

Elections, Mediation and Deadlock in Zimbabwe?

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Theme: The mixture of hope and despair that followed the March 2008 elections in Zimbabwe and the ensuing violence gave way to the new possibilities offered by the political agreement signed by Zanu PF, the MDC (Tsvangirai) and the MDC (Mutambara) on 11 September 2008.

Summary: The multi-layered crisis that has mired Zimbabwe politics for the last decade has exhausted the social forces at the national level and given rise to a political agreement that, while not removing the incumbent Zanu PF from power, provides for a power-sharing arrangement with the two formations of the MDC.

Analysis: The elections for parliament, senate, local government and the presidency that took place on 29 March 2008 led to the first electoral defeat for the ruling party Zanu PF and its President Robert Mugabe. The two formations of the Movement for Democratic Change (MDC), which split in October 2005, won a majority 109 seats in parliament against Zanu PF's 97 seats, while the first round of the presidential vote gave the MDC leader 47.9% of the vote to Mugabe's 43.2%. The remainder of the vote went to the Zanu PF dissident Simba Makoni. However the inability of either presidential candidate to win 50% plus one of the votes necessitated a run-off vote. The state-led violence that preceded this run-off at the end of June was of such intensity that even Mugabe's long-standing support in the Southern African Development Community (SADC) and the African Union (AU) could not endorse his election 'victory'.

Mugabe's failure to receive an endorsement in Africa combined with the long-standing condemnation he had received from the West, added to the pressure for the Mbeki-led SADC mediation to find a political solution to the crisis. On 21 July 2008 both Zanu PF and the two MDCs signed a Memorandum of Understanding (MOU) committing their parties to 'creating a genuine, viable, permanent, and sustainable solution to the Zimbabwe situation'. The agreement also set out to achieve: (a) the immediate cessation of violence and the withdrawal and disbanding of militia groups, paramilitary camps and illegal blocks; (b) the normalisation of the political environment; (c) the reinstatement of access by humanitarian agencies to the people of Zimbabwe in order to provide food, medical and other critical services throughout the country; and (d) the commitment not to take any decisions that would have a bearing on the agenda of the dialogue such as the convening of parliament or the formation of a new government.

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On 24 July 2008 Zanu PF and the two MDCs resumed the negotiations that had broken down before the March elections under the mediation of South Africa's President Mbeki. By 6 August the negotiators adjourned with several issues outstanding: (a) the duration of the transitional government; (b) the form and structure of the interim constitution; (c) framework issues pertaining to the new government; (d) the powers and duties of the President and the Prime Minister in the transitional government; and (e) the method and appointment or election of the Prime Minister and President. Whereas the South African mediators had crafted a compromise that attempted to spread executive authority of an inclusive government between the President, Prime Minister and cabinet, the MDC of Morgan Tsvangirai saw the compromise as allowing Mugabe to retain too much power as Head of State. For Tsvangirai and his party, any agreement under the MOU needed to reflect the parliamentary and presidential outcomes of the March elections, effectively installing Tsvangirai as interim Head of State until a new presidential election could take place under a constitutional reform process endorsed by a referendum.

In Zanu PF's view, Tsvangirai asked too much of the March elections which had left the Presidency undecided. The ruling party thus sought to retain as much power as possible under a government of national unity headed by Mugabe, with the Joint Operation Command composed of the heads of the army, police and security services, continuing to play a central role. In the words of one Zanu PF's negotiators, Patrick Chinamasa:

'There is no basis whatever to justify Tsvangirai's demands. He wants President Mugabe to become (former titular President Canaan) Banana. But judging by the March 29 Elections there can be no basis for these demands. What he is asking for is a transfer of power, not a sharing of power'.¹

The smaller MDC formation led by Arthur Mutambara endorsed the SADC-negotiated position viewing it as 'essentially a power-sharing deal' that reflected the 'facts on the ground' and agreeing with SADC and Mugabe's negotiators that 'no single party can argue for transfer of power to itself because no single party has the absolute majority to say we are entitled to have power transferred to us'.² The growing congruence between the position of the smaller MDC, on the one hand, and Zanu PF and SADC on the other was the result of several factors. These included the increasing tensions and lack of trust between the two MDCs since the 2005 split, the shrinking of the support base of the Mutambara formation, and the greater reliance on the mediation process by the Mutambara group to secure a foothold in a political settlement. The fact that the minority MDC gained 10 seats in the March election also gave it important leverage between the two major political parties, since it held the votes that could swing the majority in parliament. Since the discussions began under the July MOU, the Mutambara MDC felt increasingly aggrieved at what it perceived as the attempts by Tsvangirai's party to marginalise it in the negotiations. Mugabe was not slow to capitalise on these tensions and attempted to cultivate a closer relationship with the Mutambara group, thus weakening the negotiation position of the opposition.

The result of these tensions between the two MDCs was exemplified in the vote for the Speaker of Parliament on 25 August 2008. Both MDCs put up rival candidates for the post, with most of the Zanu PF MPs voting for the Mutambara candidate Paul Themba Nyathi. The Tsvangirai, candidate, Lovemore Moyo, won the speakership with additional

¹ Jason Moyo & Mandy Rossouw, 'MDC: Brown's Trojan Horse?', *Mail and Guardian*, 22-28/VIII/2008.

² Interview of Welshman Ncube, Secretary General of the MDC (Mutambara).
www.newzimbabwe.com/pages/mdc253.18658.html, 22/VIII/2008.

votes from both Zanu PF and the smaller MDC, dealing a major blow to the smaller MDC. In the process of winning the Speaker position, Mugabe was jeered and howled at during his speech in parliament, and suffered a deep sense of humiliation. This event evoked a short-term sense of victory. However, the sad irony of watching the two MDCs placing their own differences before the larger problem of the Mugabe regime revealed the continuing difficulties of building strong opposition politics in Zimbabwe.

With the continuing blockages in the mediation process the MDC (Tsvangirai) adopted a three-pronged strategy against the Mugabe regime. First, it chose to reject the current terms of the agreement crafted through Mbeki's mediation, and to push for the mediation process to be shifted from SADC to the AU and the UN. This position accorded with the MDC's well-known distrust of Mbeki's 'quiet diplomacy,' as well as with the tensions that emerged between Mbeki and the EU/US on the Zimbabwe question, with the latter pushing for a UN Security Council decision on sanctions against the Mugabe government. Both the EU and the US repeatedly made it clear that they would only accept an agreement on Zimbabwe that registered a decisive movement of power away from Mugabe. This is the position that the Tsvangirai MDC took in its attempt to move the negotiation initiative away from SADC. The second, and perhaps less important, prong of attack by the MDC was to use its control of the legislature to create an alternative centre of power against the executive, blocking attempts by Mugabe to govern outside of a broader agreement. The third part of the MDC approach was a somewhat fatalistic belief that the crisis economy would effectively undermine Mugabe's ability to govern.

The first prong of this strategy was unlikely to succeed given that the AU took its cue from SADC on the Zimbabwe question, particularly since representatives of the AU had been part of the extended reference group attached to the SADC mediation. It would thus be very difficult for the current Chairman of the AU, the Tanzanian President Kikwete, who had been critical of Mugabe, to move the AU away from the collective SADC position. With regard to the UN, it was highly unlikely that either China or Russia, particularly in the context of the Georgia debacle, would support another attempt by the West to get a Security Council sanctions vote against Zimbabwe. On the parliamentary strategy, Mugabe had already begun a process, after the March 2008 elections, of whittling down the majority position of the MDC by arresting MDC MPs suspected of engaging in election violence.³ Such a strategy would more than likely intensify in the event of a persistent deadlock in the mediation.

Turning to the belief in the capacity of the economy to deal the fatal blow to the Mugabe government, it is clear that the majority of Zimbabweans face the prospect of continued devastation of their livelihoods as a result of the disastrous policies of the incumbent regime. Beyond the profits being made by foreign capital in the extractive sector, and the rent-seeking activities of sections of the ruling elite, the majority of the workforce in both the rural and urban sectors, face the likelihood of deepening poverty, if not mass starvation. Three prominent characteristics stand out in the economic devastation that has taken place. First, the hyperinflation of about 10 million % in the economy has wiped out the savings and earnings of the workforce in the context of a serious drop in production, and major shortages of food, electricity, fuel and all basic goods. As a result of this process most key transactions in the economy have been dollarised, resulting in rent-seeking activities, speculation, cross-border trading, dependence on remittances from outside the country, and criminal activity.

³ 'Zanu (PF) "plots to seize" parliament', *Business Day*, 1/IX/2008.

Secondly, there has been a huge decline in formal sector employment and a corresponding growth in the informalisation of labour. The indicators of this process include: (a) the shrinking of the formal sector workforce from 1.4 million workers in 1998 to 998,000 in 2004, with the current unavailable data probably indicating further decline; and (b) the share of wages and salaries in gross domestic income dropping from an average of 49% during the pre-structural adjustment 1985-90, to 29% in the period 1997-2003. Moreover, the production crisis resulting from the land occupations has created a double squeeze on the livelihoods of workers as the breakdown of production and incomes in both the agricultural and the manufacturing sector has placed enormous stress on the reproduction of labour households.

Thirdly, the economy has witnessed a growing displacement of labour. During the structural adjustment period in the 1990s the volume of urban-rural labour circulation increased because of the difficulties of sustainable livelihoods in the urban areas. This trend has intensified by the greater displacement of families since 2000 as a result of the land occupations, electoral violence, the growing diasporisation of the labour force, and mass urban evictions during Operation Murambatsvina in 2005.⁴ The latter, aimed at clearing away the informal sector in the urban areas, and diminishing the opposition's primary constituencies, resulted in the loss of livelihoods of some 700,000 people, and a labour migration process that both pushed numbers of people out of the cities and forced others to find new places in the urban spaces.

While this enormous destruction of the economy eroded the support for the Mugabe regime, the process also presented challenges for the opposition. A central pillar of the MDC since its formation in the late 1990s has been the labour movement. However, this base of opposition politics has been adversely affected by the economic crisis described above, and this has in turn created very difficult conditions for political mobilisation in a number of ways. First, the shrinkage of formal sector employment has resulted in a drop in the rate of unionisation and subscriptions, thus undermining the capacity of unions to carry out various organisational and educational activities for their members. Secondly, as a result of this structural decline and more aggressive attacks from the state on union leaders, the labour movement has become more strategically defensive, and less able and willing to lead broad civic alliances as it did in the period from the late 1980s to 2000. Thirdly, the strikes and stay-aways that were such an effective weapon against the state in the 1990s, when the economy was more buoyant, were no longer viable mobilisation strategies in the context of a rapidly shrinking labour force. The informalisation of the labour force has moved workers away from formalised labour practices and protest actions in the public sphere into more individualised and criminalised strategies of survival. The progressive regulation of labour relations that was one of the early achievements of the post-colonial state has been replaced by growing uncertainties around work and formal labour organisation.

This weakening of the labour movement and the culture of worker mobilization and organization that was central to it, has led to urgent appeals from the once strong Zimbabwean Congress of Trades Unions (ZCTU), for international intervention in the Zimbabwe crisis. A report on a statement made by the President of the ZCTU in 2008 to this effect noted that:

⁴ 'Operation Murambatsvina' was the Shona term for 'clear out the filth', an expression often used by the ruling party to refer to the urban support base of the MDC.

'Mr Matombo said that many of his members are too brutalized by Zimbabwean forces to organize effectively. That is why he will push his group to support stronger international intervention, despite the short-term pain that a blockade or other action could cause to Zimbabwe's poor'.⁵

Given the serious weakening of this central organisational base of the MDC it is not surprising that there emerged an almost desperate compulsion to view the economy as an active ally in the struggle against Mugabeism. What amounted to an admission of the diminished capacity of the opposition to mobilise politically at the national level was increasingly translated into an adamant assertion of the capacity of an economic crisis to complete the task of that depleted resistance. Several reports indicated the pervasiveness of this conception. Morgan Tsvangirai was recorded as saying that Zimbabwe's rapid downward economic spiral would 'eventually force Mugabe to compromise',⁶ a view shared by the key civic leader Lovemore Madhuku, who stated:

'Mugabe will have a difficult time governing without a majority (in parliament), but that is not his real problem. His main and insurmountable problem is the crumbling economy. He has no room to move'.⁷

Mugabe himself was aware of this argument and was not slow to link it to his view that this was part of a 'regime change' strategy sponsored by the West. In his opinion, the MDC,

'... have been promised by the British that sanctions would be more devastating, that our government will collapse in six months' time'.⁸

There was certainly a general opinion, in the opposition and the donor community, that the parlous state of the Zimbabwean economy was unsustainable and that its disastrous deterioration would soon have an impact on the capacity of Mugabe to continue in office. However, it was also apparent that the crisis was beneficial to key sections of the ruling elite, particularly in Mugabe's major support base, the military. Additionally, there was insufficient information on the survival mechanisms of the poor in Zimbabwe and the different forms of economic relations emerging out of the crisis that would allow the economy to persist, albeit at deplorably low levels of survival. Thus to predicate a strategy of change largely on the assumed imperatives of economic decline, faced the danger of leading to a hazardous underestimation of the continued ability of an authoritarian regime to persist.

Political Agreement

Given the above analysis it was not surprising that the Mbeki mediation led to a political agreement being signed by the major parties on 11 September 2008. With limited options available to the major political players in Zimbabwe, Mbeki used the combination of such limits at a national level and pressures for change from regional and international forces,

⁵ Margaret Coker, 'Powerful South African labour group ponders how hard to press Mugabe', *Wall Street Journal*, 9/VII/2008.

⁶ Basildon Peta, 'Mugabe advised to quit talks', *Cape Times*, 22/VIII/2008. Other such assertions of faith can easily be found in the statements of opposition leaders and political commentators.

⁷ Dumisani Muleya, 'Mugabe to call new cabinet, dealing new blow to talks', *Business Day*, 28/VIII/2008. This argument is also put forward in Piers Pigou, 'Malice in Blunderland', *Molotov Cocktail 05*, September-October 2008.

⁸ Jason Moyo, 'Mugabe prepares for next move', *Mail and Guardian*, 29/VIII-4/IX/2008.

to push for a political settlement. The agreement that was eventually signed signalled the uneasy relations between a once dominant party forced to concede to the sharing of power, and an opposition party unable to muster the pressure to deliver the decisive transfer of that power away from the ruling party.

Amongst the major areas of the agreement are the following:

- Mugabe will continue to be President with two Vice-presidents from Zanu PF.
- The new position of Prime Minister will be occupied by the opposition leader Morgan Tsvangirai with two Deputy Prime Ministers one from each formation of the MDC.
- There shall be 31 Ministers, with 15 nominated by ZANU PF, 13 by MDC (Tsvangirai) and three by MDC (Mutambara), and 15 Deputy Ministers with eight, six, and one respectively from Zanu PF, MDC (Tsvangirai) and MDC (Mutambara).
- The cabinet will be chaired by Mugabe with Tsvangirai as his deputy and will have the responsibility to 'evaluate and adopt all government policies and the consequential programmes'.
- The Prime Minister will chair a Council of Ministers which will oversee 'the formulation of government policies by the Cabinet' and 'ensure that the policies so formulated are implemented by the entirety of government'.
- A new constitution will be agreed upon within 18 months as a result of a process that will include the participation of the Zimbabwean public and will culminate in a referendum.
- The implementation of the Agreement will be monitored by a Joint Monitoring and Implementation Committee (JOMIC) composed of four senior members from Zanu PF and four from each of the MDC formations.

The Agreement left many areas unclear, such as the relation between the authority and decision-making status of the Cabinet and the Council of Ministers, as well as which specific ministries would be allocated to different parties. The latter problem continues to delay the implementation of the agreement as the Mugabe regime persists in its efforts to retain control of key security and economic ministries. However, the agreement should be viewed very much as a terrain of struggle in which both parties will continue their fight for state power, in a situation where the ruling party still has the advantage over the control of the means of coercion. Zanu PF is much weaker as a political party than it was after the 2005 election, while the MDC is not yet strong enough to exert its hegemony over the state.

There have been critical positions on the Agreement from some key voices in civil society. The Zimbabwe Congress of Trades Unions warned that:

'A Government of National Unity is a subversion of our National Constitution and only a Transitional Authority should be put in place with a mandate to take Zimbabwe to fresh, free and fair elections that will hopefully not be disputed by parties'.⁹

Moreover, for the Chair of the National Constitutional Assembly (NCA) the Agreement represented a 'capitulation by the MDC'. However, it is clear that neither of these social forces have the capacity to resist this process, and indeed the alternative proposed by the Chairman of the NCA of 'going back to the trenches and putting pressure' is, for the

⁹ Statement by the Zimbabwe Congress of Trades Unions, Harare, 16/IX/2008.

moment, more a harking back to past possibilities than a realistic assessment of present challenges.

Conclusion: At the time of writing this assessment, the Agreement signed by the major political formations on 11 September remains to be implemented, halted by a dispute over the distribution of ministerial posts. That the agreement should be mired in such a dispute is a reflection once again that often such struggles over the post-colonial state are viewed as zero-sum battles, with access to the state being the *sine qua non* for employment, patronage and future accumulation. For the ruling party the danger of losing control of this resource threatens to unravel the rent-seeking structures of profiteering that have become the dominant feature of the fortunes of the political elite. In the case of the MDC, the whiff of state power has heightened the sense that a prolonged period in opposition cannot be sustained in the current context of economic decline.

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