



Electoral Politics in Zimbabwe: Authoritarianism Versus the People

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Abstract

The majority of Zimbabweans are now accustomed to electoral fraud as practised by the ruling Zimbabwe African National Union-Patriotic Front (ZANU-PF) led by President Mugabe. Elections are generally not conducted in a manner that can be deemed to be free, fair and transparent. The major electoral malpractices include lack of transparency in the electoral procedures, lack of information on electoral regulations among both the electorate and the contestants, numerous amendments to the laws, most of which are aimed at disenfranchising sections of the electorate who are suspected of supporting opposition political parties, and fraudulent tallying of the votes at counting. Political violence also plays a major role in Zimbabwe's electoral politics. The chief perpetrators of political violence are by far elements within the ruling ZANU-PF party. Human rights groups in Zimbabwe report that the majority of the victims of political violence during election times are members of opposition political parties. Apart from control of the state media for partisan political purposes, the whole electoral machinery is also effectively controlled by President Mugabe himself through direct appointments to them. Even the law-enforcement agencies are loyal to the President and the party. These have created a grossly uneven political playing field, pose a severe security dilemma for political dissenters, and render elections a farcical exercise in democracy.

Résumé

La majorité des Zimbabweens est à présent habituée aux fraudes électorales pratiquées par le parti au pouvoir, l'Union Nationale Africaine du Zimbabwe – Front Patriotique (*Zimbabwe African National Union – Patriotic Front -ZANU-PF*) dirigé par le Président Mugabe. Les élections ne sont généralement pas menées de façon libre, juste et transparente. Les principales pratiques électorales

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frauduleuses incluent le manque de transparence au niveau des procédures électorales, le manque d'informations relatives aux régulations électorales aussi bien pour l'électorat que les adversaires politiques, une quantité innombrable d'amendements à la législation dont la plupart consistent à priver du droit de vote des parties entières de l'électorat, suspectées de soutenir les partis politiques de l'opposition ;enfin, ces pratiques incluent également un décompte irrégulier des bulletins de vote. La violence politique joue également un rôle crucial dans la politique électorale au Zimbabwe. Les principaux acteurs de cette violence sont pour la plupart des éléments internes au ZANU-PF. Certains groupes de défense des droits de l'homme affirment que la majorité des victimes de la violence politique perpétrée durant les élections, sont des membres de partis politiques de l'opposition. Outre le contrôle des médias étatiques pour des raisons de politique partisane, l'ensemble de la machinerie électorale est également effectivement sous la mainmise du Président Mugabe lui-même, qui agit à travers un système de désignations directes. Même les organes chargés d'appliquer la législation obéissent au Président et au parti. Ceux-ci ont contribué à la formation d'un terrain politique extrêmement inégal, et posent un sérieux dilemme sécuritaire aux dissidents politiques, tout en transformant les élections en une grotesque caricature de la démocratie.

Introduction

In democratic political systems, elections are an important feature of public participation in choosing the individuals and groups that will rule them. In some, if not many, African countries, the ruling party has mastered and perfected the art of manipulating electoral systems with the primary objective of deceiving the people into believing that they govern themselves. For the most part, the incumbent party elites are able to thwart the people's choice and desperately hold on to political power. This paper is an appraisal of electoral politics in Zimbabwe since the attainment of political independence in 1980. The paper proceeds from the premise that dictators and authoritarian regimes are not easily removed from office through democratic means. Indeed ruling political parties only succumb to transparent, free and fair elections under severe political pressure from both internal and external forces. A further premise is that the stronger the opposition political parties in a given country become, the more manipulative, vicious and violent the ruling party becomes in order to perpetuate itself in power.

Basic requirements for democratic elections

The handling of democratic elections requires that certain minimum standards be met if the elections are to be judged free and fair. Transparency in the procedures followed in handling all aspects of the electoral process is a key requirement. Makumbe and Compagnon observe:

Transparency necessarily means that the various rules, regulations and procedures are adhered to throughout the exercise of elections. In other words,

they are not changed willy-nilly or at the behest of some officials or some of the contestants (2000: 15).

Further, transparency in the electoral process requires that these rules, regulations and procedures be made known to both the voters and the contestants well in advance of the actual elections. Civil society organisations are usually keen to undertake voter education activities in most African countries. In Zimbabwe, the Mugabe regime has recently amended the Electoral Act (1990) restricting voter education to approved civic organisations, and those that will have submitted their voter education syllabi to appropriate government authorities for approval (Government of Zimbabwe, 2004). It is generally believed that this move by the Mugabe regime is aimed at curbing the civic activities of non-governmental organisations (NGOs) suspected to be sympathetic to the opposition political party, the Movement for Democratic Change (MDC).

To be free and fair, democratic elections should always be conducted in accordance with the national constitution, and by an independent election authority. In most Southern African Development Community (SADC) member states, an independent electoral commission conducts elections. To date Zimbabwe remains an embarrassing exception. The Mugabe regime has firmly resisted the appointment of an independent commission. Instead, elections in Zimbabwe are conducted under the supervision of the Electoral Supervisory Commission (ESC). As I will demonstrate below the ESC suffers from several structural and functional deficiencies. It will also be shown that both the Zimbabwe Constitution and the Electoral Act (1990) have been amended several times to suit the interests of the ruling ZANU PF party.

The third requirement for free, fair and democratic elections is the existence of a peaceful and stable political environment. This is an environment 'where contestants are free to campaign for voter support, free to express themselves and make their views known to the electorate without fear of intimidation, suspension or expulsion from their party, or victimisation of one kind or another' (Makumbe and Compagnon 2000: 15-16).

The fourth requirement for transparent, free and fair elections is the provision of equal opportunities for all the contestants. This is usually ensured through legislation that guarantees a level political playing field. Contestants should be accorded adequate and equal access to both the media and the voters whose support they seek to attract. The previous parliamentary and presidential elections in Zimbabwe vividly demonstrate that such a level political playing field does not easily become available. As will be discussed in detail below, the Electoral Act (1990) has been amended several times to create a political playing field that favours the ruling ZANU-PF party at the expense of all opposition political parties. Opposition political parties have

filed numerous petitions in the High Court, and several election results have been nullified by the High Court as a result of these petitions (Makumbe 2003: 5). Nevertheless, the ruling political party has intensified its assault on democracy by instituting further and even more draconian changes to the Electoral Act (see below for details) as a desperate measure to strengthen its hold on political power.

The violence and intimidation that has become ZANU-PF's trademark of electoral politics has produced a sense of political tension, fear and despondency among Zimbabwe's electorate. Commenting on the parliamentary elections of 2000, one monitoring mission noted:

The political environment did not accord the eligible voters their basic freedoms. These freedoms of movement, association and expression are essential if individuals are to make personal, independent political decisions. In many parts of the country, due to the unsettled political situation, people are restrained from discussing political issues, especially those who are on the opposition side (Transparency International Zimbabwe [TIZ], 2000: 17).

Indeed, the situation in some parts of the country was such that opposition political parties regarded some rural areas where the ruling party was strongest as 'no-go areas'. Political activists that supported opposition political parties ran the risk of losing their lives should they venture into those areas. In 2001, the Zimbabwe Human Rights NGO Forum published a report that showed that by far the majority of the victims of political violence during the parliamentary elections of 2000 were members and supporters of opposition political parties. Table 1 provides the details.

Table 1: Political Affiliation of Victims who reported to the Human Rights NGO Forum

Political Affiliation of Victims	Number of Victims
MDC	609
Unknown + None	63
United Parties	21
ZANU-PF	5
Zimbabwe Union of Democrats	6
Total	704

Source: Zimbabwe Human Rights NGO Forum, July 2001, p. 4.

The pervasive political violence which characterised the 2000 parliamentary elections was repeated during the 2002 presidential election. What was interesting in the presidential elections was the fact that President Mugabe's party was not able to hold any election campaign rallies in urban areas which were generally considered to be the opposition, MDC's strongholds. The MDC was also unable to hold campaign rallies in those rural areas that were ZANU-PF strongholds. This situation deprived the electorate the opportunity to hear at first-hand the views of the contending candidates in order to decide how best to vote. It was apparent that ZANU-PF avoided urban venues for its campaign rallies because it was afraid that the urban voters would not attend in numbers, thereby embarrassing the party's leadership.

Closely related to the problem of equal opportunities is the requirement that all contestants have equitable and adequate access to the mass media and other forms of mass communication. The mass media have the task of effectively and impartially informing the electorate on the character, views, policies and other relevant details of candidates and/or their parties. This obviously calls for more than just reports on campaign rallies, speeches and slogans. The media need to undertake thorough investigations into the platforms of the contestants for the information of the public, and be able to do so without fear or favour. In Zimbabwe, where the government has total control of the electronic media and the major segments of the print media, such impartiality in reporting on electoral politics and guarantees of equal access to the media are rare. During the 2000 parliamentary elections, for example, the Zimbabwe Broadcasting Corporation (ZBC) severely restricted the appearances of opposition political party candidates on both radio and television while the ruling ZANU-PF's candidates were more than adequately covered each time they held campaign rallies. The so-called Ten Golden Rules devised unilaterally by the ZBC effectively made it impossible for opposition political parties to advertise their campaign materials through ZBC channels – both radio and television. The Media Monitoring Project (ZMMP) report, covering the first week in February, noted:

ZANU-PF continued to dominate ZBC's coverage of political parties' campaign activities. During the week ZTV reported 11 campaign stories. Of these, nine (82 percent) were about four ZANU-PF events, while two (18 percent) were MDC campaigns. Radio Zimbabwe carried a total of 30 campaign stories (including the four ZANU-PF rallies) and 28 (93 percent) were favourable to ZANU-PF, while two (7 percent) were of MDC events. On 3FM, 26 (93 percent) stories out of 28 were favourable stories of ZANU-PF activities, while two (7 percent) were about MDC events. The total amount of airtime allocated to rallies held over the weekend shows that ZBC is still not willing to allocate equitable airtime to contesting parties, contrary to its

own 'Golden Rules' and its duty as a public broadcaster. ZTV's News Hour devoted a total of 26 minutes 40 seconds to rallies held between 1 and 3 February. ZANU-PF's four rallies were allocated 24 minutes (91 percent), while the two MDC rallies were only allocated a total of two minutes 40 seconds (9 percent). The fact that other MDC rallies had been disrupted and were prematurely ended only appeared in the private press (Zimbabwe Media Monitoring Project, Report # 2002/4, 28/01 03/02/2002).

The opposition MDC made several futile attempts to get the High Court to compel the state-owned media to accord equal coverage to their activities. State agents rather harassed the independent print media which covered the campaign activities of opposition political parties.

Tolerance and respect among citizens and the contesting political parties are crucial for the conduct of free and fair elections. Mutual tolerance and respect ensures that the right of individuals and groups to express their views and exercise their choices is safeguarded. As stated by Makumbe and Compagnon (2000: 78):

A climate of tolerance and respect among citizens and political parties, or even among the various factions within a party, necessarily strengthens democracy and facilitates peaceful political competition. Lack of political tolerance leads to mud slinging, violence and intimidation. These are all enemies of democratic elections.

The past two national elections in Zimbabwe witnessed high levels of intolerance of opposition political parties and their supporters by elements within the ruling ZANU-PF. As shown in Table 1, only a few members and supporters of ZANU-PF reported that they had been victimised by those of opposition parties, while the overwhelming majority of the victims of political violence were from opposition political parties, with most of them being MDC members. Several election observer teams, local and foreign, concluded that both the 2000 parliamentary and the 2002 presidential elections were not free and fair. One of the saddest observations made about the 2000 parliamentary elections, for example, is that the lack of political tolerance sometimes emanated from the highest office of the ruling party.

... Mugabe, as executive president, was inciting his party's supporters to terrorise white people and make them tremble with fear because they were the enemies of the nation. He also urged Zanu PF supporters to crush the MDC, which he regarded as a puppet of the whites. This presidential call to violence resulted in widespread mayhem as government supporters and self-styled war veterans attacked white commercial farmers, occupied their farms, beat up farm workers and supporters of the MDC, pillaged and raped their way throughout the country at will (Mlambo 2003).

The Zimbabwe Human Rights NGO Forum (2001: 3) made the following observation in its report cited above:

The President made his intention and strategy clear in a statement in March 2000, at a ceremony for the opening of the water pipeline between the Pungwe River and Mutare. He said, 'Those who try to cause disunity among our people must watch out because death will befall them' (*Daily News*, 17/3/2000).

Perhaps the final tenet essential for free and fair democratic elections is the need for such elections to be so organised that all eligible voters will be able to exercise their franchise without coercion. Electoral officials and those who have the responsibility to run elections should ensure that none of the eligible voters is unable to participate in the elections because of reasons such as ignorance of the legal requirements – for example, the need for personal identification, the need to register as a voter in the prescribed electoral district or constituency, and the need to register before the expiry of the stipulated registration period. Zimbabwe exhibits a higher incidence of voters being turned away from the polls for some of these situations which could have been avoided weeks before polling day. It has also been established that in those parts of the country where opposition political parties are known to have strong support, election officials have been inclined to deny some voters the ballot often for very frivolous reasons. For example, during the 2002 presidential elections, the Registrar General of Elections deliberately reduced the number of polling stations in urban areas and increased the number of rural polling stations. As a result, thousands of voters in urban areas, particularly in Harare and Chitungwiza, were unable to vote when the polling stations closed on the second and third days.

Electoral politics and the election machinery

The paper now examines key components of Zimbabwe's election machinery in relation to the political considerations and practices that have significantly influenced elections and election results. The Electoral Act (1990) and the Constitution of Zimbabwe (1980) together provide for the establishment of an election machinery. Major elements of the Zimbabwe's election machinery are the Delimitation Commission, the Electoral Supervisory Commission (ESC), the Registrar General of Elections (RGE) and the Election Directorate. Over the past twenty-four years these laws have been amended primarily to suit the interests of the ruling political party.

The Delimitation Commission

The Zimbabwe Constitution makes provision in section 60 (1) for the creation of the Delimitation Commission with the objective of determining '...

the limits of the constituencies into which Zimbabwe is to be divided' (Linington, 2000: 125). The President appoints all the four members of the Delimitation Commission every five years prior to the holding of parliamentary elections. The Chief Justice or some other judge is normally appointed to chair the Commission. If a judge other than the Chief Justice is appointed, and indeed, in the appointment of the other three commissioners the President is required to consult with the Chief Justice. The obligation to consult the Chief Justice '... does not [however,] imply that the views expressed by the latter must be complied with' (Linington 2000: 125).

The Delimitation Commission has been criticised for being dominated by civil servants, and for failing to be impartial in the determination of constituency boundaries (Makumbe and Compagnon, 2000: 53-54). The fact that it is appointed by, and reports directly to, the President makes the commissioners vulnerable to the influence of the ruling party. In the past some of the commissioners were appointed as non-constituency Members of Parliament by the President soon after the election results were published. Opposition political parties have also accused the Delimitation Commission of gerrymandering in the drawing up of some urban constituencies. This practice was most pronounced during the 2000 parliamentary elections after the ruling party had noticed that most urban voters had become hostile to it, while the opposition MDC commanded strong support in such areas. In previous elections, the Delimitation Commission had also been accused of being used by ZANU-PF to ensure that the Zezuru-dominated provinces (from which Mugabe comes) would always have more seats in Parliament than the Karanga-, Manyika- and Ndebele-dominated ones (Linington 2000: 77-78). Furthermore, the Delimitation Commission has been accused of failure to utilise accurate demographic figures in determining constituency boundaries. For example, in several urban constituencies the population figures used by the Commission have differed significantly from those used by the Electoral Supervisory Commission (ESC). Opposition political party and civic leaders have argued that such practices show clearly that the Delimitation Commission is far from being impartial.

The Electoral Supervisory Commission (ESC)

Greg Linington discusses the main functions of the ESC as including supervision of the registration of voters, supervision of the conduct of elections, and considering any proposed legislation pertaining to voter registration and elections that may be referred to it. The Zimbabwe Constitution stipulates in section 61 (6) that in exercising its reporting and supervisory functions, the ESC '... may not be subject to the direction of any person or control' (Linington 2000: 127). The law thus gives the impression

that the ESC is an autonomous body. In practice there have been numerous incidents indicating that the President and the ruling ZANU-PF party have overwhelming control of the ESC, and dictate what it should or should not do.

The major weaknesses of the ESC include the fact that it is appointed by the President who, though he is required to consult the Judicial Service Commission and the Speaker of Parliament, does not have to take their views into account (ibid.). Makumbe and Compagnon (2000: 46) note as follows:

This understandably gives rise to concern about the independence of the appointees. It would be better if the President were obliged to accept the advice of bodies like the Judicial Service Commission, although the latter is hardly saved of the influence of the Executive, since the President nominates a majority of its members.

Generally appointed every five years, the ESC has not been able to adequately supervise the registration of voters. The result has been that both civil society organisations and opposition political parties have made numerous complaints about its work. Further, the membership of the ESC is too small for the task it has to perform. As a result it is heavily dependent on civil servants seconded to it by the Ministry of Justice, Legal and Parliamentary Affairs. Civil servants tend to feel highly intimidated by their political bosses, and perform their tasks in a manner that is likely to favour their employer, the government. The size and legal status of the ESC has also rendered it weak and incapable of asserting its authority on the managers of the electoral process. In other words, the ESC is clearly '... a mere consultative and weak body' (Makumbe and Compagnon 2000: 47). This explains why, despite the numerous allegations of electoral fraud against the ruling ZANU-PF party, the ESC has always certified elections as free and fair. Most Zimbabweans therefore receive the ESC reports with a pinch of salt. The majority of players in Zimbabwe's politics now regard the ESC as a rubber stamp, or an agency for legitimising the electoral misdemeanour of the ruling party. Civil society has therefore made numerous calls for the creation of an independent electoral commission along the lines of what exist in other Southern African Development Community member countries; but to no avail.

The Election Directorate

This is another component of the election machinery that is firmly under the control of the ruling ZANU-PF party. The composition of this Directorate clearly shows why it cannot be autonomous or impartial in the handling of the electoral process:

The Election Directorate appointed in 1994 comprised Dr. Mariyawanda Nzuwah, who is also the chairman of the Public Service Commission, as chairman; the Commissioner of Police, the Registrar-General and the

Permanent Secretaries of Home Affairs, Information, Justice, Local Government, Public Service, Transport and Finance make up the rest. Since the appointment of the Permanent Secretaries is de facto a political one (as much as the ministers, deputy ministers and chairmen of parastatals) the Election Directorate can hardly be seen as an independent body (Makumbe and Compagnon 2000: 48).

In the past, some public servants appointed to the Election Directorate were sanctioned when allegations of being too sympathetic to opposition political parties were levelled against them. Some in fact lost their jobs in the civil service shortly after the elections. As a result all civil servants are now fully aware that if they should be appointed to the Election Directorate they must comply with the wishes of the ruling party.

The primary task of the Election Directorate is to ensure that all government ministries and departments co-operate fully and effectively in the discharge of tasks that are related to the conduct of elections (Government of Zimbabwe [GoZ] 1980; Linington, 2000 129). This requires that the Directorate operate in a transparent and impartial manner. Welshman Ncube has however observed that:

... in practice it is difficult to have an impartial and entirely free election directorate considering that the [many] years of ZANU-PF rule have seen the creation of a highly political and partisan civil service most of whose senior members are also senior ZANU-PF officials in various capacities within the party (1994: 24).

The Electoral Act (1990) concedes what amounts to significant discretionary powers to the Election Directorate, which effectively gives the Directorate considerable latitude in the management of elections and places the Election Directorate in a strategic position within the election machinery. The Election Directorate's crucial location in the election machinery guarantees the ruling party the necessary political protection and electoral victory should opposition political parties become strong enough to challenge ZANU-PF at the polls. In the presidential elections of 2002, for example, the Directorate was heavily criticised for allegedly rigging the elections in favour of Mr. Mugabe. The MDC has since filed a petition at the High Court challenging those results. To date the High Court has been dragging its feet about hearing the case in a desperate attempt to bring the damage under control; because the hearing of that petition is likely to expose some of the tactics used by ZANU-PF to steal the elections.

The Registrar General of Elections (RGE)

The RGE is probably the most hated component of Zimbabwe's election machinery, and for good reason. The current holder of the office of Registrar

General of Elections (RGE) has been in this position for the past twenty years, and has served President Mugabe and ZANU-PF faithfully over that period. There are several allegations by civic and opposition party leaders that the RGE is a senior member of the ruling party. The RGE has never publicly denied this. It is generally believed that the RGE has been highly instrumental in facilitating ZANU-PF victories at the polls. The RGE's office is part of the Public Service, which makes him a *de facto* senior civil servant who owes allegiance to his employer – the state, and more especially to the ruling party and the President. There were numerous calls for his resignation from office after the High Court nullified several election results in the wake of the 2000 parliamentary elections; but such calls went unheeded by both the President and the RGE himself.

The law governing the office of the RGE concentrates electoral power in the hands of this officer (GoZ, 1990). This arrangement has enabled the RGE to practically dictate matters pertaining to the electoral process, much to the chagrin of opposition political party leaders and candidates. Citing Margaret Dongo's affidavit presented in the High Court in 1995, Makumbe and Compagnon (2000: 52) wrote:

Out of caution, I would mention that the [Electoral] Act and the election procedures as defined in the Constitution are defective and open to manipulation, particularly by a capricious and undemocratic Government such as the current one. What one gleans from the Constitution is a feeling that the drafters intended that the ESC conduct and run elections. Yet in terms of the Act, the power to conduct an election is vested in the [Registrar-General] who is basically not answerable to anyone except his Executive Masters.

The ZANU-PF regime has strenuously resisted calls by the opposition political parties and civil society organisations to amend the Electoral Act to reduce this concentration of power in the hands of the RGE. The ruling party is fully aware that the RGE is its strategic weapon for ensuring its success at elections, and will hesitate to do anything that will diminish its power over the conduct of elections. Thus the RGE has remained a major obstacle to fair play and the conduct of democratic elections.

Violence in electoral politics

Since 1997, Zimbabweans have been demanding a change in the manner the country is governed. This demand has been spearheaded by the National Constitutional Assembly (NCA), a grouping of more than forty civic groups and opposition political parties, which has acted in '... series of nation-wide strikes and stay-away movements which demonstrated that people were ready for action...' The crux of its demands is constitutional reform. The state's

response was to appoint a Constitutional Commission under the chairmanship of Justice Godfrey Chidyausiku, then President of the High Court, and a well-known apologist of the Mugabe government. The rejection of the Commission's draft constitution in a referendum held in 1999 alerted the Mugabe regime to an impending political disaster at the 2000 parliamentary elections.

To forestall this political calamity the regime, from March 2000, employed the tactic of invading white-owned commercial farms throughout the country. On the one hand, the farm invasions were a reprisal against white Zimbabweans, including commercial farmers, who had joined or publicly supported the opposition MDC party. On the other hand, they were used to win the support of landless black peasant farmers for ZANU-PF.

Having lost most of the support of its youth and women's wings to the MDC, ZANU-PF enlisted the services of its former freedom fighters, generally referred to as war veterans, to spearhead its presidential election campaign. The war veterans had been instrumental in the violent farm invasions that began in March 2000 after the 'No' verdict in the constitutional referendum. They had been placed on the government payroll in 1998 after they had demonstrated against the Mugabe regime for neglecting them. They had each been paid a lump sum of Zw\$50,000, plus a monthly pension till death. Further, their children's education and health requirements were to be met by the state, and 20 percent of all lands acquired by the state was to be allocated to them. They were therefore indebted to President Mugabe and the ZANU-PF government. Their resolve to repay their indebtedness was shown in their zealous pursuit of the land invasion programme of the Mugabe government.

ZANU-PF further recruited and trained several thousands of unemployed youths to work hand in hand with the war veterans. The youths were recruited under the pretext that they needed to be trained in patriotism and in the history of the liberation struggle. Investigations, however, revealed that those young people were trained in military tactics of mass control, torture and violence. The war veterans and youth militia perpetrated most of the violence that the supporters of the MDC experienced during the presidential election.

Meanwhile, the police were unable to enforce the law; or ignored the pervasive violence of the moment. At best, the law was selectively applied, with known and suspected MDC supporters being severely punished for alleged acts of violence while ZANU-PF activists were not arrested for similar acts. In the heat of the political violence, an MDC Member of Parliament (MP) made a passionate appeal for an impartial enforcement of the law against perpetrators of violence. An independent daily newspaper commented on the issues in the following words:

On occasions too numerous to recount, others both in and outside this country have made equally impassioned calls upon the government, as personified by President Mugabe, to desist from its selective approach to the administration of justice, turning a blind eye to offenders from within the ranks of the ruling ZANU-PF. The government has consistently and studiously ignored those appeals with the contemptuous arrogance that has become the trademark of its style of governance. In the forlorn hope that a miracle might happen this time around to make the government listen, we would like to warn that continuing to ignore these appeals could have very unfortunate and far-reaching consequences for all of us, not least for the ruling party itself (*Daily News*, Harare, 24/08/01).

Questioned on this selective enforcement of the law, the Commissioner of Police argued that the Zimbabwe Republic Police (ZRP) would not involve itself in political fights. This was an interesting development since the same Commissioner of Police had previously stated publicly that he was a senior member of the ruling party, and that he would resign his position as Commissioner of Police if an opposition political party won the elections. The Commissioner of Police is also one of the six chiefs of staff (generally called service chiefs in Zimbabwe) who had issued a public statement warning that they would not salute or support a presidential candidate whose liberation war credentials were questionable, a thinly veiled threat to the MDC's Morgan Tsvangirai. Part of their threatening statement reads:

To this end, let it be known that the highest office in the land is a 'straitjacket' whose occupant is expected to observe the objectives of the liberation struggle. We will, therefore, not accept, let alone support or salute anyone with a different agenda that threatens the very existence of our sovereignty... (*Zimbabwe Independent*, Harare, 11/01/02).

This statement was viewed by most analysts as '... a serious breach of the laws of the country...', '... an indicator of the grave erosion of the rule of law...', '... treasonous and careless...', '... irresponsible utterances' (*Daily News*, Harare 11/01/02). It was obvious that the service chiefs had been pressured to make the 'blood curdling declarations' (ibid.) when it became evident that the MDC's Morgan Tsvangirai was heading for a landslide victory in the presidential election. The statement was also severely criticised by the SADC leaders who argued that it should have been made by politicians and not by service chiefs. A communiqué issued by the SADC after a summit in Blantyre, Malawi stated in part:

The summit expressed serious concern on the statement made by the Zimbabwe army on the election and urged the government of Zimbabwe to ensure that, in accordance with the multiparty political dispensation prevalent

in SADC, political statements are not made by the military, but by political leaders (*Zimbabwe Independent*, Harare, 18/01/02).

The SADC has, however, been largely ineffective in its attempts to resolve the Zimbabwe crisis. Despite the widespread violence and the use of repressive legislation in the run up to the presidential election, the Blantyre summit of the SADC leaders expressed confidence in Mugabe (*Ibid.*) period. For some time, Zimbabwe's civil society had actively lobbied the SADC to apply pressure on the Mugabe government to end violence, and restore the rule of law. Four representatives of the Crisis in Zimbabwe Coalition were deported from Malawi hours before the Blantyre summit of SADC leaders commenced (*Daily News*, Harare, 17/01/02). An independent Zimbabwe newspaper aptly commented on the Blantyre summit of SADC leaders:

The Southern African Development Community (SADC) has degenerated into a club of dictators and apologists for tyranny... The problem is that most of them are involved in the same game of authoritarianism to varying degree,' said political scientist Masipula Sithole. 'They are generally inclined towards repression' (*Zimbabwe Independent*, Harare, 18/01/02).

Meanwhile President Mugabe had promised the SADC leaders that his government would respect human rights, reinstate the rule of law, ensure the autonomy of the judiciary and safeguard press freedom and civil liberties as well as hold free and fair elections (*Zimbabwe Independent*, *ibid.*). The reputable International Crisis Group (ICG) criticised the SADC for failure to enforce its own protocols: 'SADC has a poor record of enforcing its own rules for members because so many (of them) are in violation at any given time' (*ibid.*). By and large, analysts view the SADC as an accomplice in President Mugabe's repression of his people.

The breakdown of law and order in Zimbabwe resulted in other forms of violence against the people. For example, rape, abduction, kidnapping, arson, and murder became rampant. At least 100 people, mainly supporters of the MDC, are known to have been murdered for political reasons during the election campaign and soon after the polling days (*Zimbabwe Human Rights NGO Forum, Political Violence Report 20–30 April 2002*). In the run up to the election, many ordinary citizens found it difficult to travel in the rural areas without valid ZANU-PF party cards. Those found to be without these cards were beaten up or tortured; or ZANU-PF militia and war veterans, who had set up illegal roadblocks in many parts of the country, refused them permission to proceed on their journey. Further, in many rural areas, schoolteachers bore the brunt of the ZANU-PF violence: many of them had to flee to urban areas for safety. In the Masvingo province, for example, thirty-five schools were closed because all the teachers had fled for personal

safety. The Human Rights NGO Forum's January, 2002 report put it as follows:

Although spontaneous incidents of political violence do occur between groups of party supporters, it is of great concern to the Human Rights Forum that carefully orchestrated violence is still prevalent as part of a *modus operandi* to crush opposition party support. The attack on schoolteachers, whose recognised competence to influence and inform their communities has long been considered a threat by the government, continued unabated. It is lamentable that this violence that also affects school children has been allowed to continue without redress. At times government ministers and officials have been at the forefront of the onslaught which has not only disrupted schooling but has also displaced numerous teachers and their families who have been forced to flee the areas in which they were being prosecuted... The Zimbabwe Teachers Association (Zimta) has also condemned this relentless attack on teachers who are real or perceived MDC supporters (Zimbabwe Human Rights Forum, 19-31 January 2002).

The accusation that most of the violence was state-sponsored was confirmed by the use of state vehicles to ferry war veterans and youth militia from place to place. Indeed, the state provided the youth militia with uniforms, food and places to stay during the election campaign. Further, the Zimbabwe Human Rights Forum, in a report titled *Who Was Responsible?* identifies six government ministers and several ZANU-PF senior officials indicating the specific acts of violence and human rights violations that they were alleged to have committed (*Daily News*, Harare, 31/08/01). The Forum's report substantially confirms the reported cases of violence, torture and other human rights violations.

Out of the 704 victims who reported to the compilers of the report, 609 were MDC supporters, 65 were of unknown political affiliation, 21 belonged to the United Parties, five to ZANU-PF, and six were from the Zimbabwe Union of Democrats (Zimbabwe Human Rights Forum, *ibid.*).

Both the Zimbabwe Defence Forces (ZDF) and the ZRP were also involved in serious acts of violence against innocent civilians in several parts of the country (*The Standard*, Harare 03/02/02). In a 58-page report on violence and impunity in Zimbabwe, Amnesty International observed:

In an attempt to escape accountability for human rights violations through 'deniability', the Zimbabwe government continued to use its 'militias' to abduct and torture individuals who were publicly identified as polling agents during the 2002 presidential election. The evidence in cases documented by Amnesty International and local human rights organisations shows a clear link between the 'militia', the government and the ruling party (Amnesty International, Zimbabwe 2002: 32).

Although Morgan Tsvangirai of the MDC condemned the violence and dissuaded his supporters from retaliating, President Mugabe declined to do the same until much later in the campaign. Ironically, the wanton use of violence as a political weapon against the people was counter-productive as civic organisations began advising the electorate not to vote for those who committed violence against the people. Zimbabweans were shocked by the reality of a liberator turned oppressor. The majority of the electorate therefore became even more determined to rid Zimbabwe of the Mugabe regime. The MDC slogan: 'Change your ways' became the battle cry in both urban and rural areas.

Conclusion

Electoral politics in Zimbabwe carries high stakes. Contestants who belong to the ruling ZANU-PF party experience fewer problems and are more likely to win an election because the whole election machinery is designed and operated in such a manner that it accords them an uneven playing field. On the other hand, opposition political parties and their supporters find themselves at a grave disadvantage and bear the brunt of the government-controlled election machinery. The citizenry is also robbed of its legitimate right to choose its political leaders. Violence is a major instrument for ensuring this electoral outcome. The ZANU-PF, a militant and authoritarian liberation movement that has failed to transform itself into a democratic political party, has been inflicting on the people of Zimbabwe political violence of various forms – beatings, illegal arrests, rape, murder arson, kidnappings and torture. It has further employed electoral fraud to perpetuate its hold on political power. If such political and legal environment should persist, it will be problematic for Zimbabweans to experience free, fair, and democratic elections in the foreseeable future.

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