



Situation Report

Date issued: 10 September 2009
Author: Judy Smith-Höhn*
Distribution: General
Contact: phandy@issafrica.org

Unpacking the Zimbabwe Crisis: A Situation Report

Introduction

In 1998, Zimbabweans paid around 40 Zimbabwean dollars for one loaf of bread. 10 years down the line, and only weeks prior to the signing of a power-sharing arrangement between long-time rivals ZANU-PF and the two MDC factions,¹ Zimbabweans had to cough up 7.3 trillion Zimbabwean dollars for that very same loaf.² How is it that this once prosperous Southern African country had become the basket case of the region? And what are the prospects for bringing Zimbabwe back from the brink?

With the inauguration of an Inclusive Government (IG) in February 2009, Zimbabwe appeared to be on the road towards recovery. This situation report focuses on the progress of the IG in fulfilling the terms of the power-sharing agreement signed September 2008, as this is the benchmark by which progress should ultimately be measured. It begins by outlining the political context that led to the signing of the agreement as the conditions that compelled the former archrivals to agree to work together. It then highlights the key issues that have caused disagreements between the various parties to the agreement and consider the extent to which the resolution of these can be regarded as key in effecting long-term and sustainable recovery in the country. The report concludes with recommendations to all stakeholders to the agreement.

The year 2008 witnessed a deepening of the political and economic crisis aggravated by the violence and reported opposition intimidation that ensued in connection with the presidential and parliamentary elections of March and the presidential run-off in June.³ For the first time since independence, the Zimbabwe African National Union-Patriotic Front (ZANU-PF), which had ruled the country since the inception of majority rule in 1980, lost its majority in parliament to the opposition Movement for Democratic Change (MDC).⁴ With MDC leader Morgan Tsvangirai winning 47.9 per cent of the total votes compared with Robert Mugabe's 43.2 per cent in the first round of the presidential elections in March, the country was geared for a run-off on 27 June 2008. Following the delayed announcement of the March 2008 presidential election results, it appeared as though ZANU-PF was willing to go to great lengths to hold onto power.

Zimbabwe's ruling elite has been known for their resort to oppression and intimidation of the opposition,⁵ and it appeared that the scene was being set for Zimbabwe's president, Robert Mugabe, and his party to steal power, even though the March 2008 elections represented opposition victories. In the forefront of the second round of elections, the army and state employees were

* The opinions expressed in this Situation Report do not necessarily reflect those of the Institute, its Trustees, members of the Council, or donors. Institute research staff and outside contributors write and comment in their personal capacity and their views do not represent a formal position by the ISS.

again responsible for administering the elections, and an unprecedented wave of state-orchestrated violence was unleashed upon many rural areas, as the Joint Operations Command (JOC) worked to reduce support for Morgan Tsvangirai. The rural areas were especially targeted because that was where it was thought MDC maintained a stronghold. Emmerson Mnangagwa, former JOC Commander who currently holds the powerful post of Minister of Defence, led Mugabe's 2008 presidential campaign. He is thought to have been the driving force behind the violence and intimidation that was committed to a large extent by soldiers, the police, intelligence operatives, youth militias and liberation war veterans.⁶ While Mnangagwa sought to downplay the army's involvement by claiming that the soldiers involved in election-related violence were not acting on orders, but were, in fact, on leave, Amnesty International pointed out that this was immaterial, given that it was the government's responsibility to protect its citizens at all times, even against its own army officials.⁷

On 22 June 2008, Tsvangirai, faced with such repression, announced his withdrawal from the race, claiming that this was the only possible reaction to a "state-sponsored campaign of violence" that had led to the death of some 85 MDC supporters and the displacement of at least 200,000 people.⁸ The election was held nonetheless, with Robert Mugabe winning a "resounding" 86% of the votes to Tsvangirai's 9%.⁹ Practically all observer groups dismissed the run-off elections as a sham.¹⁰ The Pan-African Parliament Election Observer Mission noted that, in contrast to the harmonised elections in March, the run-up to the June elections was characterized by violence, intimidation and political intolerance as well as a curtailment of fundamental civil and political rights such as freedom of assembly and freedom of movement.¹¹ Against the backdrop of election-related violence and the subsequent lack of popular participation in the electoral process, the African Union Observer Mission concluded that the run-off elections "fell short of accepted AU standards".¹²

After much wrangling, the key stakeholders in the political crisis signed a Memorandum of Understanding (MoU) in July 2008, outlining the issues to be addressed in order to reach a negotiated settlement, facilitated by SADC-appointed South African President Thabo Mbeki. This led to the signing of a power-sharing arrangement – now commonly referred to as the Global Political Agreement (GPA) – on 15 September 2008. Six months later, after the adoption of Constitutional Amendment 19,¹³ the GPA was finally implemented with the formation of the Inclusive Government (IG) on 11 February 2009.

After gaining independence in 1980, Zimbabwe was initially considered a poster child for Africa. President Robert Mugabe implemented successful policies in the health and education sectors, which functioned better than many of their African counterparts, for example.¹⁴

During the course of the 1990s, however, it became apparent that the ruling ZANU-PF, under its charismatic leader, was not prepared to implement necessary reforms. The government was inconsistent in pursuing economic and political reforms, and this limited implementation of agreed policies in addition to problems of prolonged mismanagement, excessive government expenditure and rising corruption led to the further deterioration of the economy and a rise in popular opposition to the president.¹⁵ At the turn of the century, Zimbabwe faced an economic and social crisis. Unemployment had risen to over 50%, inflation was at 60%, the government had cut spending on education and health, and an estimated 76% of the population was living in poverty.

In response to the rising popular discontent, the main trade union federation, the Zimbabwe Congress of Trade Unions (ZCTU) formed a political party, the MDC, in September 1999. The MDC, a predominantly urban-based movement led by Morgan Tsvangirai, campaigned for a "no" vote in a national referendum for proposed changes to the constitution that favoured the ruling ZANU-PF.¹⁶ In 2000, following the failed attempt by Mugabe and his party to amend the constitution, the regime became increasingly repressive. Mugabe actively encouraged the

forcible acquisition of mostly white-owned farms by landless peasants and war veterans, and the fast-track land reform process became increasingly violent. This crippled the economy and led to chronic shortages of basic commodities. The land reform campaign also served as a tool for ZANU-PF to reward its supporters for their loyalty.

In the parliamentary elections that followed that same year, Mugabe's ZANU-PF faced serious competition for the first time since independence (ZANU-PF won 62, MDC won 57 out of the 120 contested seats).¹⁷ Later, elections in 2005 were marred by gross manipulation and suppression of dissent, and the MDC split in November 2005 after Tsvangirai overruled senior members who voted to participate in upcoming senate elections.¹⁸ The split led to the formation of two factions: the MDC-T led by Morgan Tsvangirai, and the MDC-M led by Arthur Mutambara.

Opposition crackdown continued and in March 2007, the Southern African Development Community (SADC) mandated the then South African President Thabo Mbeki to mediate between the government and the MDC. The goal was to pave the way to a new constitution and to create the conditions for free and fair elections. However, Mugabe proceeded to unilaterally declare 29 March 2008 as the date for the next elections, although MDC had wanted to postpone the date until a new constitution was adopted. Violence and intimidation of opposition supporters was again expected in the run-up to the March 2008 parliamentary and presidential elections. Some observers claimed that there was a skewed playing field ahead of the elections due to pre-poll manipulation and the accreditation of only "friendly" countries and institutions to observe the polls.¹⁹

Such reports notwithstanding, the MDC won the parliamentary elections and its presidential candidate was leading the polls in the presidential elections. The ZANU-PF led government, however, withheld the results of the presidential elections for several weeks, raising suspicions that Tsvangirai may have won an outright victory. As noted above, after finally releasing the results which indicated that a run-off election was to be held since none of the candidates won an absolute majority, election-related violence peaked in the months preceding the run-off. Given the fact that the MDC was able to secure a parliamentary majority, the results of the elections undoubtedly weakened the position of Robert Mugabe and the ZANU-PF. Moreover, amid rising international pressure – most of all from the AU and SADC – the protagonists within ZANU-PF were compelled to acknowledge a change of tide and agreed to SADC-mediated talks with the MDC, which began again in earnest in July 2008.²⁰

In recognition of the need to form a new or inclusive government, the signing of a Memorandum of Understanding (MoU) between the ZANU-PF and the two MDC factions on 21 July 2008 was the first breakthrough towards achieving a negotiated political settlement since the crisis first broke out in 2000. The deal, brokered through Mbeki's facilitation, lessened the pressure on both the facilitator and SADC following mounting international criticism of the lack of progress in the mediation process. The MoU did not specify the shape the unity government would take, but rather outlined the issues to be addressed in order to reach a negotiated settlement. For ZANU-PF, the key issues on sanctions, the land question and external interference were included as agenda points. More importantly, the issue of the status of the head of state and the outcome of the June 2008 run-off elections were excluded from the agenda. For the MDC, the security of its members, the prevention of violence, calls for the stop of hate speech, as well as the role of SADC and the African Union (AU) as underwriters and guarantors of the global political agreement seemed to have allayed their key concerns.

The MoU culminated in the signing of the GPA on 15 September 2008, in which Mugabe remained president and Tsvangirai would become prime minister. The realisation of a power-sharing agreement saw an end to the international isolation of Zimbabwe. However, since the negotiations failed to address the fears and demands of hardliners and potential spoilers on both sides of the political divide,

the situation remained unstable. Most prominent in this regard is the failure to clarify the position of the security apparatus or offer any assurances (e.g. amnesty for offences committed against the population) when the deal was struck. The key problematic elements of the GPA are dealt with below.

A closer inspection of the historic agreement signed in September 2008 reveals the document to be exceptionally general in nature. Several contentious issues were either omitted from the final document entirely or were not addressed adequately, four of which can be considered as the most problematic.

First, Article 5 on land reform provides for a land audit, but does not address the need for the land reform policy to be rationalized. This is particularly unsettling considering the fact that, prior to this agreement, four audits had already been conducted in the past without any of these producing tangible results.²¹ Moreover, the parties to the agreement specifically acknowledge “the irreversibility of the (...) land acquisitions and redistribution” that had taken place since the implementation of the fast-track land reform programme in 2000.²² Ruswa has highlighted the futility of Article 5.4, which points out the divergence between the parties to the agreement with regard to the “methodology of acquisition and redistribution” of land.²³ He notes that in doing so, the parties to the agreement chose to overlook the fact that the impact of any land reform process depends precisely on the means by which land was acquired and redistributed.²⁴

The issue of sanctions addressed in Article 4 poses a second difficulty, for the decision to lift said sanctions lies clearly with parties external to the agreement. From 2002 to present, the European Union has imposed an asset freeze and travel ban on some of Mugabe’s allies as well as a ban on the sale of arms. The United States has, since 2003, imposed a trade ban against 17 Zimbabwean companies and 250 individuals. Other countries such as Canada and the United Kingdom have also imposed targeted sanctions against selected ZANU-PF members and allies.²⁵ There was, for example, the push by the US and its allies for the imposition of targeted sanctions against the ruling elite in Zimbabwe. Such action included an arms embargo, restriction of international movements of officials, freezing of assets and impounding the wealth of those dealing with the regime. Weeks prior to the elections, the EU had also threatened to impose targeted sanctions – including a travel ban and a freeze on assets – against President Robert Mugabe and 19 other senior officials, if the Zimbabwe government hampered the work of the EU’s election observer mission. The intent was to apply pressure on President Robert Mugabe, in the aftermath of the discredited run-off presidential elections, in which the opposition MDC’s Morgan Tsvangarai withdrew.²⁶ Given the habit of Mugabe and his allies to blame the continued retention of smart sanctions for many of the difficulties faced in the country, there is the risk that a failure to lift sanctions expeditiously might be interpreted as a failure to uphold the terms of the agreement.

Thirdly, and most worrisome of all was the failure of the agreement to address the need for security sector reform. As a result of the securitisation of the regime, the day-to-day operations of the government were increasingly being run by the National Security Council, composed of the cabinet and senior military officials.²⁷ Moreover, the Joint Operation Command (JOC) – chaired by the Minister of Security²⁸ and comprising army commanders, air force, intelligence service and prisons – served as the central oversight body for all government operations and policies.²⁹ The deep involvement of the military in formulating economic policy is a further indication of the securitisation of the state. Operation Taguta, for instance, authorized the military to boost agricultural production. Headed by General Constantine Chiwenga, Commander of the Zimbabwe Defence Force, the Operation allows the army to identify idle land on which it can move in and that it then utilises on behalf of the state.³⁰ Moreover, high-ranking military officers have often occupied management positions in state-owned companies.³¹ The JOC thus had a stake in the outcome of the elections and the subsequent negotiations for a power-sharing arrangement, and high-ranking military officers had repeatedly indicated their refusal to accept a president that had not fought in Zimbabwe’s

liberation war. While there is no evidence to suggest that the military would, in fact, unseat any government, they continue to have a problematical relationship with the Prime Minister Tsvangirai, as evidenced by their refusal to attend his inauguration in February this year.

Finally, as regards the powers of the President and Prime Minister over the cabinet, the GPA awarded both Mugabe and Tsvangirai executive powers. While Mugabe chairs the Cabinet – which comprises 31 ministers, 15 from ZANU-PF, 13 from MDC-T and 3 from MDC-M – Tsvangirai chairs a Council of Ministers, which comprises all members of the Cabinet and is assigned an oversight role.³² Though there is nothing uncommon about a dual executive, the institution of a twin-cabinet is unique and could be a recipe for deadlock. Since membership overlaps in both, who has the final say? Moreover, to what extent can a Council of Ministers perform the oversight function it has been awarded in the agreement if all its members are also Cabinet ministers? Basically, the deal has established two power centres, giving ZANU-PF ample opportunities to block or undermine reforms.³³

It was only in February 2009, five months after the signing of the GPA, that the country witnessed the formation of an Interim Government and the inauguration of Prime Minister Morgan Tsvangirai. Given the fact that the GPA gave no details as to the exact composition of the Cabinet and the precise distribution of the oversight roles of both the president and the prime minister over this particular institution, it came as no surprise that certain posts were fiercely contested. ZANU-PF had begun the process by stating that the ministries of defence, security, information and foreign affairs were non-negotiable. Yet it was also evident to all involved that a ZANU-PF Minister of Finance would have little chance of securing regional and international support. Likewise, it revealed an understanding and acknowledgement of the reality of the crisis that the Minister of Economic Planning and Investment Promotion, Elton Mangoma, was a member of the MDC-T fraction.

The struggle to form a cabinet between the parties to the power-sharing agreement was the first in a series of battles for the upper hand. Several months had passed before ZANU-PF and the two MDC factions could agree on the distribution of key ministries. As noted above, highly contested portfolios included that of the home affairs ministry, as well as foreign affairs, finance, agriculture, mines as well as justice. Table 1 shows the final breakdown of the key ministries between the various parties to the GPA.

On a more positive note, Zimbabwe's economy shows signs of recovery. Aside from the need for emergency humanitarian relief, the need for economic recovery was high on everyone's list of priorities, given the fact that the decaying state of this sector was perhaps the most important contextual factor that influenced the course of the post-election negotiations in Zimbabwe. In the past, economic policy was driven by political considerations, contributing towards the contraction of this sector and by August 2008, when government halted official inflation rate estimates, the monthly inflation rate had risen to over 231 million per cent.³⁵ The first few months of the unity arrangement witnessed the taming of hyperinflation, a reopening of schools and hospitals as well as the provision of salaries to civil servants. In 2009, western governments have begun to renew desperately needed aid packages to Zimbabwe. In May 2009, the Norwegian government, for example, pledged the equivalent of US\$ 9.17 million (58 million Norwegian crowns) to bolster the country's health and education sectors. Two months earlier, the Australian government also pledged a substantial amount of aid to help restore health, water and sanitation services. Like many international actors beginning to engage with Zimbabwe, both governments opted not to channel the funds through the government financial system, instead opting for nongovernmental organizations, the World Bank and United Nations agencies. The government reported that it had succeeded in raising over US\$ 1 billion in credit lines from African agencies and banks to aid in the country's revival, with PTA Bank providing US\$185m, Africa Export-Import Bank US\$250m while SADC and the Common Market for Eastern and Southern Africa (Comesa) pledged a further US\$400m.³⁶

Table 1: Zimbabwe's Interim Government: Key Political Figures

Party	Position	Name
ZANU-PF	President	Robert Mugabe
	Vice President	Joyce Mujuru
	Vice President	Joseph Msika (till August 2009) ³⁴
MDC-T	Prime Minister	Morgan Tsvangirai
MDC-M	Deputy Prime Minister	Arthur Mutambara
	Deputy Prime Minister	Thokozani Khupe
Key ZANU-PF Ministries	Agriculture, Mechanisation and Irrigation	Joseph Made
	Defence	Emmerson Mnangagwa
	Energy and Water Development	Kenneth Konga
	Environment and Natural Resources Management	Francis Nhema
	Foreign Affairs	Simbarashe Mumbengegwi
	Justice and Legal Affairs	Patrick Chinamasa
	Lands and Rural Resettlement	Herbert Murerwa
	Media, Information and Publicity	Webster Shamu
	Mines and Minerals Development	Obert Mpofu
	Transport and Infrastructural Development	Nicholas Goche
Key MDC Ministries	Economic Planning and Investment Promotion	Elton Mangoma
	Education, Sport, Art and Culture	David Coltart
	Energy and Power Development	Elias Mudzuri
	Finance	Tendai Biti
	Health and Child Welfare	Henry Madzorera
	Home Affairs	Giles Mutsekwa
	Housing and Social Amenities	Fidelis Mhashu
	Industry and Commerce	Welshman Ncube
	Labour and Social Security	Paurina Gwanyanya
Public Works	Theresa Makone	

Source: EIU Country Monthly Report, Zimbabwe, July 2009, 2009: 22.

In recognition of the fact that there was a need to institute a special body that would be tasked to ensure that the terms of the GPA are upheld and properly implemented, Article 22 is dedicated entirely to "Implementation Mechanisms".³⁷ It provides for the setting up of a Joint Monitoring and Implementation Committee (JOMIC) comprising twelve members, with each of the three parties nominating four members each. The Committee was tasked to do regular assessments of the progress towards fully implementing the GPA and to receive any complaints in this regard. In other words, it should be the first port of call with regard to the disputes between the parties about the status of political appointees, for example. Yet the multiparty panel, first launched on 30 January 2009,³⁸ had thus far only met once since and it is unclear to what extent they are able to enforce compliance to the terms of the agreement.

Six months into its term, the IG faces a number of hurdles, some of which seem insurmountable and are directly related to the ambiguous nature of some of the articles in the GPA.

There is the ongoing struggle between the parties to the agreement on the status of certain key political figures who were appointed unilaterally by ZANU-PF.

Foremost among these appointments is that of Reserve Bank Governor, Gideon Gono, and Johannes Tomana as Attorney General. This has been the bone of contention between the two parties since their unilateral appointment by Robert Mugabe. At the time of writing, Mugabe remained adamant in his refusal to reconsider both appointments.

The constitution-making process has been at the centre of a number of parliamentary squabbles. Tensions have arisen over the timing as well as the scope of the constitutional talks that are expected to pave the way for elections in late 2010 or early 2011, and these problems could seriously undermine the IG. Article 6 of the GPA stipulates that a Parliamentary Select Committee be established to conduct national consultations. However, while ZANU-PF insists the consultations be based on the Kariba Draft of September 2007 – a document drawn up during secret meetings by the three coalition partners that leaves the executive powers of the president largely intact –, MDC-T in particular, is calling for a more widespread consultative process that includes all parties as well as civil society groups. As for the timing of the process, it appears that both ZANU-PF and MDC-M want the process to last as long as possible given the likelihood of their defeat at the next electoral polls by the mainstream MDC-T, who seem eager to comply with the timetable of the GPA.

The continued land invasions could also derail the transition process. Despite Tsvangirai's attempts at downplaying the farm invasions as isolated incidents, more than 100 farmers were charged with being on their farms illegally during his first 100 days as prime minister.³⁹ At the same time and in defiance of the GPA, Mugabe loyalists occupied an estimated 80 farms in this timeframe.⁴⁰

Tensions within the parties continue unabated. The political ambitions of key figures within the various political parties appear to be distracting from the real issue of assisting the country in its recovery from years of maladministration, corruption and nepotism that has led to abject poverty, spiralling hyperinflation and underemployment as well as chronic shortages of food and fuel. The succession battle between the two ZANU-PF factions, for example, and their attempts to undermine each other's efforts, has led to considerable mistrust among government officials.⁴¹ Much depends on the incumbent's ability to maintain his patronage networks. Should one of the presidential hopefuls manage to secure control of the military, this could certainly be the straw that breaks the camel's back.

On the other side of the political divide, there is the fragmentation of the MDC, which formally split into two parties in March 2005.⁴² In addition to the formal splitting of the party, MDC-T faced internal strife between what some have called hardliners and softliners towards the party's approach to its role in the IG. For instance, the decision to join the government in February 2009 was taken against the backdrop of divisions within the party. On the one hand, there was party president Tsvangirai, who was willing to enter into an arrangement that would allow the MDC to initiate reforms through government. On the other, there was a faction led by MDC Secretary General and lead negotiator at the SADC-mediated talks in 2008, Tendai Biti, who opposed the move. Biti argued that the MDC should instead mobilize support locally and internationally in order to pressure Mugabe to resign the presidency. Months of division over this basic issue of strategy, a common occurrence in MDC ranks, in addition to the worsening of the humanitarian and economic crisis, left the party with little option but to enter the government despite concerns about inherent shortcomings.⁴³

Furthermore, not all elements within the parties to the agreement are supportive of the process. In fact, some have fought tooth and nail to frustrate the efforts made towards establishing a new political order in Zimbabwe. According to Masunungure, the transition process is marked by broad tendencies: the pro-change and the anti-change tendencies. The latter is further split into what he has called hardliners and softliners.⁴⁴ The hardliners are again divided into "opportunistic" hardliners and "unconditional authoritarians". The opportunists

have no long-term political objectives and their primary concern is maintaining power in order to continue sharing in the spoils. During a transition, these potential spoilers can be neutralised by “buying them out at the right moment”.⁴⁵ It is the unconditional authoritarians – whom Masunungure calls the ideological hardliners – that pose the greatest challenge to the architects of Zimbabwe’s transition. These are the ZANU-PF stalwarts who consider themselves to be “guardians and custodians of ZANU-PF’s ‘permanent revolution’ [who] are determined to preserve the ‘purity’ of the ZANU-PF regime”.⁴⁶ Given the pivotal role played by the JOC commanders in the past, securing the future of this particular group of potential spoilers continues to be a key challenge. Notwithstanding this concern, there has been – albeit delayed – progress. Nearly six months into the rule of the inclusive government and following five failed attempts at scheduling its first meeting, the new National Security Council – headed by President Mugabe; with Prime Minister Tsvangirai as a member – finally met in August 2009.⁴⁷

Despite the Interim Government’s visible successes in the economic sphere, there has been a notable lack of progress in the political sphere. Several analysts still regard Tsvangirai’s MDC as a “junior partner” in the unity government, and talks on resolving some of the outstanding issues the government is facing have failed to yield much despite repeated negotiation efforts. But is the amicable resolution of political appointees really going to solve the problems faced in Zimbabwe? Does it matter that the Reserve Bank Governor Gideon Gono, while certainly bearing some responsibility for the financial crisis, was unilaterally re-appointed by Robert Mugabe?

By and large, African leaders seemed to have adopted a cautious and probably prudent approach to the Zimbabwe situation so as not to antagonize the protagonists in the crisis. In the past, they have resisted calls to take stronger action and publically delegitimize the June 2008 election. There is no doubt however, that there is division among several African countries as to how to engage Mugabe. This is evidenced most notably by the strong criticism issued by Botswana, which had conferred illegitimacy on the June 2008 run-off vote and therefore its outcome, and called for representatives of Zimbabwe’s current government to be excluded from attending SADC and African Union meetings.

As highlighted above, the GPA is exceptionally general in nature. All contentious issues were either omitted from the final document entirely or were not addressed adequately. Thus it comes as no surprise that the parties to the agreement face a deadlock on a number of issues. The proceedings of the signing ceremony itself and the speeches held by each stakeholder were indicative of the difficulties to come. On the one hand, there was Morgan Tsvangirai, who spoke of the need to stabilize the economy and promised that “under my leadership, this unity government will let business flourish”. In a similar vein, his MDC counterpart, Arthur Mutambara highlighted the need not only for development aid, but also for investment in the Zimbabwean economy. On the other, there was Robert Mugabe, who addressed past wrongs committed by external forces and the injustice of the imposition of sanctions while discreetly reproaching his critics from the SADC community – Botswana, Tanzania and Mozambique – for publicly condemning the Zimbabwean electoral proceedings. Moreover, when the incumbent stated that “the opposition will always want more than what it deserves. It will devise ways and means of getting power, including violence”, he revealed that his was not a recognition of rightful co-ownership of the leadership of the country, but a capitulation, and in his own words, a humiliation.

The stakeholders face a particularly difficult challenge in that there appears to be a trade-off between “doing the job” accurately and doing it speedily. If one were to estimate the potential for the current transitional arrangement to craft truly innovative institutions, one must consider the speed at which the transition was initiated. In other words, the implementation of innovative and groundbreaking policies usually requires time and patience. Having to take rapid decisions – be it on the appointment of cabinet posts or the development of policies – may mean that policymakers, regardless of the party they affiliate with,

rely on well-known foreign or post-independence models instead of crafting new innovative institutional frameworks. Also, in terms of the composition of the power-sharing government, one needs to ask whether the new dispensation is comprised of “recycled” or “replaced” elites, as this has an impact on the types of institutional arrangements one might expect in the future.⁴⁸ If the elites are replaced, policies will be more innovative. If they are merely recycled, policies will be more conservative. In Zimbabwe, there is a mixture of replaced and recycled elites. So one could say that the originality of future policies and their potential to effect real change depends very much on which ministries have been awarded to which party.

In order to support the more progressive elements within the IG, it will be necessary for them to show results. Thus, the international community should continue to support those ministries known to be led by the progressive elements of the government. Improvements in areas such as health, welfare and education through increased donor engagement, for example, would serve to legitimise these stakeholders.

SADC is rightfully credited with facilitating the power-sharing agreement. Almost one year after the signing of the historic document, certain signatories to the GPA have called on the regional body to intervene once more in order to resolve what they deem to be outstanding issues. The MDC-T’s key concerns are the status of certain political appointees as well as the continued harassment of their supporters by ZANU-PF stalwarts. At the time of writing, Tsvangirai had just attended the SADC Summit held in Kinshasa from 7-9 September 2009 in his capacity as MDC-T chairperson in order to lobby for an extraordinary summit that would address these outstanding issues. This was after he had met with outgoing SADC Chair and South African President, Jacob Zuma, at Albert Luthuli House in Johannesburg in August 2009. While this move may have sparked false expectations from media and other observers that Zuma would call for a stronger SADC response to solving the disputes between the MDC-T and ZANU-PF, it was clear from his subsequent visit to Zimbabwe, where he also met with President Robert Mugabe, that Zuma was fulfilling his role as the Chair of the regional body.

At its Summit in Kinshasa this September, SADC commended the IG for the progress it has made and called for an unconditional lifting of all forms of sanctions against Zimbabwe. While the frustration of the MDC-T is understandable, the reaction of SADC should come as no surprise. For one, progress can indeed be tallied, and also, the outstanding issues raised by the MDC-T are not specifically provided for in the GPA. The document made no mention as to how and when political appointments should be made, for example. It does, however, provide for the establishment of an oversight body, the JOMIC, and also gives guidelines for the constitution-making process. Article 23 of the GPA also makes provisions for an annual Review Mechanism in order to track the progress towards implementing the priorities and objectives set out in the agreement.

A better approach would have been to strengthen the JOMIC as the oversight body tasked with dealing with issues of compliance and monitoring of the GPA. This would in turn provide the groundwork for the annual Review Mechanism to begin its work. This should have been the avenue through which to address SADC on issues relating to the stalled constitution-making process, the land reform question and issues of national healing and reconciliation, for instance.

Make no mistake: the signing of the GPA did not signify an agreement on the well-known contentious issues between longstanding enemies, but rather revealed the willingness of the rivals to finally agree to disagree. It is a treacherous road towards democracy, and a transitional arrangement can easily be overthrown – premature calls for transitional justice, arguably a necessary long-term objective, or slow progress in the field of economic recovery, could destabilise the process by playing into the hands of those waiting to see the transition fail.

-
- * Dr. Judy Smith-Höhn is senior researcher with the African Security Analysis Programme at the ISS in Pretoria.
- 1 The Zimbabwe African National Union-Patriotic Front and the Movement for Democratic Change, respectively.
 - 2 This would have been the price had the Reserve Bank of Zimbabwe (RBZ) not redenominated the currency twice in six months, removing first ten and then twelve zeros. See Economist Intelligence Unit, Zimbabwe Country Report, March 2009, pg. 7.
 - 3 See for example International Crisis Group (ICG), Zimbabwe: Engaging the Inclusive Government, Policy Briefing, Africa Briefing No 59, 20 April 2009.
 - 4 The MDC-T secured 99 seats, MDC-M won 10 seats while ZANU-PF acquired 97 seats. See Electoral Institute of Southern Africa website at <http://www.eisa.org.za/WEP/zim2008results1.htm>
 - 5 See e.g. Bertelsmann Stiftung, BTI 2008 – Zimbabwe Country Report. Gütersloh: Bertelsmann Stiftung, 2007, pg 7f.
 - 6 HRSC and Africa Policy Institute, Saving Zimbabwe: An Agenda for Democratic Peace, Policy Report, Pretoria, 2008, pg. 11.
 - 7 See e.g. The Standard, *Zimbabwe: Mnangagwa Admitted Army Violence*, 27 June 2009, Available at <http://allafrica.com/stories/200906291323.html>
 - 8 See for example, Economist Intelligence Unit, Country Profile Zimbabwe, London, 2008.
 - 9 Although Tsvangirai withdrew from the race, his name was still on the ballot papers.
 - 10 Observer missions from the European Union and the United States were denied accreditation for both the March and June 2008 elections, as it was the belief of the ZANU-PF-led government that they would only declare an election free and fair if the opposition were to win. See e.g. Voice of America, *Zimbabwean Government Selective In Accrediting Election Observers*, 7 March 2008, <http://www.voanews.com/english/archive/2008-03/2008-03-07-voa72.cfm?CFID=255723923&CFTOKEN=86258390&jsessionid=88307a858230d8b2c4aa7c523a3022462d19>
 - 11 Report of the Pan African Parliament Election Observer Mission, Presidential Run-Off election and House of Assembly By-Elections, Republic of Zimbabwe, 27 June 2008, PAP/S/RPT/76/08, Available at <http://www.pan-africanparliament.org/Controls/Documents.aspx?DID=1029>
 - 12 Office of the African Union Observer Mission to the Presidential Run-Off and House of Assembly By-Elections in Zimbabwe, Preliminary Statement of the African Union Observer Mission, Issued in Harare, Zimbabwe, 29 June 2008, Available at <http://www.eisa.org.za/PDF/zim2008au.pdf>
 - 13 This amendment absorbs the GPA into the constitution by creating the post of Prime Minister.
 - 14 This early period was, however, also marred by intense political conflict between the two groups that led the country to independence: the Zimbabwe African People's Union (ZAPU) and the Zimbabwe African National Union (ZANU). The armed conflict was the cause of political instability in the Matebeleland and Midlands provinces of the country (1982–1987), and more than 20 000 civilians were killed by government forces battling to contain the activities of a few political rebels who had taken up arms. The violence and killings of this period only ended in 1987 after the signing of the Unity Accord between ZANU and ZAPU which merged the two parties into the Zimbabwe African National Union-Patriotic Front (ZANU PF). The atrocities of this period, called Gukurahundi (the early rain that washes away the chuff), has remained a bitter source of government resentment among the country's Ndebele population, who also feel marginalized from both central government decision-making processes and the economy.
 - 15 Economist Intelligence Unit, EIU Zimbabwe Country Profile 2000, London, 2000.
 - 16 The proposal foresaw a removal of restrictions on executive power as well as the amendment of the land reform policy to allow for land acquisitions without any compensation to the former owners.
 - 17 See e.g. Economist Intelligence Unit 2000: 6.
 - 18 See e.g. International Crisis Group, *A Way Forward for Zimbabwe, History of the Crisis*, 2009, <http://www.crisisgroup.org/home/index.cfm?id=3535>. As a result of the human rights abuses during elections and the controversial land redistribution process, Zimbabwe was suspended from the Commonwealth of Nations in 2002.
 - 19 Ibid.
 - 20 The African Union, for instance, during its 11th Ordinary Summit held in Sharm El Sheikh, Egypt, on June 30 to July 01, 2008 recognised the need for a political solution to the impasse in Zimbabwe and passed a resolution on the Zimbabwe crisis, calling for a government of national unity.
 - 21 Interview, Eldred Masungure, Harare, Zimbabwe, 17 September 2008.
 - 22 Power Sharing Agreement between the Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the two Movement for Democratic Change Formations on Resolving the Challenges Facing Zimbabwe, signed 15 September 2008, Harare, Zimbabwe.
 - 23 Goodhope Ruswa, Solving the Zimbabwean Crisis: A reflection on land reform in the context of political settlement, Paper presented at the European Conference on African Studies of the Africa-Europe Group for Interdisciplinary Studies, 5 June 2009, Leipzig, Germany, available at http://www.uni-leipzig.de/~ecas2009/index.php?option=com_docman&task=doc_download&gid=1351&Itemid=24 Ibid. (ibid. in reference to what?)
 - 24 Ibid.
 - 25 BBC News, *Zimbabwe Sanctions 'should end'*, 9 September 2009, Accessed 9 September 2009 from <http://news.bbc.co.uk/go/pr/fr/-/2/hi/africa/8245286.htm>
 - 26 However, African countries and others, including South Africa, generally opposed the calls for sanctions. They maintained that such an action would be counterproductive to the SADC initiatives to get the protagonists in

- Zimbabwe to negotiate power-sharing deal. Indeed, the US-initiated UNSC resolution came after the African Union Assembly resolution had called for a government of national unity. The African Union had also appealed to states and all parties (this would be inclusive of the US and UK) to “refrain from any action that may negatively impact on the climate of dialogue. See AU Summit Resolution on Zimbabwe, 10 July 2008, Issue 387, Section 4.
- 27 See, for example, Bertelsmann Stiftung, BTI 2008 – Zimbabwe Country Report. Gütersloh: Bertelsmann Stiftung, 2007, pg. 2.
- 28 Until 2008, when the GPA stipulated that the JOC would be replaced by a National Security Council, this influential organ comprised the following members: 1) Emmerson Mnangagwa, who replaced Didymus Mutasa as Minister of Security following the March 2008 elections; 2) General Constantine Chiwenga, Commander of the Zimbabwe Defence Forces; 3) Lieutenant General Philip Sibanda, Commander of the Zimbabwe National Army; 4) Air Marshal Perence Shiri, Commander of the Air Force of Zimbabwe; 5) Commissioner Augustine Chihuri, Commissioner of the Zimbabwe Republic Police; 6) Major General (Ret.) Paradzayi Zimondi, Head of the Zimbabwe prison service; 7) Happyton Bonyongwe, Director-General of the Central Intelligence Organisation; and 8) Gideon Gono, Governor of the Reserve Bank of Zimbabwe.
- 29
- 30 In 2006, for example, the army planned to take over a 100 000-hectare irrigation project at Masvingo on the grounds that the project had underperformed the previous three years and had the potential to feed the entire country. See Africa Confidential, Zimbabwe: The Spill Blood Succession, Vol 47, No 10, 12 May 2006, pg. 1.
- 31 See Bertelsmann Stiftung, BTI 2008 – Zimbabwe Country Report. Gütersloh: Bertelsmann Stiftung, 2007, pg 2.
- 32 Article 20 of the Power Sharing Agreement outlines the framework for the new government, stipulating, among other things, the respective roles of the President and Prime Minister.
- 33 ICG 2009: 1.
- 34 At the time of writing, ZANU-PF had yet to nominate a successor for the recently deceased Msika.
- 35 EIU Country Report June 2009, Zimbabwe, pg. 7.
- 36 See EIU Zimbabwe Country Report June 2009, pg. 10f.
- 37 Agreement between the Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the Two Movement for Democratic Change (MCD) Formations on Resolving the Challenges Facing Zimbabwe, Signed 15 September 2008 in Harare, Zimbabwe. Available at: <http://allafrica.com/stories/printable/200809151361.html>
- 38 Members from the MDC-M are Professor Welshman Ncube (co-chairperson), Mr Frank Chamunorwa, the honourable Edward Mkhosi and Ms Priscilla Misihairambi-Mushonga; from the MDC-T: Hon Elton Mangoma (co-chairperson), Hon Elias Mudzuri, Hon Tabita Khumalo and Mr Innocent Changonda; and from ZANU PF: Minister Nicholas T Goche (co-chairperson), Minister Patrick A Chinamasa, Minister Emmerson Mnangagwa and Ms Oppah Muchinguri. See South African Government website: *Zimbabwean Political Parties Launch the Joint Monitoring and Implementation Committee (JOMIC)*, 30 January 2009, Available at <http://www.info.gov.za/speeches/2009/09013016451004.htm>
- 39 EIU, Zimbabwe Country Report June 2009, pg. 9f.
- 40 According to the Commercial Farmers Union (CFU), farm attacks have even increased since Tsvangirai's appointment.
- 41 The party is divided into three factions: 1) vigilant Mugabe supporters; 2) supporters of Solomon Mujuru and his wife, current Vice-President, Joice Mujuru; and 3) those rallying behind former JOC Commander and currently Minister of Rural Housing and Social Amenities, Emmerson Mnangagwa. While Mugabe's supporters maintain control over key positions in the party, they lack the majority of the party congress. This was first revealed in December 2008, when Mugabe's attempt to change the constitution of the party in order to extend his term in office backfired because he could not secure a mandate from the party's congress.
- 42 BTI 2007:2
- 43 International Crisis Group, Zimbabwe: Engaging the Inclusive Government, ICG Policy Briefing, Africa Briefing No 59, 20 April 2009, pg. 2.
- 44 Eldred Masunungure, Zimbabwe's Agonising but Irreversible Political Transition, Paper presented at the Africa-Europe Group for Interdisciplinary Studies European Conference on African Studies in Leipzig, Germany, 4–7 July 2009.
- 45 O'Donnell et al, quoted in Masunungure.
- 46 Masunungure.
- 47 In compliance with the National Security Council Bill passed on 10 February 2009, the NSC, in addition to the President and Prime Minister, comprises the two Vice Presidents; the Prime Minister and the two Deputy Prime Ministers; the Ministers of Defence, Finance and Home Affairs; as well as ex-officio members who include the Chief Secretary to the President and Cabinet. Other members are the Director-General in the President's Office, the Commander of the Zimbabwe Defence Forces, the Commander of the Air Force of Zimbabwe, the Commander of the Zimbabwe National Army, the Police Commissioner-General and the Commissioner of the Zimbabwe Prison Services. Three more representatives of the parties in the IG were incorporated into the Council, namely the Minister of State for Presidential Affairs Didymus Mutasa (Zanu-PF), Economic Planning Minister Elton Mangoma (MDC-T), and Industry and Commerce Minister Welshman Ncube (MDC). See Zimbabwe National Security Council Bill, 2009.
- 48 Hillebrand, Ernst, Demokratisierung als Eliten-Recycling. Das Beispiel Gabun, in Afrika Spectrum (28) 1: 73–92, 1993.