

## The 2013 Elections in Zimbabwe: the end of an era

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### Abstract

The July 31<sup>st</sup> Elections in Zimbabwe ushered in a renewed period of political domination by ZANU(PF) and its President, Robert Mugabe. This election followed five years of a SADC- facilitated Global Political Agreement (GPA), which was put into place after a contested presidential run-off election in June 2008. The recent elections, which once again established ZANU(PF)'s mastery over the country's political domain, were passed as free and peaceful by SADC and the African Union but contested by both Movement for Democratic Change parties and the western countries. While there were clear problems in the process leading to the election, it is also apparent that this was not the only factor that determined ZANU(PF)'S 'victory'. This article provides an analysis of the multiple factors that contributed to the current conjuncture including the different party strategies under the GPA, changes in Zimbabwe's political economy and interventions at regional and international levels.

### Introduction<sup>1</sup>

Zimbabwe's Global Political Agreement (GPA), signed by the then ruling ZANU(PF) and the two opposition Movement for Democratic Change parties,<sup>2</sup> was intended to prepare the political process for a generally acceptable election after the violent debacle of the June 2008 presidential run-off elections, which had followed ZANU(PF)'s defeat in the March 2008 polls. The GPA was marked by severe contestations all too characteristic of the battle for the state that constituted the politics of the agreement. At almost every stage of the implementation of the agreement, intense conflicts over its interpretation left their debris on the political terrain, at the heart of which was the meaning of 'sovereignty'.<sup>3</sup> Within this context, the major aim of ZANU(PF)'s strategy was to manipulate and stall the reform provisions in the GPA in order to allow it to regroup

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<sup>1</sup> This introduction and the section on the constitution draw from B. Raftopoulos, 'Towards another stalemate in Zimbabwe?', Norwegian Peacebuilding Resource Centre (NOREF), October 2012.

<sup>2</sup> ZANU(PF) is the Zimbabwe African National Union (Patriotic Front), Zimbabwe's ruling party from 1980 until the advent of the GPA. The MDC is the Movement for Democratic Change, formed in 1999. It split into two formations in 2005, the larger MDC-Tsvangirai or MDC-T, led by Morgan Tsvangirai, and the smaller MDC, led at first by Arthur Mutambara and then by Welshman Ncube.

<sup>3</sup> As I have written elsewhere: 'On the one hand, the MDC, formed in the post-1989 global era of a dominant liberal democratic discourse based its legitimacy on the sovereignty of the electoral process, constitutionalism and a broad human rights foundation. On the other hand, ZANU(PF), although formally adhering to regular elections, based its legitimacy largely on the legacies of the liberation struggle, a highly problematic redistributive land agenda from 2000, and a dominant ethos of force and coercion which characterised most of the electoral processes in the post-colonial period'. B. Raftopoulos, 'An Overview of the Politics of the Global Political Agreement: National Conflict, Regional Agony, and International Dilemma', in B. Raftopoulos (ed.), *The Hard Road to Reform: The Politics of Zimbabwe's Global Political Agreement* (Weaver Press, Harare, 2013), p. 7.

and reconfigure its political resources after plunging to the nadir of its legitimacy in the 2008 electoral defeat.

The resounding electoral ‘victory’ of Mugabe and his party ZANU(PF) in 2013 can in part be explained by the impact of the continuing legacies of ZANU(PF)’s authoritarian politics. However, this alone is not sufficient to explain the outcome of these elections. The objective of this paper is to look beyond this important dimension of ZANU(PF)’s politics and to place this factor within a broader understanding of other determinants of the election outcome. These additional determinants include changes in Zimbabwe’s political economy since 2000, the challenges and limitations of the political opposition, as well as the regional and international influences on the elections. Moreover, the events of 31 July 2013 represent not simply a return to certain continuities of ZANU(PF) rule, but also a reconstitution of the political terrain in Zimbabwe, particularly around the immediate future of opposition politics in the country, and the possible implications of the Zimbabwean experience for regional politics.

### **The Constitutional Process**

Between 2009 and 2013 a key area of contestation between the parties to the GPA was the struggle for constitutional reform. Article VI of the agreement set out the ‘fundamental right and duty of the Zimbabwean people to make a constitution for themselves’, also stipulating that the process would be carried out by a Select Committee of Parliament composed of parties to the GPA. Constitutional reform is often a highly contested process with different parties bringing different political agendas and competing imaginaries to the process. Zimbabwe was no exception to this trend and since the 1990s the major political parties often fought out their rival positions on this terrain.

For the nationalists coming out of the liberation struggle, constitutionalism and the law have had a complicated history. On the one hand, these discourses were constitutive of their grievances against the colonial state and helped to conceptualise their own legality and legitimacy. They have also played an important role in both delineating their demands and providing a means of imagining the possible forms of a future state.<sup>4</sup> On the other hand, this generation of leaders also viewed the liberation struggle as an alternative to constitutionalism, with the war of liberation leading to the destruction of the colonial state and the establishment of ‘people’s power’, however nebulously defined.<sup>5</sup>

The constitutional compromises agreed at Lancaster House in 1979 were the result of a convergence of national, regional and international pressures that inaugurated the politics of the postcolonial state. Once in power, ZANU(PF), as in the case of other postcolonial political parties, instrumentalised the constitution to concentrate power in the Presidency and to reconstruct the power relations between the state and opposition politics in the state’s favour.

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<sup>4</sup>J. Alexander, ‘Nationalism and Self-Government in Rhodesian Detention: Gonakudzingwa, 1964 – 1974’, *Journal of Southern African Studies*, 37, 2 (2011), pp. 551– 69.

<sup>5</sup>I. Mandaza, ‘Movements for National Liberation and Constitutionalism in Southern Africa’, in Issa Shivji (ed.), *State and Constitutionalism: An African Debate* (SAPES Books, Harare, 1991), pp. 71 – 90.

The different voices of opposition politics in postcolonial Zimbabwe have also constituted their presence through the discourse of constitutionalism. The emergence of the National Constitutional Assembly (NCA) in the late 1990s represented a convergence of a critique of the ZANU(PF) state around the issues of political democratisation and economic change, constructed through the organisational frameworks of the churches, the emerging human rights organisations, and the labour movement. As the constitutional movement gained momentum between the late 1990s and into the 2000s, the dominance of the human rights messaging took precedence over economic issues, a shift that contributed to the rupture between rights and redistributive issues that has continued to mark the political discourse in the country. This emphasis on the part of the constitutional movement was the result of the mobilisation of a coalition of classes and organisations largely in the urban areas around the lack of accountability of the postcolonial state, in the context of the post-1989 changes in global politics and the dominant paradigm of human rights, democratisation and economic neo-liberalism that framed western interventions in the South from this period. This convergence of factors led to ZANU(PF)'s construction of the constitutional movement as a western intervention, completely ignoring both the national conditions that gave rise to its existence and the longer history of activism around human rights and constitutional issues that marked anti-colonial struggles in the country. The politics of the land occupation movement in the 2000s profoundly marked the bifurcation between questions of human rights and economic redistribution.<sup>6</sup>

With the signing of the GPA in 2008, constitutional reform became one of the major issues of contention between the parties. After three years of delays, obstructions, logistical and financial squabbles, and a problematic outreach programme, a draft constitution was produced through the Parliamentary Select Committee process, COPAC, in July 2012. Importantly in terms of the process, all parties to the agreement were signatories to the draft, leading to the logical conclusion that at all times the principals of the parties and their respective leaderships were fully informed of the discussions of the COPAC team.

However, in a move that replicated previous interventions to block constitutional reform and eschew its commitment to the GPA, ZANU(PF) placed another obstacle in the path of the reform process. In August 2012 President Mugabe presented the leaders of the MDC formations with a ZANU(PF) redraft of the COPAC draft, on the grounds that the latter was drafted in opposition to the 'views of the people' gathered during the outreach process. This redraft, described by ZANU(PF) as 'non-negotiable', attempted to undo the COPAC process, undermine the GPA and once again force the Zimbabwean citizenry into a national election without a new constitution. Moreover, the ZANU(PF) draft effectively dismissed the major reforms included in the COPAC draft and proposed a return to the kind of executive powers and party-state rule that ZANU(PF) had crafted since 1980.

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<sup>6</sup> E. McCandless, 'Zimbabwean Forms of Resistance: Social Movements, Strategic Dilemmas and Transformative Change' (PhD Thesis, American University, 2005); S. Rich Dorman, 'Inclusion and Exclusion: NGOs and Politics in Zimbabwe' (DPhil Thesis, University of Oxford, 2001). See also T. Ranger (ed.), *The Historical Dimensions of Democracy and Human Rights in Zimbabwe*, Volume Two: Nationalism, Democracy and Human Rights (Harare, University of Zimbabwe Publications, 2001).

Both MDC formations objected strongly to the ZANU(PF) position. After weeks of political haggling, the parties, under pressure from the Southern African Development Community (SADC) facilitation team, agreed to take the COPAC draft to an All Stakeholders Conference held in October 2012. The few disagreements on the draft that resulted from the Conference were finally resolved by the party principals in January 2013 and, by Presidential Proclamation, 16 July was set aside as the day that a referendum would be held on the constitutional draft. While the draft was a compromise document which still contained a disturbing concentration of executive powers, it also put in place important changes such as presidential term limits, more accountability of the security and judicial services, a more independent national prosecuting authority, limited devolution of power, and stronger citizenship rights.

The NCA, which had opposed the COPAC process, filed an application to the High Court in February 2013 seeking an order interdicting the Zimbabwe Election Commission (ZEC) from conducting the referendum. The NCA sought the court order on the grounds that the Proclamation should be declared unlawful and *ultra vires* Section 3 of the Referendum Act Chapter 2:10. Predictably, the High Court rejected the NCA case ‘in its entirety’, stating that the President’s conduct was ‘not subject to review by a court’.<sup>7</sup>

The referendum went ahead on 16 March 2013, with the overwhelming majority of voters, 3,079,966, voting for the new constitution, while a small number, 179,489, voted against. The total number of votes cast was 3,259,454.<sup>8</sup> The referendum vote recorded the largest voter turnout in the postcolonial period, with marked increases in each province in comparison with the March 2008 elections. Harare and the three Mashonaland provinces recorded the largest turnouts, while the Southern Matabeleland regions recorded the lowest.<sup>9</sup> The major reasons for the large voter turnout included the broad consensus of the GPA parties on the draft constitution, the relaxed voting requirements and less complex voting procedures, and the ‘relatively prevailing peaceful political engagements’.<sup>10</sup> The large voter turnout also gave an indication that ZANU(PF) was mobilising its support base in preparation for the general elections, and that the party had been steadily registering voters in preparation for this forthcoming event. One could also speculate that the extent of the vote may also have pointed to exhaustion on the part of the electorate with the continuing political impasse in the country and the persistent economic challenges it presented over the years.

### **The Possibility of Regional and International Consensus in the Interregnum between the Referendum and the Election**

In the aftermath of the referendum there appeared to be a growing consensus between SADC, the EU and to a lesser extent the US on the way forward. SADC commended Zimbabwe for holding a ‘credible, free and fair constitutional referendum’, and urged the GPA parties once again to ‘finalise the outstanding issues in the implementation of the GPA and preparations for holding free and fair elections in Zimbabwe’.<sup>11</sup> Two months

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<sup>7</sup> Constitution Watch 11/2013, 2 March 2013. Constitution Watch is a bulletin produced by Veritas Zimbabwe, and available online at <http://www.veritaszim.net/constitutionwatch>

<sup>8</sup> Zimbabwe Human Rights Bulletin, ‘Zimbabwe Resoundingly Votes for a New Constitution’, 19 March 2013.

<sup>9</sup> Electoral Resource Centre, “ ‘Miracle Votes’ – An Analysis of the March 2013 Referendum.” March 2013.

<sup>10</sup> Ibid.

<sup>11</sup> The report of the SADC Facilitator on the Zimbabwe Inter-Party Political Dialogue, His Excellency, President of

before this, a Friends of Zimbabwe meeting held in London and attended by several EU members, the US, Canada, Japan and Australia as well as the parties to the GPA, also issued a statement of encouragement in response to the success of the referendum. The statement welcomed and supported SADC's lead role as guarantor of the GPA, noted the 'breakthrough of the constitutional referendum' and re-emphasised western support to SADC 'in their efforts to facilitate the GPA and the roadmap for elections'.<sup>12</sup>

In May 2013, a 'Quick Policy Insight' paper from the European Parliament reached out further to SADC and to the GPA parties providing a critical perspective on both ZANU(PF) and the MDC and stressing the need for building stronger political institutions. The statement read:

Government turnover does not guarantee democratic change in Zimbabwe. ZANU(PF) lacks democratic roots; but the MDC has, for its part, done little to prove its trustworthiness. Rather than asking *who* is in power, international analysts might want to put a stronger focus on *how* to actually improve Zimbabwe's political culture and institutions.<sup>13</sup>

In addition the document warned that:

foreign actors need to be aware of the high degree of suspicion prevalent in Zimbabwe. The international community should act with great care to avoid unintentionally causing a counterproductive backlash.<sup>14</sup>

In addition to these overtures to SADC and the Inclusive Government, the Danish government had, in March 2013, stated that its position towards Zimbabwe was that 'the risks of not engaging in the current crucial transition process [are] greater than the risk of engaging'.<sup>15</sup> The IMF, for its part, had in June of 2013 approved a Staff-Monitored Programme for Zimbabwe covering the period April– December 2013, in which it would support the Zimbabwean authorities' 'comprehensive adjustment and reform programme'. This would in turn be an 'important stepping stone towards helping Zimbabwe re-engage with the international community'.<sup>16</sup>

Thus, by the end of June 2013 there was a growing consensus between SADC and the EU in particular about the success of the referendum and the need for generally acceptable free and fair elections, even if this was underlined by nagging doubts about the possibility of such an outcome. The EU linked its re-engagement to the management of the forthcoming elections, and stated that it was 'ready to engage with whatever government that is formed as a result of peaceful, transparent and credible

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the Republic of South Africa, President Jacob Zuma, to the SADC Organ Troika on Politics, Defence and Security Cooperation, Pretoria, South Africa, 9 March 2013.

<sup>12</sup> Friends of Zimbabwe communique', London, 26 March 2013. The delegations to the meeting included: Australia, Austria, Belgium, Canada, Czech Republic, Denmark, the EU, Finland, France, Germany, Ireland, Italy, Japan, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, the UK and the USA.

<sup>13</sup> European Parliament, Director-General for External Policies, 'Zimbabwe's 2013 general elections: A genuine wind of change?' DG EXPO/B/Pol Dep/Note/ 2013, 28 May 2013.

<sup>14</sup> Ibid.

<sup>15</sup> Ministry of Foreign Affairs, Denmark, DANIDA, 'Denmark – Zimbabwe Partnership Policy 2013 – 2015', March 2013.

<sup>16</sup> International Monetary Fund, 'IMF Managing Director Approves a Staff Monitored Programme for Zimbabwe', Press Release No. 13/174, 13 June 2013.

elections'.<sup>17</sup> The US, as it did throughout the period of the GPA,<sup>18</sup> took a harder line, stating that while it applauded the holding of a successful referendum, it urged the Zimbabwe government to welcome both domestic and international observers to monitor the elections. This position, set out by US Assistant Secretary for African Affairs Johnny Carson, earned an immediate rebuke from the Zimbabwean presidential spokesperson for putting forward such 'obnoxious' conditions.<sup>19</sup> Notwithstanding the US position, there appeared to be an increasing convergence between SADC and the west on the need for free and fair elections in Zimbabwe, an emerging consensus that had, by mid-2013, already pushed the EU into a substantive movement away from the 'sanctions' measures imposed by the Mugabe regime from the early 2000s. However, as will be discussed further below, this seeming convergence barely concealed the tensions and contradictions in the discourses on transition at play between and sometimes within these groups.

### **The Election Process**

As he had done prior to the 2008 election, in contravention of the GPA, Mugabe proceeded to take a unilateral position on the setting of the election date. Notwithstanding the unfinished reform agenda set out in the GPA, and against the persistent recommendations of several SADC fora on the need for a full implementation of the GPA before an election, Mugabe and his party set in train a series of processes that would once again imperil the SADC facilitation process in Zimbabwe. On 2 May 2013 Mr Jealousy Mawarire, the Director of the Centre for Democracy in Southern Africa, and widely believed to be working for ZANU(PF), filed an urgent application to the Supreme Court seeking an order directing the President to proclaim elections to be held no later than 30 June. Mawarire made his claim under section 18 of the old Constitution. By the time the matter came to court it was heard by the Constitutional Court which was set up under the new constitution, the composition of which was largely influenced by ZANU(PF). Predictably, by a majority decision, the Court supported Mawarire's claim but stated that the election date should be set for 31 July.

This controversial legal decision<sup>20</sup> allowed ZANU(PF) to push ahead with its preferred date for the election, largely bypassing the requirements for consultation with other parties to the GPA and the SADC demands for the full implementation of the agreement before elections. The immediate response of Lindiwe Zulu from the SADC facilitation team was that:

With or without the court ruling, we are going ahead to meet the parties as the facilitation team ahead of the SADC summit, which [decision] was agreed on in Addis Ababa. All parties have been invited. As the facilitator put it at the summit, we want the comfort of having a clear roadmap to the elections, with timelines agreed upon by the parties

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<sup>17</sup> Report of the Delegation of the Development Committee of the European Parliament to Zimbabwe (29 April –3 May 2013), 3 July 2013.

<sup>18</sup> Raftopoulos, 'An Overview of the Politics of the Global Political Agreement'.

<sup>19</sup> 'US Seek to Observe Zimbabwe Elections', The Zimbabwe Mail. Retrieved 8 April 2013 from <http://www.thezimbabwemail.com/zimbabwe/16751-us-seek-to-observe-zimbabwe-elections.html>.

<sup>20</sup> For one of the many discussions of this decision by civic groups in Zimbabwe see D. Matyszak, "'Before and After": Old Wine in New Bottles: The Constitutional Court Ruling on the Election Date', Research and Advocacy Unit, Harare, 3 June 2013.

themselves. The ultimate is to have credible elections. We want to avoid the 2008 scenario.<sup>21</sup>

Zulu's statement resulted in a hail of invective from ZANU(PF) spokespersons that continued past attacks on her and was a prelude to a major verbal assault by Mugabe himself. Party ideologue Jonathan Moyo, drawing on the language of sovereignty and constitutionalism, called Zulu's comments an 'attack on our national sovereignty' and called on Zimbabweans to 'oppose and reject this patronizing and illegitimate posturing by our neighbours'.<sup>22</sup> Despite these attacks, Zuma's report to the SADC Troika on the 15 June reiterated the concerns of Zulu's position. Noting that most of the areas agreed to by the GPA parties in July 2011 under the framework of 'Zimbabwe Elections Road Map and Timelines' had not been 'adequately implemented', Zuma reported that the proposal to hold the elections on 31 July 'is fraught with legal contestation, political dispute and heightened tensions even within the Inclusive Government'.<sup>23</sup>

At the SADC summit held in Maputo on 15 June 2013, the regional group endorsed the report of the facilitator but acknowledged the ruling of the Constitutional Court. It recommended that the government of Zimbabwe engage the Constitutional Court to seek more time 'beyond the 31 July deadline' for holding the Harmonised Elections.<sup>24</sup> It was very clear that SADC, notwithstanding the warnings from Zuma's report, was bending to Mugabe's strategy, deferring once again to the issue of sovereignty around the Court decision. The Executive Secretary of SADC, Tomaz Salomão, made it clear after the Maputo summit that 'decisions of the courts are to be respected'.<sup>25</sup> The African Union (AU) Chair Nkosoana Dlamini-Zuma took the same position, also expressing the need to respect the rule of law and the judiciary.<sup>26</sup>

Following the summit, ZANU(PF) made a court appeal for an extension of the election date, which was designed to fail and which was submitted without consulting the two MDCs. Predictably, the Constitutional Court denied the appeal and the election date of 31 July was confirmed, in the face of a clear lack of preparedness for the elections. As the International Crisis Group reported, the voters' roll was in a shambles, the security forces remained unreformed, the public media was grossly imbalanced, the Zimbabwe Electoral Commission (ZEC) was underfunded and lacked time for preparation, and the ZEC had failed to provide an electronic voters' roll to all candidates before the election in breach of Section 21 of the Electoral Act. Moreover, the voter registration process was 'hampered by resource restrictions, showed bias against the registration in the cities, especially Harare, and ended on 10 July amid protests'.<sup>27</sup> This lack of preparedness

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<sup>21</sup> D. Sibanda and E. Mushava, 'Roadmap Will Decide Polls – Zuma', News Day, 5 June 2013. Retrieved 6 June 2013 from <https://www.newsday.co.zw/2013/06/05/roadmap-will-decide-polls-zuma/>.

<sup>22</sup> 'Moyo and Mutambara Blasts Zuma', The Zimbabwe Mail, 6 June 2013. Retrieved 6 June 2013 from <http://bepa.co.zw/news/latest/the-zimbabwe-mail/moyo-and-mutambara-blasts-zuma/1dl6b.119272>.

<sup>23</sup> Report of the SADC Facilitator, His Excellency, President of the Republic of South Africa, President Jacob Zuma, at the SADC Extra-Ordinary Summit, Maputo, Mozambique, 15 June 2013.

<sup>24</sup> Communiqué: SADC Maputo meeting on DRC, Zimbabwe and Madagascar, Maputo, 15 June 2013.

<sup>25</sup> 'Elections: SADC will Respect Court Appeal Ruling', New Zimbabwe, 17 June 2013. Retrieved 18 June 2013 from [www.newzimbabwe.com/news-11438-Elections%bSADC%bwill%brespect%bappeal%bruling/news.aspx](http://www.newzimbabwe.com/news-11438-Elections%bSADC%bwill%brespect%bappeal%bruling/news.aspx).

<sup>26</sup> 'AU Chief Wades into Election Date Row', New Zimbabwe, 17 June 2013. Retrieved 17 June 2013 from [www.newzimbabwe.com/news-11431-AU%bchief%bwades%binto%belection%bdate%brow/news.aspx](http://www.newzimbabwe.com/news-11431-AU%bchief%bwades%binto%belection%bdate%brow/news.aspx).

<sup>27</sup> International Crisis Group, 'Zimbabwe's Elections: Mugabe's Last Stand', Africa Briefing No. 95, Johannesburg/Brussels, 29 July 2013.

continued to be of concern to the SADC facilitation team, with Lindiwe Zulu once again voicing her concerns after the chaotic process surrounding the special vote organised for police in mid-July, which had been designed to allow police who would be on duty on 31 July to vote early. Zulu observed that, 'We are concerned because things on the ground are not looking good', stating also that Zuma had called Mugabe to tell him that he was not pleased with the run-up to the poll.<sup>28</sup>

Mugabe responded angrily to Zulu's statement, hurling insults at her: 'An ordinary woman says "no you can't have elections on July 31". Really, did such a person think we, as a country, would take heed of this street woman's utterances?'<sup>29</sup> Moreover, in yet another display of political brinkmanship, Mugabe threatened to withdraw from SADC if the organisation 'decides to do stupid things'. The South African Presidency immediately issued a statement distancing itself from Zulu's comments and denying any reports that Zuma had been in touch with Mugabe about election preparations.<sup>30</sup> There were reports that at this time SADC facilitators offered support to the MDC-T if it were to withdraw from the election until the GPA had been more fully implemented. Moore's assessment is that the MDC-T debated the offer and rejected it on the grounds that there was unlikely to be a repeat of the violence of the 2008 presidential run-off in the context of the GPA and the forthcoming tourism conference in Victoria Falls, and that under these conditions the MDC-T would be victorious.<sup>31</sup> However, it is still unclear whether this offer was ever on the table, as both Morgan Tsvangirai and Tendai Biti deny ever receiving such a formal offer.<sup>32</sup>

After a protracted process of facilitation and the contested and frustrating experience of the Inclusive Government, the Harmonised Elections went ahead on 31 July 2013. Although there were clear indications that, once again, the MDCs faced major obstacles in the elections, the extent of ZANU(PF)'s 'victory' shocked many observers. In the presidential vote, Mugabe received 61%, compared to the 44% he had won in 2008; Tsvangirai's vote plunged from 48% in 2008 to 33% in 2013. In terms of parliamentary seats, ZANU(PF) increased its number from 99 seats in 2008 to 159 in 2013, while the MDC-T's number dropped from 99 seats in 2008 (with the smaller MDC formation winning 10 seats) to 49 in 2013. Moreover, the total number of votes counted increased by 25% between 2008 and 2013, with ZANU(PF)'s share of the vote increasing by 83% between these dates, while the percentage won by the MDC-T dropped by 2% in this period.<sup>33</sup>

The response of the regional and continental bodies to the elections was unanimously favourable, unlike their position in the discredited 2008 plebiscite. SADC declared the poll 'free, peaceful and generally credible', notwithstanding its unwillingness to pronounce it 'fair' because of the absence of an electronic copy of the

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<sup>28</sup> P. Govender, 'Zimbabwe Election "Not Looking Good"', South Africa, Reuters, 18 July 2013. Retrieved 22 July 2013 from <http://www.reuters.com/article/2013/07/18/us-zimbabwe-election-idUSBRE96H0S820130718>.

<sup>29</sup> S. Ngalwa, 'Zuma's Envoy Shrugs off Bob's Street Slur', Sunday Times, 7 July 2013.

<sup>30</sup> 'South Africa Regrets Unauthorized Statements on Zimbabwe', Presidency of the Republic of South Africa, 21 July 2013. Retrieved 21 July 2013 from <http://www.thepresidency.gov.za/pebble.asp?relid/415771>.

<sup>31</sup> D. Moore, 'Zimbabwe's Democrats: A Luta Perdido - E reinício', Solidarity Peace Trust, 4 September 2013. Retrieved 11 October 2013 from [www.solidaritypeacetrust.org/1330/zimbabwe-democrats-a-luta-perdido-ereinicio/](http://www.solidaritypeacetrust.org/1330/zimbabwe-democrats-a-luta-perdido-ereinicio/).

<sup>32</sup> Discussion with the author at the MDC-T's NSC Strategic Planning Retreat, Harare, 12 September 2013.

<sup>33</sup> Solidarity Peace Trust, 'The End of a Road: The 2013 Elections in Zimbabwe', Johannesburg, October 2013, p. 45.

voters' roll.<sup>34</sup> The AU commended Zimbabwe for 'a generally peaceful campaign', observing that 'from an historical perspective and in comparison to the 2008 elections, Zimbabwe has made an important transition in the conduct of its elections'.<sup>35</sup> Jacob Zuma expressed his 'profound congratulations' to Mugabe and urged all parties in Zimbabwe to 'accept the outcome of the elections as election observers reported it to be an expression of the will of the people'.<sup>36</sup> The only dissenting voice in SADC was Botswana, which called for an independent audit of the electoral process.<sup>37</sup> However, as in the past, Botswana's dissent was soon brought to heel within the solidarity framework of SADC, and the body went further to elect Mugabe its Deputy Chairperson at its Malawi summit in August 2013.

While the SADC and AU position was endorsed by the Chinese and Russian governments, the elections received endorsement neither from the EU nor the US, with both expressing doubts about its free and fair status, and with the latter making it clear that US sanctions would continue. The UN commended a 'broadly peaceful election day', but stressed that concerns about certain aspects of the election process should be pursued through established channels.<sup>38</sup>

The MDC formations and the major civic bodies rejected the legitimacy of the elections, claiming election fraud. Mugabe's immediate response to this challenge was less than gracious:

Those who cannot accept defeat are wasting their time. They can even go hang if they want, but even dogs will not sniff at their corpses . . . . We voted democratically. We brought democracy. We have delivered democracy on a platter. If they do not want to take it, let it be, but the people have delivered it.<sup>39</sup>

After an initial threat to challenge the results in the Constitutional Court, Tsvangirai dropped the action and both MDC parties decided not to challenge the results any further in the courts.

### **Explaining the Election Results**

While there were always clear indications that the MDCs would continue to face major challenges in attempting to defeat ZANU(PF) at the polls, the sheer scale of ZANU(PF)'s victory left many Zimbabweans and political observers stunned. In explaining the victory, three areas need to be analysed: the strategies of ZANU(PF) in the context of the

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<sup>34</sup> SADC, 'Summary Statement of the SADC Election Observation Mission to the Harmonised Elections in the Republic of Zimbabwe held on 31 July 2013', 2 August 2013.

<sup>35</sup> African Union, 'African Union Election Observation Mission to the Harmonised Elections of 31 July 2013, in the Republic of Zimbabwe: Preliminary Statement', 2 August 2013. The same position was taken by the Common Market for Eastern and Southern Africa (COMESA), which congratulated Zimbabwe on 'the general atmosphere of peace and tranquility' in the elections, which would go 'a long way in contributing to the consolidation of democracy in Zimbabwe' (COMESA Election Observer Mission to the 31 July Harmonised Elections in the Republic of Zimbabwe), 3 August 2013.

<sup>36</sup> 'Zimbabwe: Statement by Jacob Zuma', South African Foreign Policy Initiative (SAFPI), 5 August 2013. Retrieved 7 August 2013 from <http://www.safpi.org/news/article/2013/zimbabwe-statement-jacob-zuma>.

<sup>37</sup> Statement by the Government of the Republic of Botswana on the 2013 Election in the Republic of Zimbabwe, Gaborone, 5 August 2013.

<sup>38</sup> 'Statement Attributable to the Spokesperson for the Secretary-General on Elections in Zimbabwe', New York, 2 August 2013. Retrieved 6 August 2013 from <http://www.un.org/sg/statements/index.asp?nid%46998>.

<sup>39</sup> E. Mushava and O. Manayiti, 'Tsvangirai can go hang – Mugabe', News Day, 13 August 2013.

transformed political economy of Zimbabwe; the weaknesses of the MDC formations; and the politics of SADC, the EU and US.

### **The Strategies of ZANU(PF)**

Much of the commentary on the election results from the MDCs and the civic movement has concentrated on the violations of the electoral law both before and during the election process. Most of these factors have already been referred to above. Added to these it is clear that ZANU(PF) systematically blocked the central reforms of the GPA throughout the period of the Inclusive Government.<sup>40</sup> Even as ZANU(PF) largely kept the energies of the MDCs concentrated on the single issues of constitutional reform, the former concentrated its activities on election preparations from early on in the GPA. ZANU(PF) also dealt at least temporarily with some of the divisions within the party that had led to the emergence of Simba Makoni and his party Mavambo in 2008, a development that had contributed to the defeat of ZANU(PF) and Mugabe. The decision to abolish the District Development Committee structures of the party in mid-2012 in the wake of the serious divisions the structures were causing in the selection of electoral party candidates, proved once again the capacity of the central leadership, with the organisational legacy of 'democratic centralism', to either 'guide' or do away with such structures when it was considered necessary.<sup>41</sup> This strategy was combined from late 2012 with the systematic arrest and harassment of civil society leaders monitoring and documenting human rights violations, providing psycho-social and legal support to victims, and those working on voter registration and voter mobilisation. These strategies of reform blockage and civic intimidation were combined with the 'harvest of fear' drawing on the memories of the brutalities of the 2008 election.<sup>42</sup> Thus, the long history of authoritarian nationalism and state brutality has continued to play a major, if differentiated, role in the country's politics.

However, it is also clear that Mugabe and his party have retained a substantial social base in the country, as was evidenced even during the generally accepted first round of the Harmonised Elections in March 2008. Moreover the maintenance of this social base has not been based solely on violence and coercion but on a combination of the ideological legacies of the liberation struggle, the persistent memories of colonial dispossession, and the land reform process. As Fontein has written, while the authoritarian turn in Zimbabwean politics has excluded such groups as the urban poor, farm workers, women and white commercial

farmers, 'it did simultaneously manage to appeal to some ... localised aspirations which have been thwarted since 1980'.<sup>43</sup> As Fontein observes, 'the redistribution of land to the landless, however corrupt, politicised and indeed violent the process may have been, [and] the increasing involvement of both war veterans and traditional leaders in local

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<sup>40</sup> See Raftopoulos, 'An Overview of the Politics of the Global Political Agreement', for details on this issue.

<sup>41</sup> G. Mazarire, 'ZANU PF and the Government of National Unity 2009 – 12', in Raftopoulos, *The Hard Road to Reform*, p. 93.

<sup>42</sup> P. Zamchiya, *Pre-Election Detectors: ZANU PF's Attempt to Reclaim Political Hegemony*, Crisis in Zimbabwe Coalition, Harare, 2013, p. 20.

<sup>43</sup> J. Fontein, "'We Want to Belong to Our Roots and We Want to be Modern People': New Farmers, Old Claims Around Lake Mutirikwa, Southern Zimbabwe', *African Studies Quarterly*, 10, 4 (2009), p. 15; and J. Fontein, 'Shared Legacies of the War: Spirit Mediums and War Veterans in Southern Zimbabwe', *Journal of Religion in Africa*, 36, 2 (2006), pp. 167–99.

political structures ... were very astute political moves'.<sup>44</sup> This social base has been renewed and expanded within the context of the radical changes in Zimbabwe's political economy since 2000. The deconstruction of former white-owned, large-scale farms and their replacement by a preponderance of small farm holders has radically changed the social and political relations on the land. Following the land redistribution process, 70% of the land is now held by small farm producers, 13% by middle-scale farmers, and 11% by large farms and estates. This 're-peasantisation' has resulted in changes in wealth distribution from a landed racial minority to 'mostly landless and land-poor' classes.<sup>45</sup> Moreover, these changes on the land have created a new 'entrepreneurial dynamism' and 'productive potential', resulting in new areas of economic activity with novel marketing and value chains. It is still unclear, as Scoones *et al.* argue, whether these restructured relations on the land will be dominated by patronage relations with the ZANU(PF) state or become the source of sustainable livelihoods.<sup>46</sup> Zamchiya formulates this problematic differently, observing that the ability to develop sustainable livelihoods with favourable access to labour, farming inputs and land with valuable export crops in the newly resettled areas was decisively shaped by the relations of different farmers to political patronage.<sup>47</sup>

The new forms in which ZANU(PF) and its state organs have penetrated these social relations have affected the forms of ZANU(PF) dominance in these areas. Different forms of governmentality have developed in the resettled areas, characterised by what Murisa calls the 'fusion of traditional and modern institutions, which bring together customary and popular political functionaries to serve on the same platforms'. Through these structures ZANU(PF) has channelled various rural programmes and forms of patronage appealing to popular demands around irrigation, farms inputs, marketing of products, education and electrification in the rural areas, even as it formally signed up to the more neo-liberal economic programmes agreed upon by the Inclusive Government.<sup>48</sup> However, Murisa also warns that the increasing move towards reinstating traditional authorities resembles the colonial state practices of imposed traditional structures.<sup>49</sup> This is a reminder, as Partha Chatterjee warns, that 'while many of the techniques of power adopted by the postcolonial state were the same techniques deployed in the colonial period, the ideological ground of justification was now anti-imperialist'.<sup>50</sup> However, it is also clear from Alexander's work that for a century the relations

between 'tradition' and 'modernity', 'customary rule' and 'bureaucratic practice' have been

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<sup>44</sup> Fontein, "We Want to Belong", pp. 15 – 16.

<sup>45</sup> S. Moyo, 'Three decades of agrarian reform in Zimbabwe', *Journal of Peasant Studies*, 38, 3 (2011), p. 499.

<sup>46</sup> I. Scoones, N. Marongwe, B. Mavedzenge, F. Murimbarimba, J. Mahenehene, and C. Sukume, 'Zimbabwe's Land Reform: Challenging the Myths', *Journal of Peasant Studies*, 38, 3 (2011), p. 986.

<sup>47</sup> P. Zamchiya, 'The Role of Politics and State Practices in Shaping Rural Differentiation: A Study of Resettled Small-Scale Farmers in South-Eastern Zimbabwe', in this issue.

<sup>48</sup> ZANU(PF) member Dr Sikanyiso Ndlovu named the kind of projects that ZANU(PF) were engaged in during the period of the Inclusive Government in 'Ibbo Mandaza's rigging allegations insane', *The Herald*, 8 August 2013.

<sup>49</sup> T. Murisa, 'Social Organisation in the Aftermath of Fast Track: An Analysis of Emerging Forms of Local Authority, Platforms of Mobilisation and Local Cooperation', in S. Moyo and W. Chambati, *Land and Agrarian Reform: Beyond White Settler Capitalism* (African Institute for Agrarian Studies, Harare and CODESRIA, Dakar, 2013), p. 283.

<sup>50</sup> P. Chatterjee and A. C. ubuk\_u, 'Empire as a Practice of Power: Empire as Ideology and as Technique', *Humanity Journal* blog piece, 28 August 2012. Retrieved 10 January 2013 from <http://www.humanityjournal.org/blog/2012/08/empire-practice-power-empire-ideology-and-technique>.

interesting precisely because of the ‘negotiated terms by which authority was constructed and power exercised’. Thus it is difficult to make any assumptions about either site of rule in terms of its democratic content, representativeness, or relationship with the state on the basis of its ‘traditionality’ or ‘modernity’.<sup>51</sup>

The development of ZANU(PF)’s social base was also visible in the rapid growth of the informal mining sector. In the 1990s this sector was in its incipient form and was not an area that ZANU(PF) actively cultivated. As Yeros noted, gold panners in this period lacked access to channels of political representation and were largely ‘unorganised and unrepresented’.<sup>52</sup> However, by the 2000s this sector grew rapidly within the context of the fast growing mining sector, whose contribution to the GDP grew from 3.2% in 2008 to 9.5 % in 2010, reaching 13% by 2012, with the mineral sector accounting for 73% of the country’s total exports.<sup>53</sup> This growth led Mawowa to conclude that the government’s policy emphasis on the centrality of the peasantry and subsistence farming in the rural areas may have masked the reality of the dominance of the mining sector, in which small-scale mining, largely carried out (71%) by young men under 35, accounted for 40% of total output.<sup>54</sup>

As the mining sector became the most important area of accumulation and patronage in the shrinking crisis economy, the Zimbabwean state compromised with large mining companies like Zimplats and allowed it to operate in the country on very favourable terms. In the case of Zimplats, the company was allowed direct access to foreign currency and an exemption from surrender requirements imposed on other exporters, as well as the right to conduct most of its financial transactions outside the country. This effectively ‘insulated it from Zimbabwe’s hyperinflation and the collapsed national payment system’.<sup>55</sup> This accommodation with foreign capital can also be seen in the policy on land where, by 2009, 1.7 million hectares of land was being utilised by a combination of agro-industrial plantations, conservancies and mining farmlands owned by transnational corporations and focused on export production.<sup>56</sup>

Thus, as Martens observes, under the Inclusive Government, the Ministry of Mines, led by a ZANU(PF) minister, reversed its 2008 policy of clamping down on illegal mining and sought to extend its support to this sector. It was little wonder then, that the Zimbabwe Artisanal and Small-Scale Mining Council (ZASMC), representing 25,000 small-scale miners, welcomed ZANU(PF)’s victory in 2013.<sup>57</sup> Mawowa clearly sums up the political implications of these changes in the mining sector:

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<sup>51</sup> J. Alexander, *The Unsettled Land: State-making and the Politics of the Land in Zimbabwe 1893–2003* (Oxford, James Currey; Harare, Weaver Press, 2006), p. 4. Also email communication with J. Alexander, 10 October 2013.

<sup>52</sup> P. Yeros, ‘The Political Economy of Civilisation: Peasant-Workers in Zimbabwe and the Neo-Colonial World’ (PhD Thesis, London School of Economics, University of London, 2002).

<sup>53</sup> S. Mawowa, ‘The Political Economy of Crisis, Mining and Accumulation in Zimbabwe’ (PhD Thesis, University of KwaZulu-Natal, 2013), p. 76.

<sup>54</sup> *Ibid.*, p. 150.

<sup>55</sup> *Ibid.*, p. 92.

<sup>56</sup> Moyo, ‘Three decades of agrarian reform’, p. 499. See also S. Moyo, ‘Land Concentration and Accumulation after Redistributive Reform in Post-Settler Zimbabwe’, *Review of African Political Economy*, 38, 128 (2011), pp. 257–76.

<sup>57</sup> J. Martens, ‘Zimbabwe Elections: What if there had been no Rigging?’ *International Politics*, January 2013, Rosa Luxemburg Stiftung, Southern Africa, p. 5.

As the economic situation worsened, the party-state patronage system has become more entrenched. This has become clearer with the indigenization and empowerment policy where party affiliation is the single most important criterion for access to state-mediated economic opportunities. The party manifests itself as a localized capitalist oligarchy . . . . The patronage accumulation attending this period has however not excluded possibilities for upward mobility among the somewhat independent miners. It is these possibilities that suggest that, in spite of Zimbabwe's serious economic crisis, some things continued to work and indeed as formality declined, new accumulation paths emerged.<sup>58</sup>

The emergence of this 'shadow economy' has not undermined the existence of the central state's authority, but instead the state has adapted to the economic changes through a system of patronage that 'relies on several conduits of coercive power' that, though not always coordinated, subordinate themselves to the centrality of the party and the state.<sup>59</sup> This analysis of the changing forms of state authority accords with McGregor's excellent analysis of the reconfiguration of the state on the Zambezi frontier during the period of the Zimbabwe crisis. McGregor describes how the changes in livelihood on this frontier blurred the boundaries between legal and illegal activities, with unregulated activities becoming enmeshed with bureaucratic controls and state agents.<sup>60</sup> The long-term results of this artisanal and small-scale mining is not yet clear, but in the short term its developmental potential appears to be very fragile, and where mining was once a driver of urbanisation in the Zimbabwean economy, in the post-2000 period mining towns became 'havens for internally displaced persons'.<sup>61</sup>

In addition to mobilising among the informal sector miners and controlling the revenues from the diamond mines in Chiadzwa,<sup>62</sup> ZANU(PF) also stepped up its mobilisation efforts within the increasingly informalised urban sector. The informal sector had displaced manufacturing to become the second largest employer in the economy by 2011, with the largest number of informal-sector employees working in the wholesale and retail trade, and in motor-vehicle and motorcycle repairs.<sup>63</sup> In Zimbabwe, as in other postcolonial states, what Denning has called 'the spectre of wageless life' is viewed no longer as a temporary condition, but increasingly as the 'main mode of existence in a separate, almost autonomous economy'.<sup>64</sup> With the shrinking of formal sector employment in the economy generally, and in manufacturing in the urban areas in particular, the rate of unionisation also declined from 200,000 in 1990 to 197,000 in 1997, and to 162,000 in 2013. Thus, the rate of unionisation to estimated total employment in the formal sector has ranged from around 13 – 16% between the years 1990 and 2013.<sup>65</sup> These figures on unionisation should be treated with great care. They

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<sup>58</sup> Mawowa, 'The Political Economy of Crisis', pp. 185–6.

<sup>59</sup> *Ibid.*, p. 189.

<sup>60</sup> J. McGregor, *Crossing the Zambezi: The Politics of Landscape on a Central African Frontier* (James Currey, Suffolk; Weaver Press, Harare, 2009).

<sup>61</sup> A. Kamete, 'Of Prosperity, Ghost Towns and Havens: Mining and Urbanization in Zimbabwe', *Journal of Contemporary African Studies*, 30, 4 (2012), pp. 589–609.

<sup>62</sup> Global Witness, 'Return of the Blood Diamond: The Deadly Race to Control Zimbabwe's New-Found Diamond Wealth', London, 2010.

<sup>63</sup> Zimbabwe National Statistics Agency, 2011 Labour Force Survey, Government of Zimbabwe, May 2012, p. 103.

<sup>64</sup> M. Denning, 'Wageless Life', *New Left Review*, 66, Nov/Dec 2010, p. 86.

<sup>65</sup> Zimbabwe Congress of Trade Unions database, 2013.

represent the formal registered membership numbers with the labour centre and are unlikely to represent the weakened state of actual union representation at shop-floor level as a result of shrinking formal employment in the private sector, and the decreased influence of the Zimbabwe Congress of Trade Unions since the late 1990s. This falling level of unionisation and the growing informalisation of the economy have undermined the effectiveness of tripartite industrial relations structures and increased the avenues for dealing with labour issues through more informalised structures with greater vulnerability to the political influences of ZANU(PF).

Thus, just as the forms of rule have changed in the rural governance structures, so have they been affected in the governance and administration of urban labour relations. The trade unions, which were the most effective mobilisation base for the MDC-T in the late 1990s, have been severely weakened by a combination of shrinking formal employment, state coercion, weakening organisational capacity, splits in the central labour federation and loss of leadership to the party political sphere. As the strength of Tsvangirai's party weakened in this area, ZANU(PF) escalated its interventions with urbanites at local government level. As McGregor observes, ZANU(PF) has relied on 'coercive measures and irregular enticements to maintain the local state as a system of patronage when challenged under the Inclusive Government'. Moreover, the privatisation and deregulation of local authority controls 'provided opportunities and resources to fuel ZANU(PF) accumulation and patronage through party-linked business'.<sup>66</sup> With little to offer in terms of new employment opportunities, ZANU(PF), building on the blockages they had built to the few attempts made by the MDC to improve the extremely poor state of municipal government inherited by the Inclusive Government, made a populist decision to cancel all outstanding rate payments a week before the 2013 elections. As one of its election posters read:

COUNCIL BILLS CANCELLED. ZANU(PF) says yes MDC says no. Dollarisation led to unfairly high outstanding bills, ZANU(PF) understands that people are struggling and that's why we have cleared your bills.<sup>67</sup>

Once again, ZANU(PF) combined its formal affiliation to stabilisation measures under the Inclusive Government with populist electoral interventions, with little regard for the longer-term implications of such measures. The cumulative messaging of these ZANU(PF) policy interventions was brought together in the party's election manifesto, which was entitled 'Indigenise, Empower, Develop and create Employment'. The key themes of this manifesto included ZANU(PF)'s monopoly claim to have: delivered liberation from colonial rule and carried out the 'Third Chimurenga' of land redistribution; provided the guardianship of national sovereignty and identity; guaranteed freedom, democracy, non-violence and peace; embarked on a new programme of indigenisation to increase popular ownership of national resources; and provided growth and employment.<sup>68</sup> As Mugabe looked to what he termed the 'quick yielding sector[s of] mining and agriculture', it was clear that ZANU(PF) was constructing its social base – both for the elections and for its future development

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<sup>66</sup> J. McGregor in this issue.

<sup>67</sup> Daily News, 30 July 2013.

<sup>68</sup> ZANU(PF) Election Manifesto: Indigenise, Empower, Develop and Create Employment, 2013.

vision – as one built around reconstructed agricultural and mining sectors, combined with the informal sector activities of the urban areas. In addition to the party's rural supporters and those in the informal mining sector, this vision also found some resonance among the 47% youth who were unemployed in the urban areas,<sup>69</sup> particularly, as discussed below, in light of the disappointing performance of the MDCs in the Inclusive Government.

In sum, the ZANU(PF) electoral strategy in 2013 clearly moved away from its dominant reliance on violence in the June 2008 run-off, although selective coercion, intimidation and the memory of the 2008 events were not absent in this round. A combination of coercion, consent and political blockages in the context of a reconstituted social base served to provide the MDCs with a formidable political challenge.<sup>70</sup> Moreover, the divisions and party disorganisation of ZANU(PF)'s 2008 campaign were dealt with through a much tighter party organisation and election campaign run, as Tendi observes, by a 'network of party officials, youth and retired military officers who fought in Zimbabwe's liberation war.'<sup>71</sup>

The shock of the 2008 defeat in conditions of severe economic crisis, and the lifeline thrown to the party by the GPA, provided a decisive jolt to Mugabe and his party, along with the realisation that they could not get away with another violent 2008-style election campaign, whatever their continued reliance on the long memories of fear and violence in the Zimbabwean electorate.

### **The Limitations of the MDCs**

When the MDC was formed in 1999, it grew from a broad-based social movement that had emerged from a combination of trade union, constitutional reform and human rights-based activism. It developed a language of democratisation that combined the discourses of these different but connected threads of protest and struck at one of the weakest points of the politics of the party of liberation, ZANU(PF). From the late 1990s into the 2000s, this political formation brought together an alliance of movements and social forces and led the debate for political reform in the country. Thus this party grew organically from emergent social forces that also provided strong intellectual arguments for developing a force capable of confronting and defeating the hegemony of the ruling party. As the novelist NoViolet Bulawayo describes it, the word *change* was in the air and it felt like something you could 'grab and put in your mouth and sink your teeth into'.<sup>72</sup> However, the united MDC also had its weaknesses, which included underdeveloped organisational structures, lack of leadership accountability and a growing culture of intra-party violence deployed within the context of a growing factionalism within the party. These issues and others led to a split in the party in 2005.<sup>73</sup>

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<sup>69</sup> Zimbabwe National Statistics Agency, 2011 Labour Force Survey, p. 70.

<sup>70</sup> As David Moore describes it, 'The ZANU PF applied, Machiavelli style, a classic Gramscian combination of forceful power and sly persuasions – the dialectic of coercion and consent – to confound the fourteen-year-old MDC'. D. Moore, 'In Zimbabwe, A Luta Continua'. Retrieved 13 August 2013 from <http://africanarguments.org/2013/08/12/in-zimbabwe-a-luta-continua-by-david-b-moore/>.

<sup>71</sup> M-B. Tendi, 'Why Robert Mugabe Scored a Landslide Victory in the Zimbabwean Elections', The Guardian, 5 August 2013. Retrieved 19 August 2013 from [www.theguardian.com/world/2013/aug/05/robert-mugabezimbabwe-election-zanu-pf](http://www.theguardian.com/world/2013/aug/05/robert-mugabezimbabwe-election-zanu-pf).

<sup>72</sup> NoViolet Bulawayo, *We Need New Names* (Chatto and Windus, London, 2013), p. 29.

<sup>73</sup> B. Raftopoulos and K. Alexander (eds), *Reflections on Democratic Politics in Zimbabwe* (Institute for Justice and Reconciliation, Cape Town, 2006).

The party also faced a constant barrage of political and legal attacks, as well as repeated bouts of electoral violence from the ZANU(PF) state.

Importantly, the MDC's discourse on democratisation and broadly neo-liberal economic programmes, backed by western countries, was always found wanting, against the redistributive logic of ZANU(PF)'s land reform process, the ideological legacies of the liberation movement, and the discourse of state sovereignty. Notwithstanding these obstacles the two MDC formations continued to fight elections and, in 2008, against great odds, they defeated ZANU(PF) at the polls, with Mugabe also losing the first round of the presidential election to Tsvangirai. As a result of horrendous state-led violence, the MDCs were prevented from translating this electoral victory into state power, and the ruling party retained its incumbency, at this point through the sheer force of the state.

Under the GPA, the MDC formations were always at a disadvantage against a party that continued to control the coercive arms of the state and persistently blocked key reforms in the agreement, despite repeated demands to implement these reforms. The lack of experience in the face of ZANU(PF)'s abuse of statecraft quickly exposed the MDCs' weaknesses, as did other factors such as the inability of the two formations to work together under the Inclusive Government, leadership indiscretions, growing corruption particularly at local government level, and a failure on the part of the MDC to claim its successes in the face of ZANU(PF)'s monopoly control of the electronic media.<sup>74</sup> The radical changes in Zimbabwe's political economy in the 2000s as discussed above, and particularly the reconfiguration of the MDCs' urban social base, drastically weakened the support base of the MDC-T in particular, and the combination of trade union activists and the urban middle class that in the 1990s could bring the country to a standstill was no longer available in such numbers for political mobilisation. The effects of economic demobilisation and massive diasporisation further whittled away the strength of these social forces.<sup>75</sup>

Both MDCs have begun the process of assessing the implications of the recent defeat and the prospects of another long-term struggle. In addition to claims of fraud in the recent election, the MDC-T pointed to a number of internal problems that weakened their challenge. These included: elite capture of the party by the Standing Committee; absence of intelligence; failure to implement agreed positions; failure to follow up on issues; absence of respect, trust, communication, proper plans generally, clear fundraising plans, and a clear campaign strategy; the need to reconnect with civil society; dysfunctional provincial structures; the need for a new paradigm; the lack of party discipline; the need to discard idioms and mannerisms that alienated the support base; the need to transform from a movement to a political party; the need to deliver and show difference of performance in local governance.<sup>76</sup> All these issues point to a party that has not been able to strengthen its organisational and strategic framework

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<sup>74</sup> J. Muzondidya, 'The Opposition Dilemma in Zimbabwe: A Critical Review of the Politics of the Movement for Democratic Change (MDC) Parties under the GPA Transitional Framework 2009 – 2012', in Raftopoulos, *The Hard Road to Reform*.

<sup>75</sup> J. Crush and D. Tavera (eds), *Zimbabwe's Exodus: Crisis, Migration, Survival* (SAMP, Cape Town; IDRC, Ottawa, 2010).

<sup>76</sup> MDC-T, *NSC Strategic Planning Retreat*, Harare, 12 September 2013.

against a repressive regime that has constantly harassed its leadership and structures, and deployed state violence against its members and supporters.

Since 2009, these weaknesses have eroded the support of both MDCs, as was evident from opinion polls carried out in 2012, which showed a drop in support for the MDCs and Tsvangirai and an upsurge in popularity for Mugabe and his party.<sup>77</sup> These weaknesses and, of particular importance to the election campaign, the failure of the two MDC formations to develop an electoral pact in 2013, resulted in the loss of several seats to ZANU(PF) due to a split vote. In Matabeleland South, 8 of the 13 seats were lost to ZANU(PF) because of this factor, while in Matabeleland North a united opposition would have won 11 of the 13 seats instead of which ZANU(PF) won 7 out of the 13. A further 4 seats were lost to a split vote in Kwekwe, Zvishavane, Masvingo and Kadoma.<sup>78</sup>

The smaller MDC formation led by Welshman Ncube, with a small support base largely in certain areas Matabeleland, was faced with a steady erosion of its support base throughout the period of the Inclusive Government. Though the strong performance of its leaders in ministerial portfolios was widely acknowledged, the continued effects of the split in the united MDC in 2005 and the dynamics of ethnic and regional politics in Zimbabwe ensured that its membership figures remained minimal. Attempts to bring the two formations into an electoral pact failed, both in 2008 and 2013, as a result of a failure to agree on the allocation of parliamentary and council seats, disagreement over the principles for such an arrangement, and the persistent tensions between the leaderships of the two formations. In the discussions around an attempt to bring the two into an electoral alliance in 2013, the smaller MDC formation finally took the position that it would rather fail in its attempt to establish a regional support base than enter another fruitless negotiation with the MDC-T over such an alliance.<sup>79</sup> Together these factors meant that the MDCs were a much weaker force in 2013 than they were in 2008.

### **Regional and International Factors**

For SADC, and South Africa in particular, the major priority in settling the Zimbabwean crisis was to ensure stabilisation, not democratisation.<sup>80</sup> In practice this meant that despite the persistent calls from the regional body and the South African facilitation team for the full implementation of the GPA prior to elections, there was little evidence, beyond diplomatic exhortations, that the organisation was willing or able to take further actions. Thus, in the face of ZANU(PF)'s unwillingness to fully implement the GPA reforms, SADC eventually settled for minimal electoral reforms, a new constitution and the absence of the levels of violence that marred the 2008 elections. Guided by liberation movement solidarity with ZANU(PF) and the need to stabilise the political situation with the support of the political–military establishment in Zimbabwe, Zuma blinked in the face of Mugabe's humiliating affront to South Africa, and SADC took what can only be described as a supine position on the electoral outcome. The MDC-T's comment on the SADC election report clearly expressed its dissatisfaction

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<sup>77</sup> See Freedom House, 'Change and "New" Politics in Zimbabwe', Harare, 18 August 2012.

<sup>78</sup> Solidarity Peace Trust, 'The End of a Road', p. 37.

<sup>79</sup> Author's discussions with members of the leadership of Ncube's MDC in June 2013.

<sup>80</sup> For a fuller discussion of this see Raftopoulos, 'An Overview of the GPA'.

with the regional position: 'The report sets a very petrifying precedent for SADC if this is the quality of observation that is satisfactory for the region'.<sup>81</sup>

With regard to international forces, the SADC facilitation effectively kept them at bay with their response to the Inclusive Government moving between a range of positions including nominal support for the process, humanitarian assistance for the Inclusive Government and a continuation of a sanctions regime, though with a gradual move away from this policy by the EU. In the aftermath of the election, though not lifting sanctions completely, the EU took another step in this direction by lifting the strictures against the government of Zimbabwe's Mining Development Corporation. Belgium, the centre of global diamond trading, welcomed the move.<sup>82</sup> The US on the other hand, who noted the 'deep flaws' in the election process, stated its commitment to maintain the targeted sanctions.<sup>83</sup> For the present, the strategy of the western countries appears to be a wait-and-see approach in the hope that the Mugabe government will tone down its indigenisation policy and anti-western rhetoric, gradually move towards a greater rapprochement with the international financial institutions, and in so doing provide a face-saving opportunity to engage more fully with the regime.

### **The End of an Era**

It is fair to conclude that the politics of political and civic opposition that emerged in the late 1990s and continued through the first 13 years of the 2000s has come to an end in its current form. The political and economic conditions that gave rise to its emergence have changed substantially and the social forces that have emerged, as discussed above, pose new challenges for party and civic organisation and mobilisation. The vast numbers of new smallholder farmers, the small-scale informal artisanal miners and the growing informalisation of the urban economy will demand different political interventions. This shift in the political terrain has already been registered in the language of the newest political opposition to emerge on the Zimbabwean scene. In September 2013, the NCA transformed itself into a political party under the same name. For much of the year preceding the 2013 election its leader, Lovemore Madhuku, had been taking political positions closer to that of ZANU(PF). Thus, it came as little surprise when he announced that his new party would have 'nothing to do with the west and we respect the liberation struggle. Our party would be nationalist and pan-Africanist'.<sup>84</sup> This shift in the discourse of the former constitutional movement is a clear indication that for those considering a future in opposition politics in Zimbabwe, the domain of what is considered an acceptable oppositional discourse has

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<sup>81</sup> Movement for Democratic Change, 'MDC Statement on SADC Election Observer Mission Summary Report', 5 September 2013. Retrieved 9 September 2013 from <http://www.safpi.org/news/article/2013/mdc-statement-sadcelection-observer-mission-summary-report>.

<sup>82</sup> 'ZMDC taken off blacklist', The Zimbabwe Mail, 25 September 2013. Retrieved 27 September 2013 from [www.thezimbabwemail.com/zimbabwe.com/zimbabwe/18316-zmdc-taken-off-blacklist.html](http://www.thezimbabwemail.com/zimbabwe.com/zimbabwe/18316-zmdc-taken-off-blacklist.html).

<sup>83</sup> US Senate Committee on Foreign Relations, 'The Troubling Path Ahead for US-Zimbabwe Relations: Testimony', 12 September 2013. Retrieved 16 September 2013 from <http://www.safpi.org/news/article/2013/troubling-path-ahead-us-zimbabwe-relations-testimony>.

<sup>84</sup> 'Madhuku to quit NCA, form political party', The Herald, 24 September 2013. Retrieved 26 September 2013 from <http://www.herald.co.zw/madhuku-to-quit-nca-form-political-party/>. ZANU(PF) columnist Nathaniel Manheru commented approvingly that: 'a new sensibility is gaining currency in the opposition. There is a quest for new forms of opposing but without descending into the reflex of negativism, of automatic contrarities. The likes of Lovemore Madhuku, shoots of this new opposition, now realise that durable opposition can only be premised on a reverent embrace of politics and values of liberation, something the two MDCs rejected'. N. Manheru, 'Zim: Keeping the Eye on the Ball', The Herald, 30 August 2013. Retrieved 2 September 2013 from <http://www.herald.co.zw/zim-keeping-the-eye-on-the-ball/>.

already been strongly delineated by the renewed political domination of ZANU(PF). The constraints of this delineation are likely to change in the future as ZANU(PF) faces renewed challenges, but for the current political conjuncture this is a reminder of the major shift that has taken place in the country's politics.

For SADC, the 2013 elections provided the opportunity the organisation needed to move the regional body away from its decade-long concern over the Zimbabwe crisis. In the absence of a repeat of the 2008 electoral violence, SADC took a minimalist position on free and peaceful, though not necessarily fair, elections. As outlined elsewhere, the SADC facilitation, and the position of the South African facilitator as set out by former President Mbeki, was from the early 2000s much more concerned with stabilisation than democratisation in Zimbabwe. Notwithstanding early statements from the new South African President Jacob Zuma, the Mbeki paradigm on Zimbabwe for the most part remained the template for the Zuma administration. The dilemma of the regional bloc in dealing with the Zimbabwe crisis has been well described by Palotti. He writes that SADC's attempts to put an end to human rights abuses in Zimbabwe have been hampered by 'SADC's inability to draw a clear distinction between respect for human rights and the promotion of a neo-liberal strategy of economic development'.<sup>85</sup> He further observes that SADC's diplomatic efforts were caught between the redistributive nationalist rhetoric of an authoritarian regime that trampled on human rights in the name of pursuing social justice, and the instrumentality of human rights in the neo-liberal development paradigm of the west. Thus, having embraced the latter, SADC failed to address both the colonial legacies of inequality in the region, and the upholding of human rights in southern Africa.<sup>86</sup>

The failure to deal with this distinction can be seen most clearly in a recent statement on the Zimbabwean elections by Thabo Mbeki, who played a key role in the SADC facilitation in Zimbabwe. Not prepared to examine the tensions between neo-liberalism and human rights, Mbeki's current position has simply replicated the ZANU(PF) position. Going back on his past criticisms of the modality of Zimbabwe's land reform process, Mbeki now proclaims that he erred in his advice to Mugabe. He further declared:

So the Zimbabweans have been in the frontline in terms of defending our right as Africans to determine our future, and they are paying the price for that. I think it is our responsibility as African intellectuals to join them, the Zimbabweans, to say No!<sup>87</sup>

Mbeki's position should be seen as part of the ways in which, as Hart shows, the 'liberation linked articulations of nationalism' remain central to the ways in which the 'successive ruling blocs' in the ANC 'define the terms on which wide arrays of struggle and contestation take place'. Moreover, Hart's analysis shows the ways in which this 'renationalisation' of political discourse has taken place within the context of a

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<sup>85</sup> A. Palotti, 'Human Rights and Regional Cooperation in Africa: SADC and the Crisis in Zimbabwe', *Strategic Review for Southern Africa*, 35, 1 (2013), p. 18.

<sup>86</sup> *Ibid.*

<sup>87</sup> T. Mbeki, 'The West's Contempt for Africa Must End', *New African*, October 2013, p. 63.

denationalisation of the economy, bringing with it enormous challenges for the South African ruling party.<sup>88</sup> Mbeki's position and the renationalisation of political discourse in South Africa express the concerns of liberation movements in the region over the challenges to the sovereignty of 'their' states in the face of perceived western arrogance and opposition towards 'African solutions to African problems'. The long-term implications of this discourse on the politics of the region remain to be seen. However, if the authoritarian legacy of ZANU(PF)'s rule is simply elided in the euphoria of a selective pan-Africanist and anti-imperialist rhetoric, then the complex challenges that the Zimbabwe crisis raised are not likely to be more fully understood. In that case, instead of confronting the difficult challenges of linking a radical redistributive economic programme to a progressive democratic political agenda, the latter will simply be subsumed under the former, and the result will be an impoverished left formalism. The continued struggle for a broad democratic agenda remains an urgent task in southern Africa.

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<sup>88</sup> G. Hart, *Rethinking the South African Crisis, Nationalism, Populism and Hegemony* (Scottsville, University of KwaZulu-Natal Press, 2013).