

## Zimbabwe's Continuing Self-Destruction

### I. OVERVIEW

With scheduled presidential elections less than eighteen months away, Zimbabwe faces the prospect of greater insecurity and violence. The economy's free fall has deepened public anger, and the ruling Zimbabwe African National Union-Patriotic Front (ZANU-PF) party wants to avoid a popular vote by using the legislature it controls to establish a "transitional presidency" and appoint a successor to Robert Mugabe, who has said he will retire. By engineering a transition, Mugabe also intends to secure a dignified personal exit that includes a retirement package and security guarantees. However, such plans may come unglued due to wrangling within ZANU-PF. Through all this the opposition Movement for Democratic Change (MDC) has been weakened by a major leadership split.

Low voter turnout in November 2005 deprived the newly created senate of any legitimacy, but the exercise further tightened ZANU-PF's grip on political power and patronage. Creation of the senate gave an initial head start to the ZANU-PF faction aligned to Vice President Joyce Mujuru in the presidential succession race, although the fortunes of the competing ZANU-PF faction led by the Minister of Rural Housing and Social Amenities, Emmerson Mnangagwa, have recently improved.

ZANU-PF's policies, corruption and repressive governance are directly responsible for the severe economic slide, growing public discontent and international isolation. In April 2006, inflation officially topped 1,000 per cent, helped by the decision to print \$230 million worth of Zimbabwean currency to pay international debts and sustain operations. Unemployment is over 85 per cent, poverty over 90 per cent, and foreign reserves are almost depleted. Over four million persons are in desperate need of food. HIV/AIDS and malnutrition kill thousands every month. Agriculture, the major source of foreign currency earnings, has been particularly hard hit. There are severe shortages of basic consumer items, and the prices of fuel and food are beyond the reach of many. The 2005 "Operation Murambatsvina" to clear urban slums forcibly deprived more than 18 per cent of the population of homes or livelihoods and badly damaged the informal sector, the lifeline for many urban poor.

Fearing street protests to mark Murambatsvina's anniversary in May, the government has moved

increasingly close to martial law. It has banned rallies, marches and prayer meetings during the period surrounding the anniversary and put security forces on high alert. Growing numbers of students, religious activists and members of other civil society groups have been detained.

The rising influence of the military leadership in the succession struggle is troubling. Zimbabwe's armed forces have always been a pillar of the ruling party's power but recent months have seen increasing military involvement in the party machinery and policy formulation. The crumbling economy has meant a loss of government revenues, and the military rank and file are being paid less and at irregular intervals, leading them into criminality, allegedly including cross-border armed robbery. Government difficulties in paying the troops raise a question of whether the security forces can still be relied on to put down protests.

The current division within the main opposition party MDC began over differences in strategy regarding the November 2005 senate elections. While both factions agree on constitutional reform, elections in 2008 and a blueprint for economic recovery, they are divided over participating in government and elections while ZANU-PF can dictate events in the legislative and tilt the electoral field. Unless the opposition can put aside its feuds and coalesce around a unified position, it will be difficult to maximise domestic pressure on ZANU-PF to change its approach. The faction led by party president Morgan Tsvangirai – which commands a larger following than that led by Welshman Ncube and newcomer Arthur Mutambara – has unveiled a program of "democratic resistance" and intends to pursue a non-violent campaign to compel the government to agree to a democratic constitution and hold parliamentary and presidential elections in March 2008. It is backed by important parts of civil society including the National Constitutional Assembly (NCA) and the Zimbabwe Congress of Trade Unions (ZCTU). Early rallies have attracted large crowds, reasserting the greater relative strength of the Tsvangirai group in comparison to its MDC rival.

The fissures within both ZANU-PF and the MDC are unfortunate in light of the fact that confidential 2004 talks, facilitated by South Africa and recently made public by President Thabo Mbeki, nearly produced a deal on a new constitution that could still serve as a starting point for a

transitional roadmap. South Africa has tried to use financial leverage, in the form of a credit line, to press for new inter-party constitutional talks, repeal of repressive laws and an economic recovery plan. Mugabe sidestepped the initiative by printing enough currency to repay debts to the International Monetary Fund (IMF) in February 2006.

The July 2006 summit of African heads of state and government offers an opportunity to mobilise continental leaders behind a call for urgent action to protect human rights in Zimbabwe and regional stability. While tactical engagement by non-African governments with those very few more reform-oriented figures within ZANU-PF may have merit, there should be no relaxation of travel bans or financial sanctions in place against key members of the regime or any developmental assistance until there is real change on the ground. Unfortunately, the best the international community may be able to do at this stage is maintain pressure and plan carefully how to support a transition when opportunities finally arise for reengagement. Tentative steps by the UN Secretary-General to become more involved in facilitating such a transition are welcome but seem unlikely to gain traction.

## II. POLITICS AND THE CONSTITUTION<sup>1</sup>

### A. THE SENATE CHARADE AND THE TRANSITIONAL PRESIDENCY

The ruling party's September 2005 decision to reestablish a senate has dominated much of the political jockeying – in both major parties – since that time.<sup>2</sup> The senate race was the proximate cause of the MDC split, with the Tsvangirai faction boycotting the contest (as did Jonathan Moyo's United Peoples' Movement, UPM), while the Ncube faction stood for seats. In the November election, ZANU-PF won 43 senate seats, the MDC seven. Ten more

seats went to chiefs selected by the provincial electoral colleges of chiefs and six more to party loyalists appointed by Mugabe. Coupled with its more than two-thirds majority in the 150-member lower house, ZANU-PF now has a free hand to essentially amend the constitution at will.

Voter turnout was estimated between 15 and 20 per cent, and ZANU-PF violently suppressed dissent, so the senate cannot be seen as a legitimate democratic body. The government utilised the same problematic voter rolls as for the rigged March 2005 elections. It also stripped 150,000 of their right to vote by declaring descendants of migrant workers and Zimbabweans of European descent non-citizens.<sup>3</sup> Reginald Matchaba-Hove, chairperson of the Zimbabwe Election Support Network (ZESN), observed that the "senate has cemented the practices of a compromised electoral system".<sup>4</sup>

Competition within ZANU-PF was an important part of the decision to create the senate. Members of the old guard saw its reintroduction as a means to rein in younger party members who had attempted to dislodge them from leadership positions in advance of a December 2004 party congress.<sup>5</sup> They also considered it a chance to bolster their ranks by returning liberation veterans and long-time party loyalists to the policymaking processes. By creating the senate, Mugabe was able to assure new positions for losers of the acrimonious party nomination process for the March 2005 lower house elections, while forestalling wide defections to the opposition.<sup>6</sup> The manner in which the senate was reintroduced deepened fissures within ZANU-PF. The Electoral Commission hurriedly created constituencies by collapsing the existing 120 National Assembly districts into 50 for the senate.<sup>7</sup> This has triggered turf wars between newly elected senators and lower house members in shared constituencies. The party was forced to convene an emergency caucus to resolve the infighting.<sup>8</sup>

The senate is increasingly viewed as an instrument of transition that will guarantee ZANU-PF's hold on power after Mugabe leaves office. Under such a scenario, a new president would be chosen by the bicameral parliament,

<sup>1</sup> Crisis Group has reported regularly on the political situation in Zimbabwe. See most recently Crisis Group Africa Report N°97, *Zimbabwe's Operation Murambatsvina: The Tipping Point?*, 17 August 2005; Crisis Group Africa Report N°93, *Post-Election Zimbabwe: What Next?*, 7 June 2005; and Crisis Group Africa Report N°86, *Zimbabwe: Another Election Chance*, 30 November 2004. All previous reporting can be found at [www.crisisgroup.org](http://www.crisisgroup.org).

<sup>2</sup> On 16 September 2005, parliament passed Amendment No. 17, reintroducing a senate. Zimbabwe had a two-chamber parliament with a senate from 1980 to 1989, based on the Lancaster House constitutional arrangement that ushered the country into independence in 1980. The senate was abolished by the Constitution of Zimbabwe (No. 9) Act of August 1989, which also removed the office of prime minister and created an executive presidency with almost unlimited powers and tenure.

<sup>3</sup> "The Senate and Gutu North Parliamentary By-Election: Preliminary Election Report", Zimbabwe Election Support Network, 23 November 2005, p. 6.

<sup>4</sup> Crisis Group interview, Reginald Matchaba-Hove, 30 November 2005.

<sup>5</sup> Crisis Group Report, *Post-Election Zimbabwe*, op. cit.

<sup>6</sup> Crisis Group interview, Priscilla Misihairambwi Mushonga, MDC parliamentary spokesperson, Harare, 30 November 2005; "ZANU-PF will not readmit deserters", *The Herald*, 24 February 2005.

<sup>7</sup> Crisis Group Report, *Post-Election Zimbabwe*, op. cit.

<sup>8</sup> Dumisani Muleya, "Zanu-PF in bid to seal growing cracks in the party", *Business Day* (Johannesburg), 5 April 2006.

sitting as an electoral college.<sup>9</sup> Since ZANU-PF already dominated the lower house and won nearly 90 per cent of the seats in the November 2005 senate election, it is well positioned to rubber-stamp the creation of a “transitional presidency”, to serve between 2008 and 2010.<sup>10</sup> The ruling party's internal squabbles have grown sharper, however, and Mugabe appears to have lost much support within it as well as the bureaucracy, which forces him to rely heavily on the military.

Justice and Parliamentary Affairs Minister Patrick Chinamasa told parliament in September 2005 that the senate was a “stop-gap measure” that would be in place between 2005 and 2010 to ensure a peaceful transition to a post-Mugabe era. By using the senate as part of an electoral college for the presidency, ZANU-PF hopes to avoid any legitimate expression of democratic will – an indicator of the party's lack of confidence in winning a legitimate presidential poll.<sup>11</sup>

President Mugabe's age and health guarantee that change is coming. If he were to stand successfully again, his next term would expire in 2014, when he would be 90, and it is widely anticipated that he will step down in 2008 as he has twice promised.<sup>12</sup> But the prospect cannot be excluded of him reacting poorly to the eagerness of some of the members of his own party to speed his exit and seeking to cling to office.

Political veterans within the ZANU-PF faction of retired General Rex (Solomon) Mujuru are pushing for a transitional presidency designed to enable Joyce Mujuru, wife of the general and one of the party's two vice presidents, to ascend to power. ZANU-PF hopes to manipulate public calls for synchronising parliamentary and presidential elections to justify pushing back any ballot.

Because neither the president nor parliament legally has the power to postpone presidential elections, however, in September 2005 Minister Chinamasa announced a plan

to introduce a constitutional amendment in 2006 to synchronise the presidential and parliamentary polls. The 2008 presidential election would be postponed until 2010, and a president appointed to serve during the transition. In theory, this would give the appointed president two years to generate public support and put his or her stamp on the party and the nation.<sup>13</sup> The effort to avoid elections in 2008 amounts to a transparent power grab. Before its overwhelming victory in the sham March 2005 parliamentary elections, ZANU-PF had been amenable to constitutional negotiations with the opposition. Since then, it has taken a far more bellicose approach and is apparently determined to go it alone. The unilateral approach is a recipe for confrontation.

## B. THE 2004 DRAFT CONSTITUTION

On 5 February 2006, President Mbeki stated in a television interview that the inter-party talks he had mediated in Pretoria between ZANU-PF and the MDC between 2002 and 2004 had produced a draft constitution actually initialled by the negotiators:<sup>14</sup>

I said [in 2004] that the Zimbabweans were talking to each other and would find a solution...they were actually involved in negotiating a new constitution for Zimbabwe; they did, and they completed it... They had done this constitution. They gave me a copy initialled by everybody....<sup>15</sup>

Mbeki's public disclosure of the talks and the aborted agreement was intended to deflect some of the criticism levelled at him for South Africa's foreign policy failures over Zimbabwe.<sup>16</sup> Critics have argued that while Mbeki's pan-Africanist vision has helped create such institutions as the New Partnership for Africa's Development (NEPAD) and the African Union, which seek to promote democratic

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<sup>9</sup> Crisis Group interview, Michael Mataure, executive director, Southern Africa Parliamentary Support Trust, 1 December 2005; Crisis Group interview, senior ZANU-PF politburo member, Mutare, 9 October 2005.

<sup>10</sup> Crisis Group interview, senior ZANU-PF politburo member, 12 February 2006; see also “ZANU-PF to create senate”, *The Herald*, 16 May 2005.

<sup>11</sup> Crisis Group interview, Michael Mataure, executive director, Southern Africa Parliamentary Support Trust, 1 December 2005; Crisis Group interview, senior ZANU-PF politburo member, 12 February 2006; see also “ZANU-PF to introduce senate”, *The Herald*, 16 May 2005.

<sup>12</sup> Mugabe made such promises in May 2004 and September 2005. See Caroline Mango, “Mugabe not seeking re-election in 2008”, *East African Standard*, 15 May 2004; “Mugabe retires in four years”, BBC News, 15 May 2004; “Tired Mugabe wants to retire”, News.com (South Africa) 20 September 2005.

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<sup>13</sup> Crisis Group telephone interview, Patrick Chinamasa, minister of justice, legal and parliamentary affairs, 18 September 2005.

<sup>14</sup> The Zimbabwe Government's negotiating team was led by Justice, Legal and Parliamentary Affairs Minister Patrick Chinamasa and then State Security Minister Nicholas Goche, supported by Zimbabwe's Pretoria high commissioner, Simon Moyo. Their counterparts in the MDC delegation included Secretary-General Welshman Ncube and the party's vice president, Gibson Sibanda. Mbeki personally facilitated the talks, aided by his principal advisers, Mojanku Gumbi and Frank Chikane, and others from the department of foreign affairs and the presidency.

<sup>15</sup> President Thabo Mbeki, interview with SABC Television, 5 February 2006.

<sup>16</sup> Crisis Group reported on the talks in 2004. See, for example, Crisis Group Africa Report N°78, *Zimbabwe: In Search of a New Strategy*, 19 April 2004. What was not public knowledge until Mbeki's remarks was the extent to which the negotiators had reached agreement.

governance and human rights, it has also served as a shield for Mugabe's dictatorship.

Welshman Ncube, who led the MDC delegation, told Crisis Group the document resulting from the South African-brokered talks struck a compromise between the Constitutional Commission draft that was rejected in a 2000 referendum and the draft drawn up by civil society organisations and the MDC under the aegis of the National Constitutional Assembly (NCA).<sup>17</sup> "The Constitutional Commission draft and the NCA draft agreed on nearly 80 per cent of the issues. Our talks, therefore, centred on finding a common ground on the remaining 20 per cent or so".<sup>18</sup> The compromise document initialled by the lead negotiators was the closest Zimbabwe has come to achieving a democratic constitution and viable means to restore stability. The 108-page draft contained the following key elements:

- a two-term presidency, with the executive power to dissolve parliament and remove the prime minister;
- a prime minister, appointed by the president from the National Assembly to serve as head of government;
- a bicameral legislature with a 60-member senate and a National Assembly (lower house), of whose 200 members 165 would be directly elected, while the remaining 35 would be divided proportionately between political parties according to their parliamentary strength;
- the legislature, in joint session, could impeach the president by a two-third's vote;
- concurrent presidential and parliamentary elections;<sup>19</sup>
- a judicial system with seven courts: Constitutional Court, Supreme Court, High Court, Labour Court, Administrative Court, Magistrate Court and Customary Court; and
- five commissions: Independent Electoral Commission, Human Rights and Social Justice Commission, Anti-corruption Commission, Land Commission, and Media Commission.<sup>20</sup>

While negotiators agreed on the contents of the constitution, the sticking point proved to be the timing of implementation, on which the draft was silent. The MDC negotiators' proposal that presidential and parliamentary

elections be held together in 2005 was rejected because it would have shortened Mugabe's term by three years. "It was like asking Chinamasa [lead ZANU-PF negotiator] to negotiate away Mugabe's presidency. That would be suicidal", said a source.<sup>21</sup> ZANU-PF interpreted the MDC position as a ploy to use the inter-party talks to overturn the 2002 presidential election results. Indeed, as the talks proceeded, Tsvangirai filed a court petition challenging Mugabe's victory, and the government brought treason charges against him.

ZANU-PF's negotiators proposed holding both elections in 2008 at the expiration of Mugabe's term, in essence validating the badly flawed 2002 contest. The initial refusal of the MDC delegation to countenance a delay of three years suggested that any future deal, if it is to be viable, will likely have to require ZANU-PF to embrace power-sharing up front, not simply as a distant promise.

On 21 August 2004, the MDC Executive Committee, made up of the top six party officials, endorsed the draft but left the issue of implementation to further inter-party talks, which never took place.<sup>22</sup> "We agreed it was a compromise document, and as far as that went, the Executive Committee had no problem endorsing it", said Ncube.<sup>23</sup> Nevertheless, factional splits complicated the question of how to move forward.<sup>24</sup> The Tsvangirai camp accused Ncube of committing the party to a power-sharing arrangement that would relegate it to the status of junior partner in exchange for receiving the office of prime minister.<sup>25</sup> The internal struggle came to a head on 24 August 2004, when the party declared that it would not take part in subsequent by-elections and would boycott the 2005 polls unless ZANU-PF implemented in full the electoral principles and guidelines developed that month by the Southern African Development Community (SADC).<sup>26</sup> This angered ZANU-PF, which had been counting on MDC help to enact electoral changes Mugabe had announced at the opening of parliament on 20 July 2004.<sup>27</sup>

<sup>17</sup> Crisis Group interview, Welshman Ncube, 17 February 2006.

<sup>18</sup> Ibid.

<sup>19</sup> The proposed constitution provided for concurrent presidential and parliamentary elections; under the current electoral law, presidential elections are held every six years, parliamentary elections every five years.

<sup>20</sup> "Constitution of Zimbabwe, Draft", 2004. The 108-page document is authenticated by the initials of Welshman Ncube (MDC) and Patrick Chinamasa (ZANU-PF) on every page.

<sup>21</sup> Crisis Group interview, 12 February 2006.

<sup>22</sup> The Executive Committee is different from the party's National Executive Council which has 72 members, including the six Executive Committee Members and representatives from MDC's twelve political provinces (Zimbabwe has ten administrative provinces).

<sup>23</sup> Crisis Group interview, Welshman Ncube, 17 February 2006.

<sup>24</sup> Crisis Group interview, Morgan Tsvangirai, 24 February 2006. For detailed analysis of the MDC factional fights, see Crisis Group Reports, *Zimbabwe: Another Election Chance*, op. cit., pp. 7-8; and *Post-Election Zimbabwe*, op. cit., pp.10-12.

<sup>25</sup> Crisis Group interview, Isaac Matongo, MDC national chairman, Harare, 24 December 2005.

<sup>26</sup> Crisis Group Report, *Zimbabwe: Another Election Chance*, op. cit., p. 11.

<sup>27</sup> Ibid.

The ZANU-PF politburo considered the draft constitution on 24 August 2004 against the backdrop of an intensifying presidential succession struggle between the camps aligned to former General Mujuru and Emmerson Mnangagwa.<sup>28</sup> During the session, senior Mujuru allies, including Vice President Joseph Msika and National Chairman John Nkomo, accused the party's chief negotiator, Chinamasa, of using the talks to stage a palace coup. The Mujuru faction expressed concern that the deal would put Mnangagwa in line to succeed Mugabe by having one of his key supporters as prime minister and giving Mnangagwa a head-start in the race for the vacant first vice president position. Moreover, it argued it was premature to discuss Mugabe's exit so early in his term<sup>29</sup> and charged that any deal brokered in South Africa would undercut Zimbabwe's sovereignty.<sup>30</sup> Describing the session, a politburo member said: "Those guys did not take prisoners. They hurled abuse at him and told him to stop the project forthwith. I felt pity for Chinamasa because he was helpless as they rebuked and hauled him over the coals".<sup>31</sup>

Despite some pressure from Mbeki, Mugabe used the pretext of Tsvangirai's High Court challenge to his election to pull out of the Pretoria talks.<sup>32</sup> He played his cards well enough to give the impression that he would be amenable to consider constitutional reform again after the March 2005 parliamentary elections and so helped gain endorsement of those elections from both South Africa and SADC. After obtaining an overwhelming legislative majority, however, he quickly abandoned any notion of talking with the opposition.<sup>33</sup> Mugabe himself has said that: "We entertained them [the South Africans] because we did not want to offend them...."<sup>34</sup>

### III. THE OPPOSITION: WHAT NEXT?

The MDC will likely mark its seventh anniversary in September 2006 as two separate parties. The final straw was the split over senate elections, but tensions between Tsvangirai and Ncube had been simmering since the formation of the party in 1999.

#### A. DIVISIONS

Although the MDC was largely of one mind in opposing the bill to reestablish the senate, ZANU-PF easily passed it, 103 to 29.<sup>35</sup> The opposition party then divided over whether to boycott the elections. Tsvangirai's deputy, Gibson Sibanda, and Ncube both advocated participation.<sup>36</sup> The anti-senate faction argued that would legitimise the government even though there was no chance of a truly fair ballot. Tsvangirai commented: "Playing the ZANU-PF game means more suffering and greater uncertainty about the future. Instead of wasting time with the senate proposals, perhaps it is time we take a fresh look at our continued presence in that often-abused institution [parliament]".<sup>37</sup>

The Sibanda-Ncube wing argued that standing for seats would "frustrate the ruling ZANU-PF's plan to control both houses of the legislature".<sup>38</sup> They hoped to sweep strongholds such as the Ndebele provinces of Bulawayo, Matebeleland North, Matebeleland South and Harare, while presenting a credible challenge in urban Mutare, Gweru, Kwekwe and Masvingo. Their target was to prevent ZANU-PF from securing a majority that would have allowed it to amend the constitution at will.<sup>39</sup>

On 12 October 2005, a sharply divided MDC National Executive Council (NEC) voted 33 to 31 to contest the elections.<sup>40</sup> Four of the six top members endorsed the decision,<sup>41</sup> but Tsvangirai vetoed it, alleging "they had already prepared the ballots and bought a lot of people in the council".<sup>42</sup> However, Tsvangirai did not substantiate this allegation. The Sibanda-Ncube faction denied

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<sup>28</sup> For analysis of ZANU-PF's factional wars, see Crisis Group Reports *Zimbabwe: Another Election Chance*, op. cit., pp 7-8; and *Post-Election Zimbabwe*, op. cit, pp. 7-10.

<sup>29</sup> Crisis Group interview, senior Zimbabwean diplomat, 26 February 2006.

<sup>30</sup> Crisis Group interview, senior ZANU-PF politburo official, 26 February 2006.

<sup>31</sup> Crisis Group interview, ZANU-PF politburo member present when the draft constitution was tabled, 12 February 2006.

<sup>32</sup> Crisis Group interview, senior ZANU-PF leader, 26 August 2004.

<sup>33</sup> "ZANU-PF win stalls talks", *The Zimbabwe Independent*, 20 August 2004.

<sup>34</sup> President Robert Mugabe, interview with Zimbabwe Television (ZTV), 19 February 2006; see also Chris Chinaka, "Mugabe attacks African leaders", *The Herald*, 20 February 2006.

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<sup>35</sup> "Senate and Gutu North Parliamentary By-Election", op. cit.

<sup>36</sup> Sibanda's pro-senate group is roughly the same as the faction identified with Ncube.

<sup>37</sup> Crisis Group interview, MDC leader Morgan Tsvangirai, Harare, 15 October 2005.

<sup>38</sup> Crisis Group interview, Priscilla Misihairambwi Mushonga, MDC parliamentary spokesperson for Bulawayo, November 2005.

<sup>39</sup> Ibid.

<sup>40</sup> See fn. 22 for the definition of the Council.

<sup>41</sup> Crisis Group interview, MDC National Executive Committee member, Chitungwiza, 8 October 2005.

<sup>42</sup> Crisis Group interview, Harare, October 2005.

the allegation and accused Tsvangirai of acting undemocratically, and Sibanda denounced Tsvangirai in harsh terms.<sup>43</sup>

In the November 2005 elections, seven MDC branches defied Tsvangirai and fielded 26 candidates.<sup>44</sup> The two MDC factions traded insults in the media, and campaign rallies in Mashonaland East and Bulawayo degenerated into street tussles.<sup>45</sup> Job Sikhala, an MDC parliamentarian from St. Mary's, claimed the party had received \$2.5 million from Nigeria, Ghana and Taiwan and said this was at the heart of the internal disputes, although he presented no evidence. The government, delighted with the MDC divisions, threatened to investigate Sikhala's allegation under the Political Parties Finance Act (which prohibits external funding for parties) and took a swipe at "foreigners meddling in Zimbabwe's internal affairs".<sup>46</sup> Tsvangirai suspended Sikhala from the party but this was reversed by the High Court: the parliamentarian later withdrew his claims.

## B. ENTER ARTHUR MUTAMBARA

The pro-senate faction suffered a bruising defeat, winning only seven seats, while the anti-senate faction claimed that poor voter turnout was a repudiation of ZANU-PF. The showing of the rival MDC faction, Tsvangirai said, was "proof that we are in touch with the people, unlike ZANU-PF and the pro-senate group in our party".<sup>47</sup> The pro-senate wing accused Tsvangirai of violating the MDC constitution by promoting the boycott and campaigning against party candidates. Vice President Sibanda convened a disciplinary council and suspended Tsvangirai as

president. Ncube's successor as secretary-general, Gift Chimanihire, unsuccessfully sought a High Court order to evict Tsvangirai from Harvest House, the party's national office.<sup>48</sup> Tsvangirai shrugged off the suspension and suspended four senior officials aligned with Sibanda. On 6 February 2006, Ncube said reuniting the MDC was out of the question.<sup>49</sup>

Before the pro-senate faction held its congress in Bulawayo on 25-26 February 2006, Ncube allies approached Arthur Mutambara, a popular former student activist and an accomplished international scholar, to become its leader.<sup>50</sup> Critics quickly seized upon Mutambara's fifteen-year absence from the country while studying and teaching as evidence that he was out of touch. Mutambara proclaimed that his return was "driven by the desire to reunify, refocus and reenergise democratic forces in the country".<sup>51</sup> The move to elect him as the faction's president was understandable, as he has a measure of charisma, is not tainted by earlier party disputes and offered the prospect of shoring up support beyond the Matebele provinces.<sup>52</sup>

Mutambara has taken a hard line against ZANU-PF and made some gestures toward the rival faction, describing Tsvangirai as a "hero", while adding, "our agenda is very clear: to fight and defeat the ZANU-PF regime and become the next government. We will work with all other democratic forces to achieve this".<sup>53</sup> He has tried to walk a middle path, suggesting the MDC should have boycotted senate elections and withdrawn from parliament and all other election-based institutions, but insisting that Tsvangirai should have respected internal party decisions. However, his effort to "democratise" the opposition, particularly his statement that "we won't be qualified to fight Mugabe if we are little Mugabes", has widened the rift with Tsvangirai.<sup>54</sup>

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<sup>43</sup> See "Sibanda turns the knife on Tsvangirai", *The Daily Mirror*, 20 October 2005; Crisis Group interview, MDC shadow constitutional affairs minister David Coltart, Bulawayo, 16 October 2005; Crisis Group interview, Paul Themba Nyathi, MDC secretary for information and publicity, Harare, 12 October 2005.

<sup>44</sup> The majority of the rebel branches (Bulawayo, Matabeleland North, Matabeleland South, Midlands North, Midlands South, Manicaland and Harare) were in Matebele-speaking provinces, virtually none from the Shona-speaking provinces (Chitungwiza, Mashonaland Central, Masvingo, Mashonaland West and Mashonaland East). The MDC nominated candidates for only two of five seats in Harare, dramatising the sharp divide within the party. Crisis Group interview, MDC national executive member, Mutare, 8 October 2005.

<sup>45</sup> "MDC leader 'chased away' by party youths", *Mail & Guardian*, 8 November 2005; Lance Guma, "Violence breaks out in Bulawayo over senate campaigns", *The Sunday Mail*, 11 November 2005.

<sup>46</sup> "Chinamasa to probe MDC over funding", *The Herald*, 26 October 2005.

<sup>47</sup> Crisis Group interview with Morgan Tsvangirai, Harare, 29 November 2005.

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<sup>48</sup> Walter Marwizi, "Can MDC survive leadership crisis?", *The Zimbabwe Standard*, 12 December 2005. See also letter by Tsvangirai, "Chimanihire's legal challenge to the MDC presidency thrown out", *The Zimbabwe Standard*, 9 December 2005.

<sup>49</sup> Ncube interview with South Africa's SAFM radio. He reiterated the same point by telephone to Crisis Group researchers, 17 February 2006.

<sup>50</sup> Mutambara became politically prominent after he spearheaded the first post-independence demonstrations at the University of Zimbabwe in the 1980s against the Mugabe regime's corruption and plans to introduce a one-party state.

<sup>51</sup> Press statement, Arthur Mutambara, 20 February 2006.

<sup>52</sup> Ahead of the congress, Mutambara faced significant opposition from the MDC deputy secretary-general, Gift Chimanihire, a fellow Shona, who was eyeing the faction's presidency and was deeply immersed in the factional fights. "MDC faction split over presidential candidate", *ZimOnline*, 23 February 2006.

<sup>53</sup> Dumisani Muleya, "Mixed reactions to Mutambara", *Zimbabwe Independent*, 31 March 2006.

<sup>54</sup> Crisis Group interview, Johannesburg, 7 March 2006.

Mutambara's immediate task is to improve the reputation of his own faction, which is widely criticised as soft on ZANU-PF. The Tsvangirai faction accuses it of being in league with Mugabe's much-feared Central Intelligence Organisation (CIO) as well as South African President Mbeki. Certainly, ZANU-PF has considerable incentive to try to divide the opposition by bribery and intimidation. ZANU-PF accuses Mutambara of being a Western puppet, to which his response has been to denounce "any form of imperialism, violation of state rights and unilateralism" and to align himself ideologically with pan-African thinking and leadership.<sup>55</sup>

A number of senior figures have defected from Mutambara's faction, raising questions about its long-term viability. On 17 April 2006, its national chairman, Gift Chimankire, returned to Tsvangirai. Two more leaders, the director of elections, Blessing Chebundo, and his deputy, Sipepa Nkomo, have done likewise, dismissing Mutambara as a "political novice".<sup>56</sup> Mutambara has called for MDC elections, saying he would stand for a unified party presidency and follow Tsvangirai if he loses. The Tsvangirai team has not been receptive. The Mutambara MDC faction will likely remain a minor opposition party, and it will face challenges in terms of its financing. The immediate task for both factions, however, is to resolve disputes over the party name, assets, symbols and membership through a mediator rather than ZANU-PF dominated courts that have every incentive to stimulate, not settle opposition divisions.

### C. TSVANGIRAI: "STORM ON THE HORIZON"

The other MDC faction held its congress on 17-19 March 2006, electing Tsvangirai unopposed for five years as its leader. It chose a woman, Thokozani Khupe, as vice president, Isaac Matongo as the national chairperson, and a prominent lawyer, Tendai Biti, as secretary-general. While Tsvangirai remains popular, some critics claim that a number of his close advisers are unduly insular. Since the MDC split, Tsvangirai has limited the power of some of those who formerly made up his "kitchen cabinet".<sup>57</sup>

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<sup>55</sup> Hativagone Mushonga, "Is Arthur Mutambara Zimbabwe's Hope?", Institute of War and Peace Reporting, Harare, Africa Report no. 55, 28 February 2006. ZANU-PF has charged that Mutambara is a CIA agent and ordered the state-controlled media not to report on him. Crisis Group interview, 6 April 2006.

<sup>56</sup> "Defections rock Mutambara camp", *The Sunday Mirror*, 7 April 2006.

<sup>57</sup> At the height of the MDC factional struggles, Ian Makone (chief of staff), Denis Murira (organising director), Gandi Mudzingwa (Tsvangirai's personal assistant), and Elphius Mukonoweshuro (an academic and political adviser) wielded considerable influence. While Mukonoweshuro and Makone are in the National Executive Council, their powers have been

Importantly, he retains the backing of major civic groups, including the National Constitutional Assembly (NCA) and the Zimbabwe Congress of Trade Unions (ZCTU).

The congress was an orchestrated attempt to show that Tsvangirai's is the dominant MDC faction. Executive Committee member Eddie Cross claimed it attracted 20,000 people, 15,000 of whom were delegates, compared to around 3,000 who took part in the rival MDC congress.<sup>58</sup> Cross asserted that 95 per cent of the MDC's "root structure" was "left standing with Morgan Tsvangirai".<sup>59</sup> After the congress, the faction launched well-attended "meet the people" rallies across the country, aimed at generating mass support for its proposed protests.<sup>60</sup> The Tsvangirai wing may now believe it can go it alone as the opposition and shun efforts to reunify the MDC.<sup>61</sup> On balance, it appears that the Tsvangirai faction remains a functioning party that can still challenge ZANU-PF in contested locations, although it has struggled to cement its senior leadership and has continuing serious financial problems.

Addressing the congress, Tsvangirai pledged to "lead from the front" and unfurled a plan for a "peaceful, democratic resistance" to resolve the national crisis. "A storm is on the horizon", he warned. "The dictator must brace himself for a long, bustling winter across the country. The bustling should lead us to a bright political season".<sup>62</sup> Tsvangirai's "Liberation Team" – as his new council is called – is divided on the best strategy for the proposed protests.<sup>63</sup> A small, but vociferous group, mostly non-parliamentarians, is calling for all-out confrontation in the streets – a "Ukrainian-Style Orange Revolution". Although Tsvangirai embraces some of this rhetoric, he remains cautious. "It's one thing to be courageous and another thing to make reckless decisions in a way that won't be

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clipped to a considerable degree by Vice president Thokozani Khupe and Secretary-General Tendai Biti in recent months.

<sup>58</sup> Crisis Group telephone interview, 6 April 2006. Another estimate was that total attendance was about 14,000. A liberal interpretation of the MDC constitution would allow between 2,000 and 5,000 to attend as delegates, which corresponds with a total of 4,900 votes cast during the heated contest for party vice president. The large numbers had political significance. See, Eddie Cross, "Political trees", SW Radio Africa (Bulawayo), 20 March 2006.

<sup>59</sup> Ibid.

<sup>60</sup> It was reported that as the Tsvangirai congress was going on, the Mutambara faction held its inaugural rally attended by only 1,500. Augustine Mukaro, "Mutambara trails Tsvangirai in numbers game", *Zimbabwe Independent*, 30 March 2006.

<sup>61</sup> Crisis Group telephone interview, 6 April 2006.

<sup>62</sup> Crisis Group observed the congress, Harare, 17-18 March 2006; see Fanuel Jongwe, "Tsvangirai: A storm is on the horizon", *Mail & Guardian*, 20 March 2006.

<sup>63</sup> See "Masses give Tsvangirai and 'Liberation Team' thumbs up", *Zimdaily*, 4 April 2006.

sustained”, he has said.<sup>64</sup> At the other end of the spectrum is a group of mainly parliamentarians who oppose open confrontation, preferring mass stay-aways from work and some combination of parliamentary, economic and international pressure to force the government to yield.<sup>65</sup> Tsvangirai's team has publicly declared that it would be willing to grant President Mugabe amnesty if this were part of a broader transition package brokered by the international community.

The climate does appear ripe for change, and there is growing anger against the government and the ruling party. If this anger is not channelled into well-thought-out mass action, analysts warn, there could be a “sudden explosion of mass anger”, because food shortages and general economic hardships are pushing people to the limits of their patience, while the opposition risks following public sentiment rather than leading it.<sup>66</sup> Tsvangirai's faction is still developing its strategy but several basic elements have emerged: Mugabe must step down; a transition government should be formed; a new constitution needs to be written; and internationally supervised elections are required.<sup>67</sup>

Mass protests would put Tsvangirai's reputation on the line. Although the call would resonate with the majority of Zimbabweans, such a step would have far more chance for success if supported by other political parties and citizens' groups.<sup>68</sup> Mugabe has vowed to crush the Tsvangirai camp's “democratic resistance”, warning that, “if they are looking for death, let them go ahead and follow that route”.<sup>69</sup> The army has recruited 3,500 to 5,000 new soldiers to expand the existing force of 30,000 to 35,000.<sup>70</sup> ZANU-PF has ready-for-combat youth militias available, which are more than 20,000 strong and have been used in the past to quell opposition protests.

The Tsvangirai wing must soon decide whether to stand in the August 2006 local government elections. It has not expressed plans for consulting with other opposition groups. Such lack of unity has already proved a liability in some cases. In February 2006, the faction lost the Chegutu mayoral and Chitungwiza council elections.

Similarly, the Mutambara faction lost ward elections in Bulawayo to ZANU-PF.<sup>71</sup>

The two MDC splinters both fielded candidates in the 20 May 2005 Budiriro by-election for the seat left vacant by the March death of MDC parliamentarian Gilbert Shoko.<sup>72</sup> During the last days of the campaign, Arthur Mutambara and four members of his faction were arrested and charged with conducting an illegal demonstration, but were released on bail after eight hours in custody.<sup>73</sup> The Tsvangirai faction won the seat decisively, with twice the votes of ZANU-PF and more than seventeen times those of the rival MDC faction.<sup>74</sup> Care should be taken in assessing the result, however. The victorious candidate carried the constituency with 64 per cent of the votes cast in what has long been a party stronghold. The MDC won 82 per cent of the vote there in 2000 and 78 per cent in March 2005.<sup>75</sup> However, the rival MDC faction was a clear loser, and one opposition leader suggested that its decision to contest the by-election was a mistake.<sup>76</sup>

Budiriro is largely a Shona area, and the Mutambara faction put up a prominent candidate who is himself a Shona, its spokesperson, Gabriel Chaibva. However, because the faction draws its greatest strength in Ndebele areas, many Shona continue to view it as a Ndebele movement. These ethnic tensions within the MDC will make it challenging for Tsvangirai to penetrate the rival faction's Matebeleland stronghold in a general election. Currently out of the 41 seats held by the MDC, Tsvangirai loyalists hold 22, the Ncube camp eighteen, and David Coltart has remained neutral.

The rivalry between MDC factions has periodically led to confrontations. There were reports Tsvangirai supporters attempted to disrupt Mutambara's rally at Chitungwiza in March, while Mutambara's spokesman, Morgan Changamire, declared the Tsvangirai faction “has no monopoly of violence”.<sup>77</sup> On 8 April 2006, Tsvangirai followers beat several youths who allegedly belonged to

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<sup>64</sup> “I am ready to go to jail over mass confrontation – Tsvangirai”, Zimdaily, 31 March 2006.

<sup>65</sup> Crisis Group telephone interview, 5 April 2006.

<sup>66</sup> Crisis Group interview, 6 April 2006.

<sup>67</sup> Crisis Group interview, Harare, 19 March 2006; see “Tsvangirai tells Mugabe to step down”, *Mail & Guardian*, 10 April 2006.

<sup>68</sup> “MDC division could undo call for mass protest”, *Mail & Guardian*, 23 March 2006.

<sup>69</sup> “Mugabe vows to crush the opposition protest”, *Mail & Guardian*, 1 April 2006.

<sup>70</sup> “Mugabe beefs up his security forces”, *Zimonline*, 11 April 2006.

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<sup>71</sup> Crisis Group interview, Harare, 19 March 2006.

<sup>72</sup> Clemence Manyukwe, “MDC factions lock horns in Budiriro”, *Zimbabwe Independent*, 7 April 2006.

<sup>73</sup> *SW Radio Africa Zimbabwe News*, 19 May 2006; Craig Timberg, “Opposition leader arrested on eve of vote in Zimbabwe”, *Washington Post*, Foreign Service, 20 May 2006.

<sup>74</sup> Emmanuel Chisvuure of the MDC wing aligned to Morgan Tsvangirai took 7,949 votes to ZANU-PF candidate Jeremiah Bvirindi's 3,961, while Gabriel Chaibva of the Mutambara camp scored 504 votes.

<sup>75</sup> Stella Mapenzauswa, “Zimbabwe opposition holds key seat, vows new protest”, Reuters, 21 May 2006.

<sup>76</sup> Crisis Group interview, May 2006.

<sup>77</sup> “More questions than answers”, Sokwanele Report, 4 April 2006.

the Mutambara camp at Chitungwiza.<sup>78</sup> Disputes over the party's name and assets have fuelled tensions, and in early April, the High Court ordered the Tsvangirai faction to return a vehicle seized forcibly from its rivals.<sup>79</sup> One of the neutral MDC parliamentarians, David Coltart, lamented in early April that the chances for reconciliation are "very minimal" following the latest round of legal battles. He has argued that using the courts in the dispute would "play into the hands of the Mugabe regime" and diminish the opposition in the public's eyes.<sup>80</sup> Instead, neutral mediators should be agreed upon to resolve the dispute.

While prospects for unifying the opposition within a single party appear slim, it may be possible to reach a working arrangement in which all opposition parties would keep their respective structures but would agree to fight the parliamentary and presidential elections together in a Democratic Front (DF); field a single presidential candidate and a common parliamentary candidate in each constituency to avoid splitting the opposition vote; and work together to get a democratic constitution in place before the 2008 elections.<sup>81</sup>

#### D. JONATHAN MOYO

On 26 July 2005, Moyo, the former ZANU-PF minister of information and now an independent member of parliament, announced the establishment of the United People's Movement (UPM), which he has since identified with the concept of the "third way" – a compromise between ZANU-PF autocracy and MDC inertia. Moyo called the UPM Zimbabwe's third "Chimurenga" (revolution), intended to put it back on track with sound governance and economic policies. However, much of his support is drawn from ruling party defectors, and the "third way" concept has become muddled with the split of the MDC.

The UPM serves largely as a platform for Moyo. He is working with Pearson Mbalekwa, the former ZANU-PF parliamentarian for Zvishavane, central committee member and Emmerson Mnangagwa ally, who quit the party in protest against Operation Murambatsvina in July 2005.<sup>82</sup> While Moyo claims that the UPM "is emerging as the next most powerful opposition in the country", with cross-cutting membership that includes senior MDC, business and ZANU-PF figures, there is little evidence

to support his lofty claims.<sup>83</sup> The MDC's troubles have not resulted in a significant inflow of new members.

In just one example of Moyo's operational difficulties, he has claimed that Mnangagwa, the minister of rural housing and social amenities, is the UPM's leader<sup>84</sup> – a claim denied by Mnangagwa.<sup>85</sup> This has caused the security services to scrutinise Mnangagwa's activities more closely, and it speaks quite poorly of the party that it cannot make a clear public pronouncement on its leadership.

The UPM did not field candidates in the November senate elections, in part because Moyo felt that "parliamentary elections, under the prevailing conditions, cannot lead to a change of government".<sup>86</sup> The UPM's ability to field and finance appropriate candidates remains unproven. Moyo, who left government over the selection of Joyce Mujuru as vice president, is highly critical of a transition presidency. He insists that holding presidential elections in 2008 remains "the only way to change government in Zimbabwe".<sup>87</sup>

People have not forgotten Moyo's role as an eager defender of ZANU-PF and Mugabe. "Moyo will continue to be a player in politics, but not a leader of a party, or Zimbabwe for that matter", observed a highly placed South African figure.<sup>88</sup> His brand of radical nationalism and strong reliance on anti-Western rhetoric, a carry-over from ZANU-PF days, has made it difficult for him to forge meaningful alliances with other members of the opposition.

Moyo claims there will be mass defections to his party from ZANU-PF once Mugabe exits and Joyce Mujuru takes over.<sup>89</sup> But the UPM will have to compete for political space with another ZANU-PF splinter, the United People's Party (UPP), founded by a former chairman for Masvingo province, Daniel Shumba, in January 2006. Shumba is one of five provincial chairmen Mugabe suspended for supporting Mnangagwa's bid to take over the ruling party. The proliferation of its own splinter parties is a source of concern to ZANU-PF, which previously cited MDC factionalism as a reason not to enter into dialogue with the opposition.

<sup>78</sup> "Tsvangirai wows 16,000 Bulawayo residents", *Zimbabwe Standard*, 10 April 2006.

<sup>79</sup> Tagu Mkwenyani, "Zimbabwe court orders Tsvangirai faction to release seized vehicle", *ANDnetwork*, (Harare) 5 April 2006.

<sup>80</sup> Lebo Nkato, "MDC reconciliation chances 'very minimal' – Coltart", *Newzimbabwe.com*, 7 April 2006.

<sup>81</sup> Crisis Group interview, Harare, 19 March 2006.

<sup>82</sup> Crisis Group interviews, Harare, 19 March 2006, 6 April 2006.

<sup>83</sup> *Ibid.*

<sup>84</sup> Crisis Group interview, Harare, 29 November 2005.

<sup>85</sup> Crisis Group interview, Harare 6 April 2006

<sup>86</sup> Crisis Group interview, Jonathan Moyo, 29 November 2005; see also, "United People's Movement: we will rock them", UPM Policy Document, 2005 (both pamphlet and CD).

<sup>87</sup> See also "United People's Movement: we will rock them", *op. cit.*

<sup>88</sup> Crisis Group interview, senior South African leader, Pretoria, 10 February 2006.

<sup>89</sup> Godwine Mureriwa, "Moyo at it again", *The Daily Mirror*, 9 April 2006.

#### IV. ZANU-PF: CRACKS ON MULTIPLE FRONTS

Mugabe's promised exit is widening rifts within the ruling party along ethnic, gender and generational fault-lines. The longstanding feud between the blocs led by retired General Mujuru and Mnangagwa respectively has, in the words of a disillusioned party leader, made ZANU-PF "the greatest threat to ZANU-PF's survival".<sup>90</sup> The intensifying succession race has also emboldened some party officials – especially within the Reserve Bank and the ministry of finance – to resist Mugabe's fiscal policies.

ZANU-PF is juggling two transitions – the internal party one from Mugabe to a new party leader and an external one designed to stem mounting pressure for it to share power. Mugabe's unpopularity has become an existential threat to the party. The scramble for the presidency has also rekindled long-standing ethnic feuds between and within the Shona and Ndebele communities. Although efforts have been made to ensure power-sharing between the Shona and the Ndebele, most members of Mugabe's inner circle are from his Zezuru sub-group of the Shona, which occupies the Mashonaland Central, East and West provinces. The two main camps mirror the political divide between Mugabe's Zezuru sub-group and the Shona's most populous group, the Karanga, which mainly occupies Masvingo and Midlands provinces.

##### A. THE ARMED FORCES

Zimbabwe's military chiefs have long been aligned to ZANU-PF. This was never more apparent than in January 2002 when they declared they would not salute a president lacking "liberation credentials" – a thinly coded reference to the MDC candidate, Morgan Tsvangirai.<sup>91</sup> The security establishment – police, intelligence and army – has always perceived itself as a praetorian guard for the country's "nationalist revolution" but it has progressively become a bastion of the ZANU-PF's architecture of violence, eroding its professional neutrality and making it a threat to public security and democracy. The widespread human rights violations of Operation Murambatsvina brought its heavy-handed tactics into sharp international focus.

The security services now overshadow the cabinet as the country's primary policy-making body, with the National

Security Council (NSC), which Mugabe chairs, effectively managing macroeconomic policy. At lower levels, the NSC is supported by the Joint Operations Command (JOC) chaired by Security Minister Didymus Mutasa and comprising the top commanders of the army, air force, police, intelligence services and prisons.<sup>92</sup> In November 2005, the government launched Operation Taguta/Sisuthi ("Operation Eat Well"), which directly involved the military in Stalinist-style command agriculture to stem food shortages. Soldiers are assisting farmers in tilling plots, planting, and harvesting.<sup>93</sup> But the treasury has been unable to provide the \$250 million needed to finance the operation fully.<sup>94</sup>

There are already signs of friction. In early April 2006, farmers in the Southern province of Matabeleland accused soldiers of commandeering their entire harvest for sale to the state's Grain Marketing Board, even though farmers are legally allowed to keep some of the harvest for household use. Small farmers have also complained that soldiers prevent them from diversifying crops, insisting that only maize be grown. Some farmers allege that they are being treated as indentured servants.

Harare's top security officials, aware of growing discontent with Mugabe, may see themselves as the last defender of the state. A police memo of 30 September 2005 to the JOC warned that Zimbabweans "will do anything to remove it [the government] from power".<sup>95</sup> Security agencies backed reintroduction of the senate as a means to ensure the survival of ZANU-PF after Mugabe's retirement.<sup>96</sup> While remaining loyal to Mugabe, they have become part of the succession battle. The armed forces lean heavily toward the Mujuru bloc for now. The senior commander of the Zimbabwe Defence Force (ZDF), General Constantine Chiwenga, Police Commissioner Augustine Chihuri, Air Force Chief Perence Shiri, Director General of the CIO Happyton Bonyongwe and the prisons chief, Paradzai Zimondi, owe their positions largely to Rex Mujuru, and they support his wife, Joyce, for the presidency.

<sup>90</sup> Crisis Group interview, ZANU-PF politburo member, Harare, November 2005.

<sup>91</sup> Crisis Group interview, Martin Rupiya, October 2005; see also his analysis, "Contextualising the military in Zimbabwe between 1999 and 2004 and beyond", in *Zimbabwe: Injustice and Political Reconciliation*, Brian Raftopoulos and Tyrone Savage (eds.) (Cape Town, 2004), pp. 79-98.

<sup>92</sup> Kumbirai Mafunda, "Security arm takes over cabinet functions", *Financial Gazette* (Harare), 5 April 2006.

<sup>93</sup> Crisis Group interview, Zimbabwean academic, November 2005; "Army launches Operation Taguta", *The Zimbabwe Independent*, 17 November 2005.

<sup>94</sup> "Report of the Parliamentary Portfolio Committee on Land, Land Reform and Resettlement", Government of Zimbabwe, Harare, 2005.

<sup>95</sup> According to Crisis Group sources, the memo was from the senior assistant commissioner in charge of police in Harare province, Edmore Veterai, to Godwin Matanga, the deputy police commissioner for operations. See related story, "Zimbabwe security agencies warn of violent Mugabe ouster", *ZimOnline*, 20 October 2005.

<sup>96</sup> Crisis Group interview, Zimbabwean academic, University of Zimbabwe, Harare, 29 November 2005.

As a Western diplomat observed, with some understatement, "with a hungry restive military, amid a six-year-old political crisis and an imminent departure of an aging strongman, the situation...is worrying".<sup>97</sup> The political leadership, while welcoming security service support, also are concerned that an economic meltdown could trigger military action. When Mugabe travelled to Rome to attend the UN Food and Agricultural Organization (FAO) Conference in October 2005, he directed the ministry of finance to put the needs of the military above all else.<sup>98</sup> Indeed, the government has been largely unable to shield the rank-and-file soldier from the economic collapse. In September 2005, press reports indicated that military authorities sent 2,000 home on compulsory leave and closed some barracks because of food shortages.<sup>99</sup> The government denied the reports, insisting the soldiers were only given rest.<sup>100</sup>

Shrinking incomes and food shortages have forced the lower ranks into criminality, thus making them a threat to public security.<sup>101</sup> Junior soldiers, police and intelligence officers have resorted to armed crime; since October 2005, at least two soldiers and three members of the CIO have been arraigned in court for using government-issued arms in robberies.<sup>102</sup> "The security forces are operating under stress. This poses a great threat to the general populace", commented Eldred Masunungure, a scholar at the University of Zimbabwe.<sup>103</sup> Hundreds of soldiers are deserting and going to South Africa to find jobs in the security sector.<sup>104</sup> Zimbabwean authorities have resorted

to seizing the passports of soldiers they view as potential defectors.<sup>105</sup>

On 14 February 2006, Reserve Bank Governor Gideon Gono quoted General Chiwenga as having warned him to "make sure agriculture is revived and make food available so we [soldiers] will not be forced to turn guns on hungry Zimbabweans".<sup>106</sup> More recently, fearing the police alone could not stem an opposition-led mass revolt, Mugabe asked the military to be prepared to step in. However, Chiwenga replied that defence personnel were worse off than many civilians, and a pay increase was needed to enlist their full support.<sup>107</sup>

The government has also launched an increasingly severe crackdown on a wide range of civil liberties. Fearing street protests to mark the anniversary of Operation Murambatsvina in late May, it has moved increasingly close to martial law. Security forces have been placed on high alert, and rallies, marches and prayer meetings have been banned during the period surrounding the anniversary. Growing numbers of students, religious activists and members of other civil society groups have been detained.

## B. THE TSHOLOTSHO GHOST

Emmerson Mnangagwa, the minister of rural housing and social amenities, has repeatedly fallen in and out of favour with Mugabe. His attempt to gain power through the abortive Tsholotsho declaration, which was defeated in December 2004, has neither been forgotten nor entirely forgiven, although his relationship with Mugabe has warmed again in recent months.<sup>108</sup> During the December 2004 party congress, Mugabe demoted, sidelined and scattered supporters of the then-powerful speaker of parliament. As Mugabe's confidant and longest serving security minister (1980-1995), Mnangagwa still poses a credible political threat, and the president has preferred to keep him in the party rather than expel him. After he lost

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<sup>97</sup> Crisis Group telephone interview, Harare-based Western diplomat, 7 February 2006.

<sup>98</sup> Crisis Group interview, senior ministry of finance officials, Harare, 10 October 2005; also Crisis Group telephone interview, Zimbabwe-based journalist, 5 October 2005; "Zimbabwe soldiers tell of hunger," BBC News, 4 October 2005.

<sup>99</sup> "Zimbabwe soldiers tell of hunger", BBC News, op. cit.

<sup>100</sup> Crisis Group interviews, Harare, 27 November, 10 December 2005.

<sup>101</sup> The Consumer Council of Zimbabwe (CCZ) estimates an average urban family now needs about Z\$35 million [U.S. \$350] a month to meet food and other needs. Caving to pressure from the military leadership, in April 2006 the Government increased the monthly salary of junior army and police officers from slightly over Z\$2 million (U.S. \$33) to Z\$27 million (U.S.\$270), which remains substandard, particularly given rampaging inflation. "Zimbabwe: taking it to the streets", IRIN, 27 April 2006.

<sup>102</sup> See Valentine Maponga, "Security officers resort to crime", *Zimbabwe Standard*, 30 October 2005.

<sup>103</sup> Crisis Group interview, Eldred Masunungure, head, department of political science, University of Zimbabwe, November 2005.

<sup>104</sup> Crisis Group interviews, former Zimbabwe soldiers, Johannesburg and Pretoria, 14 January-26 February 2006.

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<sup>105</sup> Crisis Group interview, Institute of Security Studies, Pretoria, January 2005; "Mass desertion to South Africa", *The Zimbabwean*, 30 October 2005.

<sup>106</sup> "Zim governor warns of anger over food shortages", *Mail & Guardian*, 26 February 2006.

<sup>107</sup> "Army Chief tells Mugabe to raise soldiers' salaries ahead of protest", Zimonline, 7 April 2006.

<sup>108</sup> At a meeting in the rural constituency of Tsholotsho, a faction mainly of young politicians drew up plans for a change and a list for party leadership in the post-Mugabe era, with Emmerson Mnangagwa as heir. Mugabe dealt ruthlessly with the faction – essentially palace coup-makers – and advanced supporters of his life-long ally, retired General Mujuru, including Mujuru's wife, Joyce, as first vice president. According to the terms of a 1987 unity accord, the first vice president comes from ZANU-PF (Shona), while the second comes from the former ZAPU party (Ndebele). Mujuru replaced the late Simon Muzenda.

the race for the Kwekwe parliamentary seat in 2005, Mugabe reappointed him to the less important rural housing portfolio.

Mnangagwa missed an opportunity to recover some ground in the presidential succession race during the senate elections, when he was unable to field candidates against those supported by Mujuru.<sup>109</sup> It came to light that Josiah Hungwe and Daniel Shumba, suspended from the party after Tsholotsho, were clandestinely sponsoring independent candidates, who were trying to unseat party nominees.<sup>110</sup> In Mnangagwa's home Masvingo province, some vocal veteran ZANU-PF activists sympathetic to him, such as retired Army General Vitalis Zvinvashe and Tsitsi Muzenda, secured nominations. However, they are a relatively insignificant minority in the new house.<sup>111</sup>

Between August and October 2005, the ZANU-PF presidium dispatched Security Minister Didymus Mutasa three times to question Mnangagwa on his alleged link with the UPM, discussed above.<sup>112</sup> He denies any involvement. "It is stupid to suggest that I would be its president when I am not even aware that there is such a political party. Nobody has ever approached me to join such a party, and I will not be part of it", he told the press.<sup>113</sup> Nevertheless, chances are high that if Mnangagwa is not accommodated within the ZANU-PF top leadership during the transition, he will take his remaining supporters out of the party.

Mnangagwa now appears to be finding new favour with Mugabe. One explanation is that Mugabe may well be angry with what appears as the Mujuru camp's attempt to stampede him out of office, even before 2008, to allow Joyce Mujuru to consolidate her power base ahead of the elections.<sup>114</sup> But some figures, including in the opposition, suggest that his real objective is simply to play Mnangagwa and Joyce Mujuru off against each other so as to remain in power himself until his death.<sup>115</sup> Mugabe has tasked Mnangagwa (also ZANU-PF secretary for legal affairs)

and his longtime ally, Justice Minister Chinamasa, to draft the constitutional amendments that would move the presidential elections to 2010.

### C. THE MUJURU BLOC

The ZANU-PF bloc aligned to Vice President Joyce Mujuru probably remains the stronger of the two ZANU-PF factions. Mugabe initially tipped the balance in her favour during the December 2004 party congress, when he put down the Mnangagwa loyalists. The Mujuru camp further solidified its position after the big victory of its loyalists in the senate elections. Veterans who have returned to politics like Dzikamai Mavhaire and Florence Chitauo are strong Mujuru loyalists, as are Edna Madzongwe and Naison Ndhlovu, who preside over the senate as president and deputy president respectively.<sup>116</sup>

However, the death in September 2005 of Retired Air Marshall Josiah Tungamirai – a Mujuru ally in Mnangagwa's Karanga stronghold – created a void and became a source of some friction during the senate elections. The Mujuru camp upset Karanga war veterans by backing a candidate with no liberation credentials, Lovemore Matuke, in the by-election for Tungamirai's Gutu North parliamentary seat.<sup>117</sup> The veterans staged embarrassing protests, and even though ZANU-PF won the seat, Karanga's anti-Mujuru position hardened.

Though key members of the Mujuru bloc sank the talks with the MDC in 2004, some have recently reached out to it, particularly the pro-senate Mutambara faction. But it has been difficult to reconcile ZANU-PF's desire to retain power with its wish to ensure a smooth transition and greater international respectability. "They are afraid of losing control of the process. That is the guarantee they need – that opening up will not lead to a deluge", Welshman Ncube observed.<sup>118</sup>

As noted above, Minister Chinamasa is preparing an amendment to the constitution to postpone presidential elections from 2008 to 2010 and an amendment to the electoral law provision mandating new elections within 90 days of a sitting president's incapacitation but these have run into obstacles due to internal ZANU-PF squabbling.

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<sup>109</sup> Crisis Group interview, Jonathan Moyo, Harare, November 2005.

<sup>110</sup> Godwin Gandu, "Mugabe's secret strategy", *Mail & Guardian*, 2-8 December 2005.

<sup>111</sup> After Tsholotsho, Mugabe suspended Shumba as Masvingo provincial party chairman. Nelson Banya, "Tsholotsho ghost haunts ZANU-PF", *The Financial Gazette*, 24 November 2005.

<sup>112</sup> The Presidium includes the party president, the two vice presidents and its national chairman; it is distinct from the politburo, which consists of 52 senior ZANU-PF members, including many cabinet ministers.

<sup>113</sup> Dumisani Muleya, "Mnangagwa grilled over UPM links", *The Zimbabwe Independent*, 28 October 2005.

<sup>114</sup> Crisis Group telephone interview, ZANU-PF officials, 25 May 2006.

<sup>115</sup> Crisis Group interviews, May 2006.

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<sup>116</sup> The Mujuru camp was an underdog before Tsholotsho but then out-maneuvered the Mnangagwa bloc and speedily gained a string of victories: election of Joyce Mujuru as vice president and Mugabe's putative heir; elevation of the bloc's leading members like John Nkomo to senior party positions; and election of most of its loyalists to parliament, giving it control of the lower house.

<sup>117</sup> Crisis Group interview, Reginald Matchaba-Hove, 29 November 2005.

<sup>118</sup> Crisis Group interview, Welshman Ncube, 18 February 2006.

Plans are also under way to repeal a clause in the ZANU-PF party constitution (adopted on 18 November 2004 to block Mnangagwa at the party congress) that requires one of its vice presidents to be a woman. An amended version would relax the requirement by simply stating that one member of the presidium must be a woman.

The squabbles within ZANU-PF are as serious as those within the opposition. Chinamasa is reportedly at odds with the attorney general, Sobusa Gula-Ndebele; Finance Minister Herbert Murerwa is at loggerheads with Reserve Bank Governor Gideon Gono; and members of the National Assembly are locked in turf wars with the new senators.<sup>119</sup> The ZANU-PF secretary for administration and state security minister, Didymus Mutasa, has accused party spokesperson Nathan Shamuyarira of responsibility for the country's economic troubles.<sup>120</sup> "The power struggle is turning the party into a mad house", commented a civil society leader.<sup>121</sup> Vice President Joseph Msika has indicated his desire to retire before 2008, foreshadowing a succession battle for his post as well.<sup>122</sup>

Even during the periods when Mugabe has more strongly backed Joyce Mujuru as his successor, the Mujuru camp has remained split over potential vice presidential slots. Some party leaders like Msika back the ZANU-PF national chairperson and speaker of parliament, John Nkomo, and Didymus Mutasa. Msika has held meetings in Matabeleland to support Nkomo's vice presidential bid.<sup>123</sup> Joyce Mujuru is said to prefer politburo member Obert Mpofu to Nkomo as the party's first vice president, while powerful members of the CIO are working on behalf of the former intelligence chief, Dumiso Dabengwa.<sup>124</sup> It may require Mugabe's direct intervention to tip the scales but there is tension between the Mujuru camp and Mugabe regarding the timing of his exit, and the president has not reacted well to suggestions he depart early.<sup>125</sup>

#### D. THE MAKONI-GONO AXIS

Economic despair has thrust into focus as possible national leaders two of ZANU-PF's top technocrats – the deputy secretary for economic affairs, Simba Makoni, and Reserve

Bank Governor Gideon Gono. Some business leaders aligned to her camp are concerned that Joyce Mujuru will be unable to manage the immense economic challenges and are considering Makoni as an alternative.<sup>126</sup>

A former finance minister and long-standing ruling party loyalist whom Mugabe appointed to his first cabinet position at age 29, Makoni is widely seen as a more presentable alternative for those concerned with ending Zimbabwe's international isolation. His skills and experience in economic negotiation would be assets if the country were able to reform sufficiently to warrant international reengagement. Makoni is also viewed as the rare ZANU-PF leader untainted by current policy failures, including Murambatsvina. He could be one of a handful of ZANU-PF candidates who could fare reasonably well in legitimate polls.

Makoni is not generally seen as a strong personality, and some have accused him of excessive fence-sitting.<sup>127</sup> Perhaps because of this, Mugabe – who is preoccupied with protecting his own security after leaving power – is reportedly not enamoured with Makoni succeeding him.<sup>128</sup> "Mugabe has a soft spot for Simba, but in him he sees a man the British and the Americans would work with", said a ZANU-PF official.<sup>129</sup>

Gideon Gono, as Mugabe's personal banker, former chief executive officer of the Commercial Bank of Zimbabwe (1997-2004), and now the powerful governor of the Reserve Bank, is a behind-the-scenes ZANU-PF king-maker. He has adroitly distanced himself from a suspected previous association with Mnangagwa and placed himself firmly in the Mujuru bloc. "Leaders of every shade, from the Mujurus to Mnangagwa to Morgan [Tsvangirai] and Welshman [Ncube] are all coming to Gono for financial this or that", observed a Zimbabwean businessman.<sup>130</sup> Gono was a key negotiator in the failed talks with South Africa on a credit line.<sup>131</sup>

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<sup>119</sup> "Chinamasa clashes with Attorney-General", *Financial Gazette* (Harare), 29 March 2006.

<sup>120</sup> Caiphaz Chimhete, "Shamuyarira and Mutasa cross swords", *The Zimbabwe Standard*, 10 April 2006.

<sup>121</sup> Crisis Group interview, 7 April 2006.

<sup>122</sup> "Trouble may be brewing in Mugabe's camp", *Independent on line*, 4 April 2006.

<sup>123</sup> Njabulo Ncube, "A fresh battle was inevitable in Matabeleland", *Financial Gazette*, 7 April 2006

<sup>124</sup> Crisis Group interview, 7 April 2006.

<sup>125</sup> Dumisani Muleya, "Zimbabwe: Mugabe succession crisis rocks govt., party", *Zimbabwe Independent*, 7 April 2006.

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<sup>126</sup> Crisis Group interview, former senior ZANU-PF official, 27 November 2005; Dumisani Muleya, "Makoni back in the succession race", *The Zimbabwe Independent*, 23 September 2005. After the 2000 referendum, when an MDC victory appeared imminent, Makoni was a favourite in a transition scheme (partly sponsored by leaders of the South African ruling party, the ANC) to avoid ZANU-PF being overwhelmed, give Mugabe a safe passage from power and usher in a younger generation of party leaders.

<sup>127</sup> Crisis Group interview, UPM official, November 2005.

<sup>128</sup> Crisis Group interview, ZANU-PF politburo member from Midlands province, Gweru, 10 December 2005.

<sup>129</sup> Crisis Group interview, Harare, 17 December 2005.

<sup>130</sup> Ibid.

<sup>131</sup> See Section V A below.

As an ethnic Manyika, Gono remains outside longstanding ethnic Karanga-Zezuru feuds but he lacks the requisite clout and liberation credentials to stake an independent claim in the succession struggle. Some suggest that he is working with Makoni, at least privately, on a proposal to put limits on the president's power and create a powerful prime minister position that he perhaps eyes for himself.<sup>132</sup> Gono and Makoni are now lobbying the Mujuru camp to create a prime minister, as envisioned in the 2004 draft document, ostensibly to bring on board the uneasy business community.<sup>133</sup>

However, Gono has periodically ruffled feathers by cutting government spending and commenting on political issues that ZANU-PF barons consider unsavoury. His calls for re-engagement with the West in general and the International Monetary Fund (IMF) in particular have irked party leaders.<sup>134</sup> "Gono is going too far in using his Reserve Bank platform to comment on political issues", said a senior ZANU-PF official and politburo member.<sup>135</sup> His political fortunes have flagged since early March 2006, when the strategy of repaying the IMF \$210 million in order to access its resources hit a dead end as the Fund refused to restore Zimbabwe's voting and related rights.<sup>136</sup> Gono may be strongly positioned to argue that Zimbabwe needs economic experts but the state of the economy does not speak well of his management to date.

Gono is also at odds with many senior ZANU-PF officials for calling farm invaders "criminals that ought to be locked away" – and for calling on former commercial farmers to return from abroad and join the new black farmers in rebuilding agriculture. His views seemed to be taking hold with the announcement in April 2006 by Flora Buka, the Minister of State for Special Affairs Responsible for Land, Land Reform and Resettlement, which generated widespread international media attention, inviting white commercial farmers, stripped of their freehold ownership in September 2005, to apply for 99-year leases; State Security Minister Didymus Mutasa, moreover, was reported as saying that the leases for those farmers who have applied will be ready by the end of June 2006.<sup>137</sup> But Minister

Mutasa has also been quoted as saying "no white farmer is being invited back",<sup>138</sup> the government's list of broken land promises is long, and whether any of this will come to fruition remains in real doubt. The April announcement followed reports by the farming advocacy group, Justice for Agriculture, that six of the remaining 300 white farmers were evicted from their farms in Central Midland province earlier that month.<sup>139</sup> It is difficult to imagine Mugabe's administration effectively implementing such a plan at a time when ZANU-PF is already badly divided, and party insiders suggest that the plan will ultimately be a dead letter.

## V. THE INTERNATIONAL RESPONSE

The devastation of Operation Murambatsvina and the subsequent UN report published in July 2005 refocused attention on Zimbabwe. However the international community still lacks any kind of grip on the crisis. South Africa, Zimbabwe's most influential neighbour, has conceded that the deteriorating situation is inflicting a heavy toll on its own security and economy. Mugabe has badly abused "African solidarity", damaging the continent's global image in the process. It is in the interest of Africa's leaders to use all available diplomatic channels to encourage a return to democracy and forestall broader political violence. Nevertheless, though a South African official suggested that, unlike SADC, the African heads of state, through their biannual summits, could nudge Mugabe toward reform,<sup>140</sup> there is little evidence to indicate they are ready to make the effort.

The U.S., EU and Commonwealth have maintained sanctions against Zimbabwe, but their endeavour has been somewhat haphazard, and there has not been sufficient attempt to develop a coordinated international response to the deteriorating situation.

### A. SOUTH AFRICA AND SADC

South Africa has departed from its former policy of quiet diplomacy to apply a measure of economic pressure on

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<sup>132</sup> Crisis Group interview, Zimbabwean businessman, 16 February 2006.

<sup>133</sup> Crisis Group correspondence, 4 May 2006.

<sup>134</sup> Crisis Group interview, Harare-based diplomat, 27 February 2006.

<sup>135</sup> Crisis Group interview, January 2005.

<sup>136</sup> Gono and Finance Minister Herbert Murerwa returned from their meeting with the IMF in Washington without the technical assistance they had hoped to get. "Murerwa, Gono return from IMF empty-handed", *Zimdaily*, 10 March 2006; Gondo Gushungo, "Zimbabwe: No holds barred: knives in Gono's back...", *Financial Gazette*, 22 March 2006.

<sup>137</sup> Although Minister Buka has said that 500 white farmers have applied for the leases, the Commercial Farmers Union (CFU)

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put the figure at 200. Crisis Group interview, 2 May 2006; see also "Mugabe invites whites to lease back farmland", *The Guardian*, 29 April 2006; Zimbabwe white farmers must apply for leases to farm: report", Deutsche Presse-Agentur, 29 April 2006; Fanuel Jongwe and Godfrey Marawanyika, "Zimbabwe considers taking back its white farmers", *Mail & Guardian* (Harare, Zimbabwe), 26 April 2006.

<sup>138</sup> "No white farmers invited back to Zimbabwe, says minister", Deutsche Presse-Agentur, 5 May 2006.

<sup>139</sup> Crisis Group interview, 29 May 2006.

<sup>140</sup> Crisis Group interview, senior South African government official, 10 February 2006.

Zimbabwe in an effort to help break the political stalemate. In August 2005, as Zimbabwe faced expulsion from the International Monetary Fund for failing to pay arrears, and fearing that its neighbour was on the brink of becoming a failed state, South Africa offered a \$500 million credit line for fuel, food and payment of the debt.<sup>141</sup> It gave Mugabe a week to accept the economic and political conditions, including:

- ❑ a new constitution acceptable to the opposition and a broad spectrum of Zimbabweans, including electoral provisions that would meet international standards of fairness and transparency;
- ❑ repeal of laws restricting basic freedoms, including the Constitutional Amendment No.17 Act, the Public Order and Security Act (POSA), the Access to Information and Protection of Privacy Act (AIPPA) and the Private Voluntary Organizations Act (PVO);
- ❑ a fair and open reform program to ensure productive use of land; and
- ❑ a credible economic recovery program, including removal of structural distortions.<sup>142</sup>

Zimbabwe rebuffed the offer and called it a threat to national sovereignty. One Zimbabwean businessman likened it to “transforming Zimbabwe into South Africa’s tenth province”.<sup>143</sup> President Mugabe characterized the IMF and South African pressure as components of a British conspiracy to “use the fact of our owing the IMF to bring about the change of the regime here, squeezing us economically, so politically”.<sup>144</sup>

Ultimately, Zimbabwe printed enough currency to pay the last instalment to the IMF on 15 February 2006 and so avert expulsion.<sup>145</sup> This stimulated runaway inflation but set back South African diplomacy. Zimbabwe still owes \$119 million to the IMF Poverty Reduction and Growth Facility-Exogenous Shocks Facility (PRGF-ESF).<sup>146</sup> If it seeks a new loan from the institution, it should be refused unless major political and economic reform has been instituted.

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<sup>141</sup> Crisis Group interview, senior ANC official, 27 July 2005.

<sup>142</sup> Crisis Group interviews, officials, South African department of finance, January 2005.

<sup>143</sup> Crisis Group interview, South Africa-based businessman, 15 February 2006.

<sup>144</sup> President Mugabe, interview with Zimbabwe Television (ZTV), 19 February 2006, to mark his 82<sup>nd</sup> birthday on 21 February.

<sup>145</sup> IMF managing director Rodrigo de Rato has disclosed that the Fund will cancel the procedure it initiated in February 2004 to expel Zimbabwe.

<sup>146</sup> “IMF executive board upholds sanctions against Zimbabwe”, press release no. 06/45, 8 March 2006; Ndamu Sandu, “Governor Gono heads for Washington”, *Zimbabwe Standard*, 5 March 2006.

South Africa seems to be in disfavour with both the MDC and ZANU-PF currently, so its mediation potential may be limited in the short term. President Mbeki’s attempt in October 2005 to help the MDC resolve its differences in the wake of the senate boycott failed. Tsvangirai snubbed the invitation, accusing five colleagues who flew to Pretoria of “abusing South Africa’s hospitality”.<sup>147</sup> He had earlier severed his ties with South Africa after it endorsed ZANU-PF’s victory in the badly flawed March 2005 elections.<sup>148</sup> In November 2005, South Africa’s new ambassador to Zimbabwe, Mlungisi Makhhalima, attempted to re-engage him, to no avail. Tsvangirai has since claimed that Pretoria supports Ncube and Mutambara in the internal party dispute.<sup>149</sup> However, Tsvangirai’s relations with Pretoria have warmed in recent months, despite his group’s view that South Africa’s policy of “quiet diplomacy” has placed the status quo ahead of democracy.<sup>150</sup> Tsvangirai views Mbeki’s recent push for UN diplomatic intervention in Zimbabwe as a sign of the failure of quiet diplomacy. Even though Tsvangirai has dismissed the UN approach as being “dead in water”, the issue is likely to feature in his talks with Mbeki in Pretoria in early June 2006.<sup>151</sup>

On 19 February 2006, President Mugabe communicated his desire that South Africa (and Nigeria) cease attempts at mediating between the government and the MDC. “We have tolerated some of them because they are our friends. We hope in the future they will keep away”, he said.<sup>152</sup> South Africa continues to try through its ruling ANC party, however, to revive the talks in Zimbabwe. “They have made overtures to our party [ZANU-PF] to open up talks”, a senior Zimbabwean told Crisis Group, but these will likely be of limited success in the current environment.<sup>153</sup>

President Mbeki did not mention Zimbabwe in his “State of the Nation” speech on 3 February 2006. Following media and civil society attacks on his policy, however, he criticised Harare a few days later for missing the chance the secret Pretoria talks had offered to resolve the political

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<sup>147</sup> Crisis Group interview, senior South Africa government officials, 23 October 2005, 20 April 2006; “MDC leadership to meet Mbeki”, *Zimbabwe Herald*, 21 October 2005.

<sup>148</sup> Crisis Group Report, *Post-Election Zimbabwe*, op. cit., p.17.

<sup>149</sup> Crisis Group interview, Morgan Tsvangirai, Harare, 29 November 2005; Dumisani Muleya, “Tsvangirai moves to mend relations with Mbeki”, *Zimbabwe Independent*, 12 November 2005.

<sup>150</sup> “Tsvangirai warns of bleak future”, BBC News, 28 May 2006.

<sup>151</sup> “Tsvangirai slams SA and promise protests”, *The Star* (South Africa), 29 May 2006; Crisis Group interview with a senior MDC leader, 12 May 2006.

<sup>152</sup> “Zimbabwe: Mugabe delivers broadside to neighbors”, Reuters, 21 February 2006.

<sup>153</sup> Crisis Group interview, senior ZANU-PF politburo official, 26 February 2006.

crisis in 2004.<sup>154</sup> South African officials are understandably frustrated with their neighbours. Reserve Bank Governor Tito Mboweni summarised the attitude:

The wheels have come off there. I am saying this as forcefully as I am because the developments in Zimbabwe are affecting us and stressing unnecessarily. The situation has become untenable when it is seen that the highest office in the land seems to support illegal means of land reform, land invasions, beating up of people, blood flowing everywhere.<sup>155</sup>

Recently, Deputy Foreign Minister Aziz Pahad declared publicly that Pretoria is “concerned about the deteriorating economic situation”, the increasing number of refugees fleeing the meltdown, and the influx of Zimbabweans applying for visas to South Africa. He called for urgent action to resolve the crisis and revealed that Pretoria is talking to other countries in Africa and “further afield” as well as the Africa Union in order to find a solution.<sup>156</sup>

Zimbabwe's electricity, supplied by South Africa's power authority Eskom, has frequently been cut in recent months for non-payment. It is uncertain whether this indicates South Africa may be more willing to use its considerable economic leverage than in the past. Eskom insists the cuts result solely from technical problems.<sup>157</sup>

A senior South African official told Crisis Group that “we are now relying on the party [ANC] and the department of finance and the Reserve Bank to engage them [Zimbabweans]”.<sup>158</sup> South Africa's latitude for action may be somewhat limited by the expanding economic interests in Zimbabwe of its investors, mainly coalesced around the Business Unity of South Africa (BUSA). However, business relations are also becoming increasingly strained, with the threat of nationalisation and legal penalties hanging over South African companies. In April, for example, the Mining Conglomerate, Metallon Gold, belonging to the South African mogul Mzi Khumalo,

was ordered to pay \$7 million for breach of contract with Zimbabwean companies. Earlier it was ordered to pay \$12 million.<sup>159</sup>

Indeed, South Africa is seriously concerned that Zimbabwe might nationalise its investments. Foreign Affairs Minister Nkosaz Dlamini-Zuma revealed that an investment protection agreement was negotiated in 2005 but Harare has delayed signature,<sup>160</sup> possibly so as to retain the threat of nationalisation and deter a tougher South African policy.<sup>161</sup>

South Africa, Mozambique and Botswana lobbied intensively at SADC's summit in Gaborone in August 2005 to dissuade other members from supporting Mugabe.<sup>162</sup> This suggested a shift may have been underway within the regional body, which had previously taken the position that Zimbabwe has been unfairly singled out for criticism by the West because it seized white farms. But this effort to get tougher on Zimbabwe has largely petered out. While SADC does consider Zimbabwe's economic meltdown a genuine regional threat, it has been unable to mount an effective policy response. On 3 May 2006, Botswana's Finance Minister, Baledzi Gaolethe, called on the IMF to come to Zimbabwe's rescue and provide it with foreign currency to help deal with its economic problems that were affecting the region.<sup>163</sup> Zimbabwe will be on SADC's agenda during its August 2006 summit, but regional leaders are most likely to ask the international community “to supplement what we are already doing”.<sup>164</sup> This is not likely to impress the broader international community. Even though SADC leaders may disagree with Mugabe in private, few now have had the courage to take him on in public. Regional leaders like President Festus, who once said that Zimbabwe was suffering from a “drought of leadership” has changed tune in defence of Zimbabwe. Mugabe is still respected as a representative of the liberation generation, and his nationalist rhetoric appeals to people across the continent. “The Zimbabwe crisis is larger than SADC”, a senior South African official said.<sup>165</sup> “Only the African Union's heads of state through their

<sup>154</sup> See Section II above. “Mbeki laments lost chances in Zimbabwe”, Reuters, 5 February 2006.

<sup>155</sup> See Benedict Unendoro, “Zimbabwe: Mbeki Policy Failing”, Institute for War and Peace Reporting, no. 53, 7 February 2006. An example of the spill-over of troubles that affects South Africa is the increasing frequency with which gangs of disciplined, well armed former Zimbabwean soldiers have been involved in cross-border armed robberies, often targeting isolated casinos and cash-in-transit. “Cross-border crime rising as economy sinks”, IRIN, 7 April 2006.

<sup>156</sup> Jonathan Katzenellenbogen and Dumisani Muleya, “Zimbabwe meltdown is concern to SA – Pahad”, *Business Day*, 18 May 2006.

<sup>157</sup> Peta Thornycroft, “South Africa limits power supply to Zimbabwe”, *Voice of America News*, 6 February 2006.

<sup>158</sup> Crisis Group interview, Pretoria, 10 February 2006.

<sup>159</sup> Tagu Mkwenyani, “Mzi Khumalo faces another lawsuit in Zimbabwe”, www.ANDnetwork.com, 4 April 2006.

<sup>160</sup> Donwald Pressly, “Zim-SA protection accord not signed”, iafrica.com, 20 February 2006.

<sup>161</sup> Ibid.

<sup>162</sup> “Mugabe splits SADC”, *The Financial Gazette*, 18 August 2005.

<sup>163</sup> Dumisani Muleya, “Botswana urges IMF to rescue Zimbabwe”, *Business Day* (SA), 3 May 2006.

<sup>164</sup> Crisis Group interviews, Gaborone, 10 March 2006.

<sup>165</sup> Crisis Group interviews, South African government officials, 11 January 2006, 10 February 2006, 18 February 2006.

summits have the requisite clout to deal with Mugabe and Zimbabwe".<sup>166</sup>

## B. THE AFRICAN UNION

Sharp divisions of ideology and personality have hampered the AU's ability to respond effectively on Zimbabwe. Although its Constitutive Act commits it to protect human rights proactively, its role in Zimbabwe has been limited and largely uncritical. Outrage over Murambatsvina did cause Chairperson Alpha Konare to send an envoy, Tom Nyanduga, to investigate in July 2005 but Harare forced him to leave.<sup>167</sup> Zimbabwe also snubbed former Mozambican President Joachim Chissano, appointed by the then AU chairman, Nigeria's President Olusegun Obasanjo, to encourage talks with the MDC.<sup>168</sup> AU initiatives suffered a further setback when the MDC's disaffected Job Sikhala made unsubstantiated claims that Obasanjo, Ghana's President John Kufor and Taiwan gave money to the MDC.<sup>169</sup> An AU observer mission was conspicuously absent during the November 2005 senate elections.

The AU's Commission on Human and People's Rights (ACHPR) is a potentially important pan-African voice critical of human rights abuses in Zimbabwe. On 5 December 2005, it adopted a resolution censuring arbitrary arrests, detention and forced displacement but the resolution was defeated on legal technicalities at the January 2006 AU summit in Khartoum.<sup>170</sup> An AU diplomat observed: "If we continue to throw out every human rights report that comes before us, people out there will stop taking us seriously".<sup>171</sup>

The AU can tap the moral authority of former African leaders like Nelson Mandela to lend force to its promotion of stability and human rights on the continent. In January 2006, retired prominent leaders founded the Africa Forum, with Mandela as patron, to pursue peaceful resolution of

conflicts and promote good governance.<sup>172</sup> That group, and the proposed Panel of the Wise – five senior Africans devoted to preventing conflicts – which is envisaged in the AU's founding documents but has not yet been formed, could play a constructive role if willing to confront grave human rights abuses.

However, Mugabe appears prepared to rebuff critical Africans almost as readily as Westerners. On 19 February 2006, he insisted "there is no crisis requiring intervention in Zimbabwe".<sup>173</sup> He recognises that the AU has helped shield him from international pressure but with some leaders growing more concerned about the deteriorating situation, he has become openly critical of the organisation. He recently called fellow African leaders cowards for not standing up to the West over Zimbabwe. Although that might have been pre-emptive rhetoric, it is likely to widen the rift between him and other AU leaders and may prove counter-productive.<sup>174</sup>

## C. OTHER INTERNATIONAL ACTORS

The U.S., EU, UN and the Commonwealth have all made their displeasure with the Mugabe government clearly known in different ways, and the number of ZANU-PF officials facing sanctions has steadily increased – despite embarrassing limitations in effectively enforcing such sanctions or coordinating an overall strategic approach to the crisis.

**United Nations.** The July 2005 report of UN Secretary-General Kofi Annan's special envoy to Zimbabwe, Anna Tibajuka, described Operation Murambatsvina as a "man made disaster" carried out "with disquieting indifference to human suffering".<sup>175</sup> The UN has not imposed sanctions on Zimbabwe but has produced several critical reports, most significantly that which followed Murambatsvina. This report strained the UN's relations with Harare, but it did lead to President Mugabe to suggest that Secretary-General Kofi Annan should visit Zimbabwe to investigate the situation himself.

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<sup>166</sup> Crisis Group interviews, South African government officials, 10 February 2006, 18 February 2006.

<sup>167</sup> Crisis Group Report, *Zimbabwe's Operation Murambatsvina*, op. cit.

<sup>168</sup> "Mugabe declines AU mediation", *The Herald*, 22 August 2005.

<sup>169</sup> See Section II A above.

<sup>170</sup> See "Final Communiqué of the 38<sup>th</sup> Ordinary Session of the African Commission on Human and Peoples' Rights", Banjul, The Gambia, 21 November-5 December 2005. The Commission's resolution on Zimbabwe has not yet been made public. "Report of the African Commission on Human and Peoples' Rights", AU Executive Council, Eighth Ordinary Session, 16-21 January 2006, Khartoum, Sudan, EX.CL/236(VII).

<sup>171</sup> Crisis Group monitoring of the AU summit, 21 January 2006.

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<sup>172</sup> The African Forum is the initiative of former Mozambican President Joachim Chissano, who is also its chair. Besides the twenty-plus former heads of state, members include former UN Secretary-General Boutros Boutros-Ghali (Egypt) and former secretaries-general of the AU's predecessor, the Organisation of African Unity, William Mboumouma (Cameroon) and Salim Ahmed Salim (Tanzania).

<sup>173</sup> President Robert Mugabe, interview with Zimbabwe Television, op. cit.

<sup>174</sup> Ibid. President Mugabe directed many of his verbal salvos at South Africa.

<sup>175</sup> See Tibajuka, "Report of the Fact Finding Mission to Zimbabwe", op. cit. Crisis Group Report, *Zimbabwe's Operation Murambatsvina*, op. cit.

During his March 2006 visit to South Africa, Annan commended President Mbeki's efforts to help resolve the situation in Zimbabwe.<sup>176</sup> "The situation in Zimbabwe is extremely difficult. It is difficult for the Zimbabweans, it is difficult for the region and it is difficult for the world", he declared during his address to the South African parliament on 14 March 2006. Annan is exploring a potential visit to Zimbabwe later this year but it remains to be seen if this effort will gain traction.

There will be no visit by the secretary-general unless Mugabe is prepared to discuss seriously the key steps for resolving the political and humanitarian crisis. To date, little progress has been made, in part at least because of the turmoil of ZANU-PF succession politics, which leaves each camp fearing what will happen to it if it loses out. President Mugabe and ZANU-PF have blown hot and cold on the notion of a visit by the secretary-general, and the ZANU-PF Secretary-General for Information, George Charamba, declared in late May, "I am unaware of any UN intervention on Zimbabwe. Zimbabwe is not a UN issue".<sup>177</sup> Other ZANU-PF sources have indicated that the merits of a visit are still being hotly debated within ZANU-PF.<sup>178</sup>

Public statements by South African officials that the UN is now "in the lead" have complicated efforts in Harare and New York. It appears that while there have been discussions between the UN and the government of Zimbabwe – Under-Secretary-General for Political Affairs Ibrahim Gambari has travelled to Pretoria and met with Mbeki and Zimbabwe's Foreign Minister Simbarashe Mumbengegwi on a possible Annan visit – there is no specific plan in hand. If the Security Council is serious about conflict prevention, it should place Zimbabwe far higher on its agenda, given that it has all the classic hallmarks of a state lurching toward failure and broader violence, imperilling international peace and security.

**European Union.** Operation Murambatsvina caused the European Union to expand its targeted sanctions against Zimbabwe's ruling class. After the forced urban evictions, the EU expanded the number of those affected by its travel bans and asset freezes from 120 to 126 to include the police officers and the mayor of Harare in connection with the urban clean-up. In January 2006, the EU extended its sanctions by another year to 20 February 2007. President Mugabe's attendance at the funeral of Pope John Paul II in the Vatican in April 2005, appeared designed both to embarrass European leaders and show Zimbabweans he is still active on the world stage. Mugabe also took part in

the Food and Agriculture Organisation (FAO) Conference in Rome, Italy on 17 October 2005 where he assailed the U.S. ambassador, Tony Hall, for questioning his invitation.<sup>179</sup>

The decision by Belgium – in consultation with other EU countries – to grant Zimbabwe's finance minister, Herbert Murerwa, a visa to attend a trade meeting pursuant to the Cotonou Agreement of ministers from Africa, the Caribbean and the Pacific (the ACP countries) with the EU on 27-28 April 2006 sparked controversy in Europe. The decision to allow Murerwa to attend the APC meeting was affected by treaty obligations, and there was little that the several member states that expressed unhappiness with this arrangement could do.<sup>180</sup> After the meeting, the Commission informed the Africa Working Group in the Council about the discussion, and confirmed that it fully respects the EU's common stance on Zimbabwe. It rejected proposals by some member states to establish a parallel, Commission-driven, channel of communication with the Zimbabweans and confirmed that political dialogue with the Zimbabwean authorities is solely the responsibility of EU member states' embassies in Harare. There has been no discussion, in the aftermath of Murerwa's visit, about revising or softening the EU's common position on Zimbabwe. The further decision of the Belgian Foreign Ministry to grant Murerwa a bilateral meeting, however, was an unfortunate exception to the sanctions policy. While EU Aid and Development Commissioner Louis Michel argued that the "EU's position has not changed and will not change until Zimbabwe changes its policies...", a number of EU members are worried that at least the meeting with the Belgians was inconsistent with EU policy.<sup>181</sup>

**United States.** On 17 November 2005, President George Bush expanded existing sanctions by signing an executive order freezing the assets of 128 people and 33 institutions, including spouses and other immediate family members of ZANU-PF and government officials "engaged in actions or policies to undermine Zimbabwe's democratic processes or institutions". The executive order also gives power to the Treasury and State Departments to freeze the assets of other Zimbabweans without seeking presidential approval.<sup>182</sup> Sean McCormack, the State Department

<sup>176</sup> See UN Secretary-General Kofi Annan, "Address to the Joint Sitting of the South African Parliament", Cape Town, 14 March 2006.

<sup>177</sup> "Zim pours cold water on UN Plans", *The Mail and Guardian*, 25 May 2006.

<sup>178</sup> Crisis Group interviews, May 2006.

<sup>179</sup> "President blasts U.S., Britain", *The Herald*, 18 October 2005.

<sup>180</sup> Crisis Group interview, EU official, 29 May 2006.

<sup>181</sup> Crisis Group interview, Pretoria, 16 May 2006.

<sup>182</sup> The "Executive Order: Blocking Property of Additional Persons Undermining Democratic Process or Institutions in Zimbabwe" of 17 November 2005 updates and strengthens Executive Order 13288 of March 6, 2003, which listed 77 people, including Mugabe himself, whose finances were frozen. However, the "Annex to Executive Order 13288 of March 6, 2003" is effectively replaced and superseded in its entirety by the Annex to the November 2005 order. See, "Statement on Blocking Property of Additional Persons

spokesman, dismissed the senate elections on 26 November 2005 as a “non-event...designed to elect people to an institution that has truly no legal significance”, but was created as a source of patronage for Mugabe and the ruling party.<sup>183</sup>

Relations between the U.S. and Zimbabwe further soured in November 2005 when Foreign Affairs Minister Simbarashe Mumbengegwi handed the U.S ambassador to Harare, Christopher Dell, a strongly worded diplomatic note accusing him of breaking Zimbabwean law. “We will not hesitate to invoke the appropriate provisions of the Vienna Convention should at any time in the future the U.S. ambassador again act in violation of the laws of this country”, he said.<sup>184</sup> Dell stirred Harare’s ire by his public, and accurate, comment that Zimbabwe’s economic slump was self-inflicted, not the result of drought or sanctions.<sup>185</sup> He has not been cowed by the government’s reaction, recently commenting that, “it is undeniable that Zimbabwe’s economic downward spiral is unmatched by any other country not at war”.<sup>186</sup>

The U.S has focused increased attention on Zimbabwe since the former U.S. ambassador to South Africa, Jendayi Frazer, became the assistant secretary of state for Africa. Frazer, who as ambassador took a strong public position against what she termed President Mbeki’s “do little, say little” approach,<sup>187</sup> has urged the international community, including the UN Security Council and the Africa Union’s Peace and Security Council, to take up Zimbabwe in order to prevent a possible descent into violence. Washington has increased humanitarian assistance and deepened its relations with the SADC region, but Zimbabwe’s neighbours have not reciprocated by increasing overt pressure on the country.

**Commonwealth.** At the Abuja Commonwealth Heads of Government Meeting in December 2003, Heads of Government extended Zimbabwe’s suspension from the councils of the Commonwealth which had been imposed following the elections in early 2002 which the Commonwealth Observer Group had found to be deeply flawed. Between 2002 and 2003 Zimbabwe was not prepared to engage the Commonwealth on issues of concern. Following the Abuja decision, it withdrew from the

organisation. Any return will require Zimbabwe to satisfy member states that it has addressed these issues of concern. Many Commonwealth member states impose travel sanctions on prominent regime members.

On balance, the EU and its member states, U.S., Commonwealth and UN are frustrated by their lack of effective policy measures. All need to engage in contingency planning for the time when dynamics on the ground allow for more action. And, while acknowledging the relative paucity of sound policy options at this point, they must collectively do a far better job calling public attention to the increasingly dire situation in Zimbabwe. Further, while some diplomats may reasonably enough wish to engage senior ZANU-PF members about the details of a potential post-Mugabe transition, it cannot be stressed strongly enough that there is no need to allow waivers in the current sanctions regime for such a dialogue to take place. If anything, the recent government crackdown calls for much more aggressive enforcement of existing sanctions by the U.S., EU and others.

## VI. CONCLUSION

Zimbabwe continues to fracture on many fronts; the divisions within the MDC and ZANU-PF have become almost as profound as the differences between them. Opposition forces would do well to put their disputes behind them and present a unified front to take on a government that is increasingly desperate and dangerous.

Zimbabwe’s government should be isolated as long as it continues to shun democracy and basic human rights. The plan ZANU-PF is considering to carve out a transitional presidency and postpone the 2008 elections is a recipe for disaster. The failure of the international community to reach a concerted position on Zimbabwe has only escalated the tremendous suffering being inflicted upon the people of Zimbabwe and increased the likelihood of major state failure.

South Africa remains the external player with the most potential leverage to influence Zimbabwe but its strategies have yielded little, as its neighbour has sunk further into autocracy and mismanagement. African leaders and institutions like the AU have failed to come to terms with the situation, and this needs to change, beginning with the July 2006 summit of African heads of state and government, which should adopt a resolution acknowledging there is a crisis in Zimbabwe that requires urgent intervention and calling on Harare’s authorities to work with the AU, SADC and the wider international community to break the deadlock.

Pretoria/Brussels, 6 June 2006

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Undermining Democratic Processes in Zimbabwe”, White House Press Release, 23 November 2005.

<sup>183</sup> US: Zim vote a ‘non-event’, www.news24.com, 29 November 2005.

<sup>184</sup> Rangarirai Mberi, “US, Zim standoff”, *The Financial Gazette*, 9 November 2005.

<sup>185</sup> Dell’s view is, by and large, shared and validated by Crisis Group’s past reporting. See for example Crisis Group Report, *Blood and Soil*, op. cit.

<sup>186</sup> Nelson Banya, *Financial Gazette*, 3 May 2006.

<sup>187</sup> See Crisis Group Report, *Post-Election Zimbabwe*, op. cit., p. 21.



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