence policies[2].

However, attributing to their non- intervention policy or approach to member states, the goals of promoting democratic states and good governance remained an elusive in African states. Upon realisation of the faulty of this policy, Africa leaders engaged in discussions pointing out the need to review and possibly amend the OAU's structures. Following these deliberations, the OAU Heads of State and Government in 1999, announced the possible establishment of a new AU built on the core values and ideals of the OAU.

The vision for the Union was to build on the OAU's work by establishing a body that could accelerate the process of integration in Africa, support the empowerment of African states in the global economy and address the multifaceted social, economic and political problems facing the continent[3].

AU's Constitutive Act

Inspirited by the global developments, Kindiki points out that the, OAU legal unit drafted the Constitutive Act of the African Union (the AU Act) [4] which was later adopted at the Lome Summit in 2000. Heads of State and Government of the Member States of the Organization of African Unity (OAU) emphasize and declare inter alia, the determination to:

promote and protect human and peoples' rights, consolidate democratic institutions and culture, and to ensure good governance and the rule of law.

This declaration suggests the adoption of a new and refined course for Africa. The Act also points out the need to promote peace, security and stability as a prerequisite for the implementation of our development and integration agenda and clearly shows intention of betterment of Africa through its provisions of Article 3. In contrast the period leading to the 2000 parliamentary elections and the 2008 presidential elections in Zimbabwe was characterized by politically motivated violence and coercion directed at non-ZANU PF sympathisers. Coercion and political intolerance stands in sharp contrast with the rule of law and good governance and so far Zimbabwe is not a firm adherent to democracy.

Perhaps one of its most prominent virtuous principles was the respect for democratic principles, human rights, the rule of law and good governance. Adoption of this principle was truly reflective of Africa's intention to foster democracy in the region. To complement and further cement the democratic agenda in Africa, the AU introduced the African Charter on Democracy, Elections and Governance.

African Charter on Democracy, Elections and Governance

It is noted in the Charter's preamble that the African Charter on Democracy, Elections and Governance was inspired by the objectives and principles enshrined in the Constitutive Act of the African Union, particularly Articles 3 and 4, which emphasize the significance of good governance, popular participation, the rule of law and human rights. It is imperative to note that citizen participation in a democratic setup should not end at participating in elections only but should further translate into an instrument to effect change, citizen participation also embody

public referendum. During the tenure of the GNU and prior to its establishment, citizen participation has been shortchanged for meaningless ballot engagement.

The collective objective of the Charter calls the establishment of the necessary conditions to foster citizen participation, transparency, access to information, freedom of the press and accountability in the management of public affairs. Encompassed in this collective requisition is the presence of regular peaceful, free and fair elections, referendum; transparency in the government code of conduct, adoption of nonpartisan policy; peaceful transfer of power; separation of power; avoiding monopoly over state apparatus; just but to mention a few. Collectively these principles will create conducive conditions to foster democracy.

All signatories to the AU, including Zimbabwe have obligation to adhere to these principles but however in the period leading to the controversial 2008 presidential elections and the period after, Zimbabwe was operating in violation of most if not all principles of the Charter and the Constitutive Act and as such it remained improbable for democracy to flourish under such circumstances.

African Peer Review Mechanism (APRM)

The pursuit for democracy in Africa can be traced back to as early as the era of African Renaissance that was pioneered by Pan Africanists such as Kwame Nkrumah. To Mbeki, good governance was in close proximity to fulfillment of the needs of the people, governance in accordance to the will of the citizens in such a way. Mangu argues that democracy is a prerequisite for the African Renaissance[5]. This argument thus suggests that execution of principles or values echoed in African Renaissance is the only way democracy can be realised.

The African Union (AU) through the New Partnership for Africa's Development (NEPAD) and the African Peer Review Mechanism (APRM) managed to merge the pursuit of good governance into Africa's sustainable development agenda. The APRM is an instrument voluntarily acceded to by Member States of the African Union as an African self-monitoring mechanism.

Ottosen argues that NEPAD has helped to place democracy and good governance at the centre of Africa's development agenda[6]. He further points outs that the APRM remains an innovative mechanism for building democracy and good governance from which the EU itself could learn[7]. NEPAD recognises the importance of political stability and streamlined transparent governance in the realisation of economic development hence the adoption of APRM.

Through self- assessment the APRM affords individual states to review their policies and encourages them to realign themselves with the framework established by the AU which will in turn promote political stability and economic development. If effectively implemented and approached with an impartial and tolerant attitude this review instrument encourages transparency in government.

The APRM has provided initiative for African states towards complete transition politically and economically. Since its establishment in 2003 this review with the aid of provisions of NEPAM has improved political governance has in Africa and has subsequently led to economic growth in some African states, but not much has been realised in Zimbabwe primarily because it has not availed itself to the African Peer Review Mechanism. However, aware of the fact that availing one's self to the APPRM is on a voluntary basis, even if a nation was to take the review, this framework has no compelling muscle to unsure that the nation in question lives up to the recommendations suggested based on the results of the review process. As such while the facility

provides a platform for political stability and economic development among other virtues, it also encourages manipulation.

Improvements in the economy have been realised in Zimbabwe since the introduction of the GNU, but this has not spared the nation criticism as a fragile state. Stefan Wolff among other scholars have bordered around the inability of an institution to provide basic public goods of sufficient reach, quality and scope…unable to cope with sudden challenges, strains or additional demands on its capacity[9] in attempt to define a fragile state.

The African Peace and Security Architecture

Similar to other organs affiliated with the African Union, the African Peace and Security Architecture served as a framework designed to promote peace, security and stability in Africa. It is noted by the African Union Peace and Security Department (PSD) that, the African Peace and Security Architecture (APSA) is built around structures, objectives, principles and values, as well as decision-making processes relating to the prevention, management and resolution of crises and conflicts, post-conflict reconstruction and development in the continent[10].

Peace and Security are not necessarily the terms one would use to relate to the post 2000 Zimbabwean parliamentary elections era. Political related abductions, genocide and as well as alleged state funded coercion and violence became rampant and continued to proliferate as criticism of the government grew. As a signatory and member of the African Union, Zimbabwe was aware of its mandate of promoting and maintaining peace and security within its borders, therefore its reluctant approach towards redressing the issues of peace and security suggests ignorance.

Inclusive to the APSA core agenda for peace and security in Africa is the promotion of democratic practices, good governance and respect for human rights among other virtues. Though the APSA provides a significant framework for democracy, democratic fruition in any case sorely depends on the willingness of the key political players.

SADC Principles and Guidelines Governing Democratic Elections

SADC Principles and Guidelines Governing Democratic Elections (SADC PGGDE) is perhaps one of the major African documents on democracy and stability that offers a streamlined guidance towards general political and economic stability, tolerance, transparency, good governance and observation of human rights.

The document gives concise definitions of the major pillars of democracy and explains the bounds a democratic setup should operate within. According to the SADC PGGDE;

> ***"Credible elections" means 'electoral processes enjoy considerable support and confidence of the citizenry and international or regional community, leading to mutually agreeable results from competing entities that participate actively in the electoral process.'***

Based on studies and views forwarded by both the international and regional communities namely the United Nations, African Union and Southern African Development Community, the results and procedure of the 2008 presidential election were neither mutually agreeable nor participated on a firm democratic grounds.

According to the SADC PGDE, "democracy" is in the context of:

> *'a system of government based on the respect of the rule of law; in which all citizens of a state enjoy fundamental human rights and freedoms; and are fully involved in decision making processes about affairs affecting their welfare, typically by electing their representatives at all levels of government, under a free and inclusive electoral system.'*

By the end of June 2008, Zimbabwe stood in direct contradiction of what the SADC Principles and Guidelines Governing Democratic Elections (SADC PGGDE) was calling for on a regional basis. Although elections are a fundamental component of democracy they played a significant role in the deterioration of political stability and subsequently undermined democracy in Zimbabwe because they were not carried out, viewed and approached with the above context of credible and democratic elections.

From the above it becomes obvious that Zimbabwe was in dire need for procedural and implementation reforms in both the democracy and election faculties.

Conclusion

Collectively the documents argues that in a normal democratic setup, there should be, amongst other principles, the presence of regular, free and fair democratic election in the context outlined by the SADC Principles and Guidelines Governing Democratic Elections (SADC PGGDE). These elections should subsequently serve as an empowering instrument to challenge, and or remove from office detached or indifferent leaders. Elections therefore should serve as an effective agent that represent the will of the populace. Contrary to the abovementioned expectations, elections in Zimbabwe have instead promoted elitism and with regards to being an empowering instrument, they have failed dismally. Maintenance of peace and security, the rule of law and political tolerance all contribute towards good governance. Through review of the above regional documents that provide a general framework to realise democracy, Chapter successfully identified some loopholes within Zimbabwe's operational framework. Despite attempts made by the GNU to establish conditions desirable to promote democracy, limitations

of the GPA that continued to be manipulated by the incumbent and as well as the unwillingness complex of major players continued to undermine this initiative.

ENDNOTES

1. K. Kindiki, "The Normative and Institutional Framework of African Union relating to the Protection of Human Rights and Maintainance of International Peace and Securiry": A Critical Appraisal , African Human Rights Law Journal, Vol3, 2003 accessed August 22, 2016 at http://www.ahrlj.up.ac.za

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CHAPTER FOUR:

Summary and Conclusion

The GNU as a strategy for promoting democracy

The dominant debate surrounding the GNU is the extent it managed to execute its core mandates. Among these mandates was the promotion and cultivation of democracy in Zimbabwe. Collectively the populace commended the GNU for a job well done chiefly because it had managed to mitigate the political violence that had become norm in 2008. The GNU was also credited by the populace for having introduced policies that helped address the economic relapse and hyperinflation. Interviewee 2 shared the following opinion:-

> *Baba dai yanga isiri nyaya ye Inclusive Government, Zimbabwe ingadai yakapinda chi level che civil war nekuti patatasvika panga paipa, iwe usadherere kuenda kunotenga chingwa ne bhara* [Had it not been for the provisions of the GNU, it was probable for Zimbabwe to undergo a civil war. The economy had deteriorated, characterized by hyperinflation such that for one to purchase a single loaf of bread they needed a wheelbarrow full of bank notes.][1]

Similar to the observations that were made by the populace, majority of the key informants were in accord that the GNU played a significant and dignified role in alleviating and pacifying the politically motivated violence that had become rife in 2008 Zimbabwe.

Interviewee 11 and 12 predominantly disqualified the GNU as an effective tool to foster democracy because of its failures to remedy the situation surrounding the security sector. They both highlighted that the GNU knew that partiality was characteristic of the security sector as much as they were cognizant of the arbitral manner of operation but were reluctant to establish a body with the legal traction to compel impartiality. Specific reference was given to the Public

Order and Security Act (POSA) pointing out that this Act amongst others still stand as hindrance to freedom of association and expression to date.

With regards to the execution of its mandate, the majority of key informants argued that the GNU had generally under-achieved. However they individually attributed this failure to three main reasons, (1) the lack of co-operation with the government structure; (2) separation of power; and finally (3) SADC's mediation team. Interviewee number 8 and 9 were of the view that the GNU's failure was as a result of lack of co-operation and accommodation within the governmental structure. Collectively they argue that both parties involved or mandated with creating a conducive foundation upon which democracy would flourish entered the partnership with the wrong attitude.

Interviewee 8 noted that, the MDC political factions had entered the GNU begrudgingly and as such the possibility of unwavering commitment on the part of MDC was questionable from the onset. The pair (Interviewee 8and 9) acknowledged the fact that political will had a major role to play towards the fostering of democracy in the nation.

Despite their contextual differences or orientation, Interviewee 6 and 5 shared similar sentiments with regards to the GNU's limited success in promoting democracy. Their argument is centered on separation of power. The duo argues that similar to the era prior the GNU, the tenure of the GNU was characterized by centralization of power. Centralisation of power became the main obstacle for fruition of democracy in Zimbabwe. Collectively, these two key informants agreed that separation of power was a necessary pre-requisite for democracy.

Democracy and Zimbabwe: A matter of re-sensitization or initial establishment of democracy in Zimbabwe?

For the purpose of a consolidated appreciation of the question, all participants to the interviews carried out by the researcher were furnished with the contextual meaning of the word 'sensitization'. For the purpose of this study, 'sensitization' refers to repeated administration of an already possessed quality or process with intent to amplify or reattach.

The populace generally linked democracy to elections and generally believed that Zimbabwe had always been soaked in democracy but somehow derailed or deviated from the course. Elections were linked to democracy possibly because of the Zimbabwean colonial history and as well the role played by political rhetoric. The interviews revealed that elections are an important aspect in democracy. Majority of the populace used elections as credibility or criterion to establish whether or not Zimbabwe had been operating under the framework of democracy since its independence in 1980.

Interviewee 4 maintained neutrality towards the question, he highlighted that there was no superior principle among the set of principles of democracy resultantly it was hard to tell if Zimbabwe had been democratic or otherwise. He however acknowledged that all principles are equally important and as such for a state or nation to be deemed as democratic it should encompass all qualities of democracy. The Interviewee noted:-

> Democracy is a broad term that might mean different things to different groups of people. It is hard for me to say whether or not Zimbabwe was democratic before the GNU. I think there is no dominant principle of democracy that can account for all of them. It is similar to the biblical commandments, they are equally important. So I will say a democracy depends on effective implementation and practice of all principles[2].

All nine key informants indicated that democracy is a diverse term and there is no singular comprehensive appreciation of democracy but rather there are some generally agreed upon features or principles of democracy. Among the popular fundamental principles of democracy forwarded by the interview participants was the presence of peaceful, periodic, free and fair elections. From the onset the majority of the interviewees credited Zimbabwe for holding elections and maintained that elections were a fundamental component of democracy regardless the fact that they had played a role in the deterioration of political stability in Zimbabwe in 2008. With the exception of Interviewee 6, the key informants highlighted that in spite of the obvious lack of other fundamental principles such as freedom of expression, political tolerance, and other basic human rights, Zimbabwe had an intact framework for democracy and therefore was just in desperate need for sensitization.

To Interviewee 6, the elections themselves were not a diplomatic act but rather a mere act wielding no authority nor any significance at all. He further goes on to rebuke the existence of the GNU itself pointing that it had largely deprived and robbed Zimbabwe of democratic legitimacy. Interviewee shared the following:-

> From your well-articulated definition of sensitization, I do not think it is fair to pin democracy in a state where there was obvious lack. Human rights being trampled on almost on a daily basis, violence everywhere, media repression and classic disregard of election outcomes. A democracy does not disregard its people and neither does it drive them into abject poverty and restlessness. So I personally think sensitization is a kind word...Zimbabwe needed establishment before it could re sensitize democracy[3].

With regards to the rejuvenation of the Zimbabwean economy, containment of the arbitral mode of operation of the security sector, reduced political intolerance, coercion and violence, improved observation and respect of basic human rights and as well as establishment of institutions and

bodies such as COPAC which offer oversight function, the GNU can be commended. However there are some areas that were left unattended or addressed and these include the media sector, breaking of ties between government and (1)intended oversight organs and (2) judiciary sector, the electoral process and procedure.

While there were some significant positive changes in media, the study revealed that the GNU failed to effectively dissolve state manipulation of this sector. The basic right to freely access and disseminate information was still a compromise in Zimbabwe attributable to the maintenance of repressive laws such as AIPPA. The study indicated that the GNU was either reluctant or ignorant in approach toward addressing the electoral process and procedure. One would assume that since elections were the major push towards the instability of 2008, they would receive antecedence at reform but this was not the case with Zimbabwe. No significant policy or plans were set in motion to ensure that the next elections would not follow suit.

Establishment of oversight organs in Zimbabwe under the GNU proved to be a limp attempt at achieving democracy in Zimbabwe. The study revealed that GNU failed to ensure independence of these organs and this would only work in detriment of the democratic agenda for Zimbabwe. The state continued to have influence over these institutions and bodies such that their effectiveness in the execution of their mandated duties becomes questionable. The same can be said with reference to the judiciary sector, no reforms were set in motion to address the independence of this organ as one of the three arms of government. The rule of law and impartiality could not be promoted in Zimbabwe if the judiciary continued to be influenced by one party, individual or organisation.

The tenure of the GNU was characterised by virtuous traits that created conditions favourable to democratic development and fruition and among these was the creation of political, social and somewhat economic stability. Stability in these three main domains are pre-requisite of democracy and as such GNU played a role towards realisation of democracy. However it is important to realise that, while the GNU might have set in motion the train towards reformation in democracy its failure to assure continuity or its failure to compel adherence to the principles of democracy remained an obstacle towards total transformation.

ENDNOTES

1. Interview with Interviewee 2, September 14, 2016

2. Interview with Nigel Taurayi, September 15, 2016

3. Interview with Moyo, August 28, 2016

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