

ZIMBABWE'S MARCH 2005 ELECTIONS: DANGERS AND OPPORTUNITIES

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On 31 March 2005, Zimbabwe held its parliamentary polls, the sixth since the country gained independence in 1980. These elections were widely viewed by analysts as representing a rare chance to end political tensions and pull the country back from the brink of instability by breaking the political deadlock that has dominated it since the controversial presidential elections in 2002.¹ In recent years, a great deal has been published on what has come to be known as the 'Zimbabwe crisis', a classic case that has reinforced cynical views about the weakness or failure of post-colonial states in Africa.² The current situation is deeply rooted in President Robert Mugabe's politicisation of land-related historical injustices and tensions. Arguably, he did this to stem the tide of the pro-democracy movement and to sustain his Zimbabwe African National Union-Patriotic Front (ZANU-PF) government in power, in the wake of the seizure of white commercial farms from 2000 onwards and the resultant downward plunge of the economy. Although it is obvious that Zimbabwe's political future hinged on these elections, it is now clear that the outcome has been judged to be unacceptable to the parties contesting it, especially the MDC, which has constantly pointed out the lack of a level playing field. Since these elections have failed to gain a degree of national, regional and international acceptability, this paper will question whether this event has given Zimbabwe another opportunity to resolve the political impasse. Current assessments would suggest that this is not so and that Zimbabwe will return to its previous state of political paralysis

Introduction

The prevailing political deadlock between the ruling ZANU-PF government and the opposition Movement for Democratic Change (MDC) harks back to the flawed 2000 parliamentary elections and the 2002 presidential elections, which the MDC claimed were 'stolen'. Since April 2004, after the evident failure of inter-Zimbabwean

dialogue or 'quiet diplomacy', which was mediated by South Africa and supported by key international players including the United States (US), regional actors including the Southern African Development Community (SADC) and South Africa itself, these parties looked to the March 2005 elections as a chance to end the stalemate. This suggested an opportunity to ease the attendant political atmosphere of

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confrontation and counter the risk of civil conflict in Zimbabwe.

Organising and winning a credible election in 2005 - according to the thinking of the ruling ZANU-PF stalwarts - offered a viable strategy for self-rehabilitation and a coming-in from the political cold (the isolation and sanctions imposed by the international community). In June 2004 the government announced that it would soon introduce reforms to the electoral system. It later endorsed the principles and guidelines governing democratic elections promulgated by SADC at its summit in Mauritius in August 2004. But while the government introduced some changes to the electoral system, including setting up the Zimbabwe Electoral Commission (ZEC), establishing an independent election court, and instituting technical reforms focused on procedures for polling day, many analysts dismissed these changes as cosmetic and essentially a ploy to hoodwink the international community.

The repressive system of governance the Mugabe administration introduced during the 2002–2004 hiatus remained intact, making the platform of electoral competition uneven and casting into serious doubt the freeness and fairness of the parliamentary poll held in March 2005. In addition, a plethora of restrictive laws undermined the fundamental freedoms of expression, association and assembly; weakened the opposition; muzzled the media; and emasculated the judiciary. State-sponsored political violence linked to the youth militias and the increasingly political role played by the security forces, the intimidation of government opponents, and the stifling of dissent contributed to a narrowing of the political space. Ironically, shortly before the elections, polling data suggested that the combination of terror tactics and propaganda had not only emboldened and given a new lease of life to authoritarianism, but also improved the popular ratings of Mugabe and the ZANU-PF.³ This occurred despite the economic meltdown in the country, which resulted in desperate economic conditions for the vast majority of Zimbabweans. The existence of a repressive authoritarian system posed serious obstacles to the campaigning activities of the main opposition party, the MDC, during the March 2005 parliamentary elections.

The MDC saw the March elections as a chance to resolve the national crisis, but insisted on full implementation of the SADC principles and guidelines governing democratic elections as a condition for its participation. In February, yielding to pressure from its internal supporters (who argued that the party should not deliver victory to ZANU-PF unchallenged) and to calls from regional and international players that it should take part in the elections, the MDC reversed its poll boycott.

An electoral minefield

The possibility of creating a political environment in which all parties could compete on an equal basis was minimised by the restrictive law regime that exists in the country, which undermined the basic freedoms of association, movement and assembly.⁴ In the aftermath of the controversial elections in 2002, the government used the Public Order and Security Act (POSA) to prohibit and shut down public meetings of the MDC and civil society organisations, to repress dissent, persecute its opponents, and muzzle and even outlaw sections of the media. In August 2004 the MDC made efforts to seek redress from the courts when POSA was employed to bar its leader, Morgan Tsvangirai, from addressing party and public meetings, but the courts were not sufficiently free to pass a non-partisan and meaningful verdict.⁵

The POSA was reinforced by the recently promulgated Criminal Procedure and Evidence Amendment Act (CPEAA). Rigorous application of the Broadcasting Services Act (BSA), together with the Access to Information and Protection of Privacy Act (AIPPA), which requires journalists and media houses to register with the government, curtailed the freedom of the media in general and the free reporting of elections specifically. Under the AIPPA, three papers were closed down, including the leading independent newspaper, the Daily News. The Public Voluntary Organisation (PVO), which requires organisations that provide welfare services and treatment to register and has been in force since 1996, was utilised to deny registration to NGOs deemed not supportive of the government's party.

The ruling party also used its majority in

parliament to pass the controversial Non-Governmental Organisation (NGO) Bill, which provided for the “operation, monitoring and regulation of all non-governmental operations” and tended to criminalise the activities of human rights and governance NGOs.⁶ Although Mugabe, capitulating to international pressure, failed to sign it into law and referred it back to parliament in early 2005, its devastating impact has already been felt by civic groups, which have imposed self-censorship to avoid being outlawed.⁷ The NGO Bill was driven in part by the government’s paranoia about external funding of the MDC and its civic partners, especially the financial support supplied by foreign donors to NGOs dealing with human rights issues. It also restricted the capacity of these groups to undertake civic education programmes.⁸ The provisions of the Bill include the stipulation that “foreign non-governmental organisations that are providing food will not be able to continue doing so without restriction”,⁹ because they threaten the government’s monopoly over food distribution, which is a valuable source of patronage and influence over voters. Sadly, as a result of the legislation, some 10,000 jobs in the NGO sector are at risk of being lost, at a time that the country’s unemployment has risen to over 70 per cent.¹⁰

Political violence

Far from maintaining a professional distance from politics, Zimbabwe’s security forces – the police and the Central Intelligence Organisation (CIO) – are dominated by war veterans who are members of ZANU-PF. They have publicly declared that would not salute a president who was not a veteran of the anti-colonial war, a tacit reference to the leader of the MDC, Morgan Tsvangirai.¹¹

While this party–military nexus helped stabilise the state and shielded the government from any possible military takeover, the politicisation of the armed forces is a serious impediment to democratic transition. In the past four years the police, army and air force have been called upon to crush political demonstrations. In addition, the CIO, which under the Minister of State for National Security in the President’s Office is responsible for internal and external

security, has been widely used to monitor and punish dissent.¹² While there was a remarkable decline in political violence ahead of the March 2005 elections, physical intimidation by the security forces marred the seven by-elections that have been held since the 2002 presidential poll. In April 2004, the ruling party used intimidation and violent tactics to win an MDC parliamentary seat in Harare.¹³ The security forces were involved in the arbitrary detention of opposition politicians, the dispersal of MDC rallies and assaults on civilians, especially in the low-income suburbs of Harare and Bulawayo. The result was a traumatised and intimidated citizenry, and an environment of psychological fear that undermined free participation in the electoral process.¹⁴

In addition to the coercive role played by the security mechanisms of the state, political violence is linked to the training of the youth militias, which implicitly incites them to the use of physical force. As part of President Robert Mugabe’s strategy for youth mobilisation before the 2005 parliamentary election, in the middle of 2004, he warned the ZANU-PF youth league that if his party lost the election they would be directly answerable. It is estimated that more than 40,000 youth militia have graduated from the national youth training centres, also known as “Border Gezi” (after a former ZANU-PF Secretary for the Commissariat and Minister of Youth and Employment).¹⁵ The training of young people to fulfil a quasi-military role is firmly part of ZANU-PF’s electoral matrix. In 2002 the government made public its plan to establish 35 youth training centres nationwide and to increase its budget allocation to the National Youth Service Programme from Z\$418 million (about US\$79 million) in 2002 to Z\$2 billion (US\$380 million) in 2003.¹⁶ The idea of such training is not unique to Zimbabwe, but the government has exploited the vulnerability of the mass of poverty-stricken and unemployed young people who are lured into the national youth service by the promise of salaries, food and clothes, to create an army of pawns in their political chess game. Equipped with skills which can be applied to suppress and even torture supporters of the opposition, these young Zimbabweans have been responsible for the use of violence to ring-fence rural areas as ZANU-PF

'zones'.¹⁷

Besides being used to monitor public dissent, members of the militias have undertaken an array of political projects. These range from ensuring compliance with government price controls and distributing food for the Grain Marketing Board (GMB) to setting up roadblocks,¹⁸ torturing opposition loyalists, and destroying their property. For example, in August 2004 ZANU-PF youths abducted and assaulted Mbare Mutukwa, an MDC official, rendering credible the widespread suspicion that the government has been training these young people to create a private army that can be used to its electoral advantage.¹⁹ International organisations such as the Geneva-based International Parliamentary Union (IPU) have in the past called on the government to ensure a violence-free electoral environment by immediately putting an end to the recruitment of party militias.²⁰

A dangerous game: Land and food politics

Zimbabwe's troubled economy inevitably became part of electoral politics ahead of the March 2005 parliamentary contest. Before the election, Reserve Bank's governor Gideon Gono announced that the new monetary policies he had introduced had brought inflation down from an annual rate of 624 per cent in January 2004 to less than 130 per cent in January 2005. However, this was widely viewed as an electoral gimmick: the prices of fuel, food and other basic necessities have skyrocketed since the election. More than 75 per cent of the population live below the poverty line, in spite of Gono's claims.²¹ The production of traditional crops for export, such as tobacco, has plunged to an all-time low of 60 million kilograms this season (from a peak of 220 million five years ago), leading to a serious deficiency of foreign currency. This has been reflected in the long queues for fuel and the soaring prices of food, which many can no longer afford to buy. In addition, the country is experiencing serious shortfalls in food production that are directly linked to the recent droughts and to the fast-track land redistribution programme.

The government has adopted measures such

as banning increases in school fees and imposing restrictions on the ability of local authorities to increase tax rates, in order to win popular support. It has also used the land issue as an electoral tool, by dangling the promise of land allocations like a carrot in front of MDC leaders, to induce defections and extend its patronage network. In early September 2004 Harare's executive mayor, Sekesai Makwarara, decamped from his party and joined the ranks of ZANU-PF after reportedly having been granted land the previous month.²² Land has also been a crucial instrument in maintaining the loyalty of the military and the police, who have been given large swathes of farmland and urban plots.

Food as a political weapon

On 12 May 2004 President Mugabe's government told donors that Zimbabwe would not require food aid in 2004–2005, as it anticipated a bumper harvest.²³ In an interview with Sky News, the president disclosed that the country would halt food imports in the light of an anticipated harvest of 2.4 million tonnes of maize.²⁴ (Zimbabwe consumes at least 100,000 tonnes of this staple cereal per month, about 1.2 million tonnes a year. In addition, the country requires 600,000 tonnes for its strategic grain reserve stock.) Despite the president's claim, it soon became clear that the country was facing serious food insecurity. The UN Food and Agriculture Organisation (FAO) and the World Food Programme (WFP) survey report in July 2004 predicted a deficit of 325,000 tonnes of maize.²⁵ The Zimbabwe Vulnerability Assessment Committee (ZimVAC) report indicated that 2.3 million people in rural areas would need food aid in 2004–2005. Government sources such as the bipartisan Portfolio Committee on Lands and Agriculture, set up by parliament in August 2004 to verify government crop yield estimates, gave conflicting figures on the last maize harvest. In spite of the government's assertion of food sufficiency, an August 2004 report of the Bulawayo Council indicated that 125 people had died of hunger and malnutrition-related causes in the March–July 2004 period.²⁶ The executive mayor of Bulawayo, Ndabeni Ncube, and the Director of Health, Dr Zanele Hwalima, confirmed in September that deaths

associated with food shortage in the famine-stricken opposition stronghold of the Bulawayo province had increased to 161. The government responded to these reports by threatening the Bulawayo City Council with 'drastic action' for releasing the statistics.²⁷ However, at a meeting on 1 June 2005 with the UN envoy on humanitarian needs, James Morris, Robert Mugabe accepted UN food aid in a retreat after declaring only two months previously that his cash-strapped government had enough resources to avert looming starvation in the country. Morris said: "President Mugabe accepts and welcomes food aid from the United Nations but it's not immediately clear how much is needed because we are meeting with relevant [government] ministers to work through the numbers. We will be able to establish the fuller details as we go along."²⁸

Things falling apart?

In May 2004 President Mugabe announced that he would not seek re-election in 2008 and might retire before then, adding the rider that he was having difficulty in identifying a successor.²⁹ The announcement sparked off a vicious power struggle that threatened to rip ZANU-PF apart, both during and after the December 2004 party congress. The contest in ZANU-PF primarily revolves around the old guard's refusal to hand over political power to a new crop of youthful politicians and Mugabe's indecision over naming a successor. However, the immediate trigger for the current crisis within ZANU-PF was the need to fill the vice-presidential position that had been left vacant by the death of Simon Muzenda in October 2003. Ambitious leaders in the party felt that the second vice-presidential slot, currently held by the ageing and frail Joseph Msika, was also open to contestation.³⁰

The ethnic factor

The scramble for the presidency opened serious ethnic and intra-ethnic cleavages. Although efforts have been made to ensure equitable power-sharing between the Shona and the Ndebele, most members of Mugabe's inner circle hail from his Shona sub-group, the Zezuru.

At the intra-ethnic level, the contest matched the two principal rival Shona sub-groups, the Karanga, who mainly occupy Masvingo and Midlands provinces, and the Zezuru, who come from the Mashonaland Central, East and West provinces.³¹

The Zezuru faction is led by a retired army general, Solomon "Rex" Mujuru, a long-standing ally of Mugabe. To counteract the Karanga faction, the Zezuru group has forged alliances with such influential Matabele politicians as John Nkomo (ZANU-PF's chairman) and Dumiso Dabengwa, a former commander of the Zimbabwe People's Revolutionary Army (ZIPRA), the armed wing of the Zimbabwe People's Union (ZAPU), and a ZANU-PF politburo member. On the other side, the Karanga faction, which is closely identified with Emmerson Mnangagwa, another long-established ally of the president and the secretary of the ZANU-PF administration, feels that it is their 'time to eat', since the Zezurus have controlled most of the national cake for many years. The Zezuru faction have made attempts to taint Mnangagwa's record by covertly making known his role, when he was state security minister, in masterminding the *Gukurahundi*, a military assault against ZAPU during which the army slaughtered more than 20,000 people in Matabeleland in the 1980s. Additional damage was done to Mnangagwa's faction by a number of adverse press reports on his alleged role in the looting of diamonds and other resources from the Democratic Republic of the Congo during Zimbabwe's intervention in that country's war.³²

The anti-corruption campaign that the Mugabe government launched became a handy weapon in the internecine party war. Solomon Mujuru is a key member of the committee investigating ZANU-PF companies.³³ The vast majority of those implicated in corruption scandals have been indirectly linked to Mnangagwa, including three directors tied to ZANU-PF companies: Dipak Padya, Jayant Joshi and Manharlal Joshi, who have fled to the UK.³⁴ In August the government seized a mining empire owned by Mutumwa Mawere, a businessman who built his fortune partly through Mnangagwa's political patronage. The reactions to the probe became increasingly violent and

partisan. At one point Mnangagwa threatened to shoot policemen who sought to interview him about his alleged involvement in gold-smuggling. He has since warned his detractors that he will not go down alone.

At inter-ethnic level, the minority status of the Ndebele is proving an additional hurdle for their leaders. Under the terms of the ZANU-PF/ZAPU Unity Agreement of 1987, one of the two vice-presidents must be an Ndebele from ZAPU and the other a Shona from ZANU. This power-sharing arrangement has disadvantaged ambitious Ndebele such as the ZANU-PF chairman and Speaker of Parliament John Nkomo, who want to enter the race for the presidency. Because the second vice-presidential slot is already occupied by a former ZAPU stalwart, Msika,³⁵ the vacant position is reserved for a Shona.

Generational and gender factors

The struggle for leadership of ZANU-PF was characterised by attempts to use generational differences to trump ethnicity by a small but vociferous group of 'Young Turks', which included the fiery former Information and Publicity Minister, Jonathan Moyo; the Minister of Agriculture, Joseph Made; and the former Justice Minister, Patrick Chinamasa. This faction attempted to exploit its previous control of the media to project itself as representative of a new youthful ZANU-PF and to denigrate other potential successors to Mugabe.

Solomon Mujuru's Zuzuru faction astutely played the gender card to blunt the generational challenge and out-manoeuvre its ethnic rivals. On 5 September 2004 the ZANU-PF Women's League congress passed a resolution urging that a woman should fill the vacant vice-presidential post.³⁶ Mugabe's wife, Grace, endorsed the resolution, which was taken as an indication that the president himself might be supportive of the move.³⁷ On 22 November ZANU-PF announced it was nominating Joyce Mujuru, the Minister for Water Resources and Infrastructural Development, for the position.³⁸ Besides being Solomon Mujuru's wife, Joyce Mujuru is a heroine of the war of liberation. She has also earned great credibility by being Zimbabwe's longest-serving cabinet minister.

In what has been dubbed 'the night of the

long knives', on the eve of the opening of the party's congress, which was to be held from 1 to 5 December, the Mujuru faction stepped up the pressure for a woman candidate to be chosen for the position of vice-president. This would also block the candidacy of Mnangagwa.³⁹ In a counter-manoeuvre, the Mnangagwa camp joined ranks with the Young Turks and pushed for the retirement of the ageing Msika to create a second vacancy.⁴⁰ At the famous Tsholotsho meeting (so called after Jonathan Moyo's home constituency, where the meeting was held), the stage was set for a classic palace coup, which was intended to see the replacement of all positions in the Presidium, except Mugabe's, by Tsholotsho members.

The plan, however, was nipped in the bud. ZANU-PF announced that it was re-nominating Msika as first vice-president and Joyce Mujuru as second vice-president. All members of the Tsholotsho camp were reprimanded and those holding key positions in the party politburo were demoted or removed from their positions. Analysts interpreted this as the silencing of the party's 'hawks' and the elevation of its 'doves'. The election of Joyce Mujuru has been hailed as a positive step towards grooming a moderate leader as Mugabe's possible successor, although some view her as a pawn in a political game that is being played by men. The possible elevation of John Nkomo (who is ZAPU and Ndebele) in the future to replace Msika is considered the final step that would usher in a team of moderates to lead a ZANU-PF that is committed to political and economic reform.

However, the party emerged from the fray badly divided, and Mugabe has increasingly become a factional leader. The key positions in the party, government and security forces are now held by members of his Zuzuru group and by fellow veterans.

Domesticating SADC'S electoral guidelines

On 7 September 2004, against the backdrop of domestic and international pressure to comply with the principles and guidelines for democratic elections that had been adopted in Mauritius by SADC the previous month, the Zimbabwean

government introduced a bill to create the independent Zimbabwe Electoral Commission (ZEC). Mugabe signed both the Election Bill and the Zimbabwe Electoral Commission Bill into law in January 2005. The commission's remit is not only to organise and supervise all presidential, parliamentary and civic elections and referendums, but also to control the registration of voters; ensure the proper custody and maintenance of voters' rolls; design, print and distribute ballot papers; procure ballot boxes; and establish and operate polling centres. The ZEC is also to conduct voter education programmes and give accreditation to local and international observers of elections and referendums.⁴¹

The nomination of members to the Independent Commission was hailed as "fairly independent" and non-partisan. But the main threat to its effectiveness was the slow pace of its implementation, including the setting up of an office and developing the capacity to fulfil its numerous functions. It was further hindered by the existence of other institutions and authorities, some of them with overlapping functions, which are also involved in the electoral process and have the backing of the law. These include the Registrar General's office, the Delimitation Committee and the Election Supervisory Committee. The independence of the election management body was viewed as essential to the credibility of the outcome.

But electoral reforms and the existence of the commission would never have been sufficient to ensure that the elections were free and fair. This is mainly because it can be argued that in the last election the ZEC was not operating within a free political environment. It is now clear after the 2005 poll that further electoral reforms will need to be accompanied by comprehensive political reforms, which will grant equal status to all parties and tolerance of opposing views.

The MDC: The hazards experienced by opposition parties

Since the MDC celebrated its fifth anniversary on 11 September 2004, its resounding defeat at the polls has raised serious questions about

its ability to offer a realistic alternative to the Mugabe/ZANU-PF government.⁴² The government has proved adept at using the twin tools of coercion and co-option to undermine the MDC's solidarity and has effectively reviled it as the stooge of foreign interests hostile to the Zimbabwean liberation struggle.

As propaganda took its toll on the MDC, the party began to show cracks at leadership level. The tactical divisions that emerged undermined its ability to strategise and find ways to take on the ZANU-PF juggernaut. A recent well-researched study by the South Africa-based Institute for Security Studies (ISS) identified two broad factions in the MDC⁴³. The first is identified with Morgan Tsvangirai and the national executive council, most of whose members failed to win parliamentary seats in 2000. The preferred tactics of this wing favour the use of trade union-style mass action to oust Mugabe from power. Apart from driving the abortive mass action campaign code-named the "final push", which was brutally crushed by the security forces in April 2003, this faction was at the forefront of those pushing for a boycott of the 2005 elections.

The second grouping, led by the MDC's Secretary General, Welshman Ncube,⁴⁴ gives priority to talks with ZANU-PF to resolve the political impasse, which its members believe arises primarily from the question of political legitimacy. They consider that a negotiated solution would be quickly followed by governance and economic reforms, a return to rule of law and an end to the humanitarian crisis.⁴⁵ It was anticipated by many observers that after the March elections, this group would play a pivotal role in steering Zimbabwe out of crisis by entering into post-election talks aimed at national reconciliation. This prospect seems increasingly remote as the ruling party, buoyed by its landslide victory at the polls, looks to entrench its dominance while simultaneously marginalising the opposition. Mugabe has unequivocally ruled out any chance of talking to the MDC and snubbed the appointment by the African Union Chairman, Nigeria's Olusegun Obasanjo, of former Mozambican president, Joachim Chissano, to broker the Zimbabwe stalemate.

The political cost of the election boycott

The cost of trade-union-style militancy was the loss of the party's urban clout. For example, by urging a mass resignation of its civic leaders from Harare municipality in November 2004, the MDC effectively surrendered its strongest power-base to ZANU-PF, which quickly appointed a committee to run the city. As noted, in August 2004 the MDC announced that it would not participate in the forthcoming by-elections and the March 2005 elections unless ZANU-PF implemented in full the SADC electoral principles and guidelines. The ruling party responded by stating that even though it would proceed with the elections with or without MDC participation, it would comply with the principles and guidelines.⁴⁶

The declaration that the MDC intended to boycott the elections exacerbated divisions within the party, with some parliamentarians arguing that the decision had been taken exclusively by the executive council, with insufficient advance consultation. Legislators such as Trudy Stevenson and Job Sikhala openly dismissed a boycott as being out of the question and declared that they intended to contest the 2005 elections. The MDC's civil society allies also expressed reservations about the exclusionary and non-consultative manner in which the decision had been taken. For instance, the chairman of the National Constitutional Assembly, Dr Lovemore Madhuku, told the author that the most rewarding tactic the MDC could have adopted would have been to push for appropriate constitutional reform rather than a boycott.⁴⁷ The business sector likewise indicated its unhappiness over the boycott, which it saw as potentially hampering its efforts to attract the foreign investment needed to resuscitate the economy.⁴⁸

The confrontational nature of politics in Zimbabwe eased somewhat after the acquittal by the High Court in Harare on 14 October 2004 of Morgan Tsvangirai, who had been charged with treason. This created an opportunity for talks and attempts to close the gap between the rival MDC and ZANU-PF.⁴⁹ The acquittal was also directly responsible for a toning down of MDC rhetoric and the remarkable decline in incidents of political violence before and

during the election. Tsvangirai himself took up a less belligerent stance, calling for national reconciliation and dialogue with ZANU-PF and reiterating to President Mbeki of South Africa and Prime Minister Bérenger of Mauritius that the MDC were willing to take part in the elections if the SADC principles and guidelines were implemented in full.⁵⁰ The acquittal also offered another chance for regional players such as South Africa to revive the stalled inter-party talks in advance of the elections.⁵¹ Accordingly President Mbeki convened numerous meetings with the Zimbabwean government and the leaders of the MDC.

Another benign effect was that the MDC embarked on internal consultations, which led to the reversal in early February of the party's earlier decision to boycott the elections.

Regional actors and initiatives

The Southern African Development Community has been increasingly vocal in calling attention to the ZANU-PF government's deviations from the rule of law and good governance, although South Africa, its most prominent member, continues to avoid direct criticism.⁵²

The Protocol on Principles and Guidelines Governing Democratic Elections adopted by the organisation's 14 heads of state at their August 2004 summit has, as described above, become the focus of much of Zimbabwe's internal political manoeuvring and of international activity. The protocol, which has been hailed as a landmark in the democratisation of the region, was substantially inspired by the African Union's Declaration on the Principles Governing Democratic Elections in Africa.⁵³ Signatories to the SADC protocol are expected to adhere to nearly a dozen core principles. These range from ensuring the full participation of citizens in the political process, freedom of association, political tolerance, and elections at regular intervals to guaranteeing equal access to the state media for all political parties and providing all citizens with the right to vote and to run for office. Other requirements are to ensure an independent judiciary and impartial electoral system, and to provide voter

education.⁵⁴ Political parties are obliged to accept and respect those election results that are proclaimed free and fair by competent national electoral authorities, in accordance with the law of the land, but are also to be guaranteed the right to challenge results.

The most innovative part of the protocol (which should have had considerable relevance for Zimbabwe's March 2005 elections) is the provision for a SADC observer mission, the mandate and operational guidelines of which are set out in detail. The protocol also defines in explicit detail the responsibilities of the member state that is conducting the elections. The SADC observer mission, in the final assessment of their performance, seemed to have been driven by political imperatives (especially its rather obfuscating position that the Zimbabwe political impasse is a direct product of land seizures and the country's efforts to follow black political power with economic power) and not by a clear-cut requirement to deliver a even-handed and technical assessment of compliance based on the guidelines established in the protocol.

The SADC principles and guidelines, while providing a useful framework within which domestic groups and governments could press ZANU-PF to level the electoral playing field, were not legally binding. Nor did they come equipped with penalties for non-compliance, though President Mbeki pointed out that "the SADC Treaty gives the possibility for member states of the community to be excluded from the regional body if they are found to be in violation of the treaty".⁵⁵ Getting the Mugabe regime not only to reform the electoral system comprehensively but also to initiate the extensive political reforms required to rescind restrictive laws will require concerted efforts by as wide a range of regional and other international actors as possible.

South Africa: Ties that blind

Undoubtedly, South Africa has emerged as the most influential external actor in the Zimbabwe crisis. In the aftermath of the disputed presidential elections in 2002, it advocated an inter-Zimbabwean dialogue between ZANU-PF and the MDC as the most likely means of resolving the political impasse. In July 2003,

when the American president, George Bush, visited South Africa, Mbeki undertook to find a solution to the crisis in Zimbabwe within a year, via the resumption of inter-party talks.

However, although South African mediators got the two sides to engage in informal dialogue, the June 2004 target passed without significant change. The Director General for the Department of Foreign Affairs, Ayanda Ntsaluba, said that the meetings were going nowhere, because neither the MDC nor ZANU-PF felt the need for consultation with the other. South African Deputy Foreign Minister Sue van der Merwe said in August 2004 that the ZANU-PF by-election victories and its increasing focus on the March 2005 elections were partly responsible for the collapse of the talks.⁵⁶ While conceding that the meetings have not produced tangible results, officials deny that there is nothing to show for their efforts.⁵⁷ South African government insiders argue that in 2002 Zimbabwe was on the brink of anarchy and that their diplomacy defused tensions, buying time to work towards gradual reform. "Transforming a totalitarian regime into a democracy is far easier and less costly in terms of lives and resources than getting a country out of anarchy and introducing democracy," said one official.⁵⁸ Other South Africans said approvingly that Zimbabwe is more stable today than it was two years ago.

South Africa's position as a mediator has been hampered by discord and policy disagreements on the Zimbabwe question. South Africa's ruling African National Congress (ANC) party appears to have been nudging ZANU-PF stalwarts to move faster on reforms by opening up society and restoring democracy to defuse domestic and international opposition. Since June 2004 the ANC has received ZANU-PF delegations.⁵⁹ It is alleged that at one of these meetings, the leader of the ZANU-PF contingent, John Nkomo, a moderate, asked for and received some sort of assurance that the ANC would help the party secure a convincing majority in the March 2005 parliamentary elections.⁶⁰ While the ANC-ZANU-PF connection has been taken by critics as the reason for South Africa's pro-Mugabe position and moderate approach to the Zimbabwe crisis, it has not been welcomed by all party members: this tie

has caused ripples within the ANC.⁶¹

In contrast to the official policy adopted by the ANC, South Africa's civil society has taken a more hardline position on Zimbabwe since the onset of the current crisis in 2000. Although the South African Christian church supported its counterpart in Zimbabwe in putting pressure on ZANU-PF to open up society, it has become more conciliatory. For example, the South African Council of Churches (SACC) made a plea to both ZANU-PF and the MDC to join a forum for a dialogue that would be similar to South Africa's Convention for a Democratic South Africa (CODESA). The Congress of South African Trade Unions (COSATU), on the other hand, adopted a more aggressive stance in defending the MDC and calling on Zimbabwe's government to respect human rights. In late October 2004 COSATU's decision to send a 'fact-finding' mission to Zimbabwe to ascertain whether conditions exist for free and fair elections (and the mission's deportation shortly after its arrival) seriously embarrassed its ANC partners and the Mbeki government.⁶² In February COSATU made another abortive effort to send a fact-finding party, but managed only to hold a border meeting with its Zimbabwe counterpart, the Zimbabwe Congress of Trade Unions (ZCTU). In contrast, the announcement by the white-dominated Democratic Alliance (DA) of South Africa that it would follow in the footsteps of COSATU and send a mission to Zimbabwe stirred up racial sentiments that helped ZANU-PF rather than the opposition. Although the South African business community – which has recently invested in mining, property and farming business⁶³ in Zimbabwe – has kept a low profile, it has vested interests in ensuring a return to normality in Zimbabwe. It is therefore likely to exert pressure on the South African government to step up its role in resolving the political stalemate in Zimbabwe.

The African Union: Bark, but no bite

Since June last year, the AU has become more vocal about Zimbabwe's deteriorating human rights situation. On 3 July 2004, the AU Executive Council at foreign minister level adopted a report by the Commission on

Human and People's Rights, which had visited Zimbabwe two years earlier (24–28 June 2002) and which was highly critical of the Mugabe government's human rights record. Although the report was referred back to Harare for further consultation, with the notation that the Zimbabwe situation was a political crisis that required negotiations at the highest level, it was recently adopted by the AU at its summit in Abuja, Nigeria.⁶⁴ This has increased pressure on Zimbabwe to show greater respect for human rights to avoid isolation by this powerful regional body.

Although Nigeria lacks the clout that South Africa has in Harare, it is without doubt a major player in African regional politics and has been a very vocal critic of Zimbabwe's human rights record.⁶⁵ As one of the underwriters of recent regional initiatives, including the New Partnership for Africa's Development (NEPAD) and its Peer Review Mechanism (APRM), Nigeria feels that Zimbabwe is endangering their credibility.⁶⁶ Being the current chair of the Commonwealth's Heads of Government Meeting (CHOGM), Nigeria is also responsible for assessing whether Zimbabwe has made enough progress on good governance for its membership of that body to be revived.⁶⁷

International actors

The European Union

The European Union (EU) and its member states rested their hopes for an improvement in Zimbabwe on the outcome of the 2005 parliamentary elections. Since 2002 the EU has maintained sanctions targeting 95 key individuals in the Zimbabwe government and ruling party. These include Mugabe, his vice-presidents, cabinet ministers, leaders of ZANU-PF and the uniformed services, as well as family members, although the travel ban in particular has not always been airtight.⁶⁸ A number of EU member states, such as Sweden, have recently intensified their expressions of concern over the deterioration in Zimbabwe's political, social and economic situation.⁶⁹

The United Kingdom (UK), the former colonial power, has been the most active.

However, its rhetoric has oscillated between calls for regime change and more moderate expressions of the need to restore the rule of law through free and fair elections. Thus, Prime Minister Tony Blair recently told the House of Commons:

[W]e work closely with the MDC on the measures that we should take in respect of Zimbabwe, although I am afraid that these measures and sanctions, although we have them in place, are of limited effect on the Mugabe regime. We must be realistic about that. It is still important that we give every chance to, and make every effort to try to help, those in South Africa – the southern part of Africa – to put pressure for change on the Mugabe regime, because there is no salvation for the people of Zimbabwe until that regime is changed.⁷⁰

Britain's comments on Zimbabwe have been remarkably low-key, stressing instead its partnership with Zimbabwean society.⁷¹ Although Mugabe announced an 'anti-Blair campaign' in February, Britain has not fallen into the trap of responding to this nationalist rhetoric. This has aided the cause of the opposition.

The United States

Since the beginning of the current crisis in 2000, Zimbabwe has occupied a fairly prominent place on Washington's Africa agenda. In spite of this, the Bush administration - which imposed targeted sanctions against senior Zimbabwe government and party figures that are similar to those of the European Union (EU) - has consistently appeared divided over how to act to bring about a return to democracy and the economic revival of the country.⁷² As noted earlier, the US has tended to support a position appreciative of South Africa's policy of quiet diplomacy, rather than pursue a forceful position of its own.⁷³ For most of the year after President Bush's visit to South Africa in July 2003, the US appeared to count on South Africa to find a viable solution to the Zimbabwe crisis. As late as July 2004 – after the expiration of the twelve months within which Mbeki had predicted success – the Assistant Secretary of State for African Affairs, Charles

Snyder, said: “[T]he jury is still out as to whether South Africa has done enough to help resolve the crisis.”⁷⁴

In September, however, the new US ambassador to South Africa, Jendayi Frazer, expressed a more sceptical attitude: “It’s not evident that [quiet diplomacy] is working at this point. There is clearly a crisis in Zimbabwe and everyone needs to state that fact. The economy is in a free fall. There is a continuing repressive environment. There needs to be a return to democracy.”⁷⁵ In her first address to journalists in Johannesburg, she called on countries in the region to acknowledge the crisis and to form a “coalition of the willing” to push for regime change.⁷⁶

In contrast, the then Secretary of State, Colin Powell, spoke more cautiously of “regime restoration” at the swearing-in ceremony of the new ambassador to Zimbabwe, Christopher Dell. Describing the Zimbabwe crisis as a danger to its own citizens, “a drain on the region” and “a calamity-in-the-making for the international community”, Powell called for concerted efforts by Zimbabweans, SADC members and the wider international community, while noting that the problems transcend any one man (meaning Mugabe).⁷⁷ Arguing that the constitutional foundations of a pluralist democracy exist in the country, he stated that “[t]he political regime in Zimbabwe has been degraded, but its constitutional basis remains intact. Zimbabwe needs regime restoration. It needs to restore the rule of law, and the country’s former pluralist life.”⁷⁸ Powell said Dell was going to Harare:

... not to accuse or complain, not to point fingers or make demands. We’re sending him to work with Zimbabweans to build a society that respects the rule of law and human rights, that cares first and foremost about the wellbeing of its citizens, and that contributes to regional peace and stability.

And he urged Mugabe to adjust his course and restore his status as a great African leader before it was too late.⁷⁹

Speaking at her confirmation hearing in January 2005, the new US Secretary of State, Condoleezza Rice, named Zimbabwe as one of the “outposts of tyranny” in the world (together

with Cuba, Myanmar and Belarus). While this catapulted Zimbabwe back onto the global radar screen, it also signified what appeared to be a hardening of the American position towards Zimbabwe. Inside Zimbabwe, Secretary Rice's remarks were viewed as expressing support for its repressed civil society, though they also pushed the ZANU-PF leadership to step up its anti-West rhetoric in the run-up to elections.

Conclusion

Recently, President Mugabe's government has made some attempts to respond to the pressure exerted by Zimbabwean stakeholders, regional actors and the wider international community to dismantle some aspects of its repressive system of governance, introduce reforms to the electoral system, and ensure an environment conducive to transparent elections. This opening needs to be exploited, to reduce the high level of political tension and pull Zimbabwe from the brink of conflict. The need for new strategies and understanding has been captured by Morgan Tsvangirai: "Zimbabwe needs a new start. Zimbabwe needs a new beginning."⁸⁰ While the ruling party is torn apart by internal power struggles, the opposition needs to unite behind a common strategy and set of tactics if it is to provide a credible and viable alternative.

Mugabe is still very much considered a great African and statesman, and African leaders remain highly sensitive to criticism of him from outside Africa. Significantly, the same Southern African Development Community (SADC) summit that adopted the protocol on election principles and guidelines in August 2004 was marked by sharp criticism of Western policies on Zimbabwe.⁸¹ Uganda's president, Yoweri Museveni, on a solidarity visit to Harare, dismissed regime change as an option for Zimbabwe, saying: "[I]t can't be for black Africa. It cannot happen here."⁸² Mugabe, when accepting the credentials of the new UK, US, Australian and Nigerian heads of mission, reacted to Ambassador Frazer's comments by threatening that "we will turn our people into guerrillas again should the need arise."⁸³ If Zimbabwe's Western partners, including the US, the UK and the European Union (EU), are to be effective in resolving

the political crisis, they will need to tone down their rhetoric and support solutions designed by African leaders. Colin Powell's idea of regime restoration resonates well in Africa and could lead to partnerships with regional players which might help to resolve the crisis.

Mugabe and ZANU-PF, who have managed to polarise the political environment in Zimbabwe into a contest between nationalists or patriots and colonialists/imperialists and their 'puppets', pay most heed to African institutions such as Southern African Development Community (SADC) and the AU and their member states, especially South Africa. These groupings, if they are backed by Western partners, have a chance of offering solutions to the political impasse in Zimbabwe. These partners must press not only for technical electoral reforms but for political change, including the repeal or amendment of repressive legislation.

Notes

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- 2 See P Bond & M Munyanya, *Zimbabwe's plunge: Exhausted nationalism, neo-liberalism and the search for social justice*, University of Natal Press, Pietermaritzburg, 2002; S Chan, *Robert Mugabe: A life of power violence*, Tauris, London, 2003; and G Hill, *The battle for Zimbabwe: The final countdown*, New Holland, 2003 and Struik Publishers, 2005.
- 3 See A Chikwanha, T Sithole & M Bratton, *The power of propaganda: Public opinion in Zimbabwe*, 2004, Afro-Barometer working paper 42, 2004.
- 4 See World Organisation Against Torture, Open letter to Mr Robert Mugabe, President of the Republic of Zimbabwe, 13 August 2004.
- 5 MDC takes POSA to court, *Zimbabwe Independent*, 13 August 2004. The police denied Tsvangirai permits to address campaign meetings in the rural areas of Bikita East, Bikita West, Masvingo North, Gutu South, Gutu North, Gokwe Central, Gokwe East, Gokwe West, Kadoma Central, Silobela and Hwedza.
- 6 A Tsunga & T Mugabe, *Zim Bill: Dangerous for human rights defenders*, Zimbabwe Lawyers for Human Rights, 2004.
- 7 See N Ncube, *NGO Bill declared unconstitutional*, *Financial Gazette* (Harare), 18 November 2004; and Amnesty warns on Zimbabwe NGO Bill, South African Broadcasting Corporation (SABC), 19 November 2004.
- 8 Interview, February 2005.
- 9 Interview with an official of the South African Non-Governmental Organisation Council (SANGOCO), September 2004.

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- 12 Soldiers have reportedly abducted, tortured and carried out extra-judicial killings of opposition members at the behest of, and in support of, the ruling party; US Department of State, *Zimbabwe: Country report on human rights practices*, 25 February 2004.
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- 20 IPU confirms systematic harassment of the political opposition, ZWNEWS.com, 2 September 2004.
- 21 F Njini, Navigating Zimbabwe's political terrain, *Financial Gazette*, 10 October 2004.
- 22 ZANU-PF rewards mayor with farm, ZimOnline, 10 September 2004, <www.zimonline.co.za>.
- 23 See Zim will not require food aid: Mangwana, *The Herald*, 12 May 2004; and Zimbabwe predicts good harvest, *The Herald* (Harare), 14 May 2004.
- 24 Interview with President Mugabe, Sky News, 15 May 2004.
- 25 *The politics of food assistance in Zimbabwe*, Human Rights Watch Short Report, 12 August 2004, p 6. See also *Not eligible: The politicisation of food in Zimbabwe*, A Human Rights Watch Short Report, October 2003.
- 26 Sixty-three people died in March, 21 in May, 12 in June and 29 in July; S Kwinika, Hunger claims more lives - children worst victims of malnutrition, *The Zimbabwe Standard*, 8 August 2004.
- 27 S Kwinika, Nine more die as food crisis deepens, *Zimbabwe Independent*, 13 September 2004.
- 28 Mugabe in embarrassing climb down on food aid, ZimOnline, 1 June 2005.
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- 30 Interview with a senior ZANU-PF leader, September 2004.
- 31 The fight for higher office, *Mail & Guardian*, 27 August 2004.
- 32 Interviews with a Zimbabwean political analyst, September 2004.
- 33 Ibid, August 2004.
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- 37 Ibid.
- 38 Mujuru nominated VP, *The Herald OnLine*, 23 November 2004.
- 39 Interview with a ZANU-PF leader, September 2004.
- 40 Interview with a civil society leader, August 2004.
- 41 Government adopts Electoral Draft Bill, *The Herald*, 8 September 2004.
- 42 Interview with senior MDC officials, November 2004.
- 43 C. Maroleng, "Zimbabwe's Movement for Democratic Change: Briefing notes". *Situation Report*. Institute for Security Studies. 3 May 2004.
- 44 Adherents include the MDC's secretary general, Welshman Ncube, and most of the party's parliamentarians, including National Executive Council members who won seats in 2000. The latter have played a key role in the South Africa-mediated inter-party talks with ZANU-PF. They have a powerful ally in South Africa's ANC leadership. Ncube is said to have unhindered access to President Thabo Mbeki and to others at the highest levels of the ANC.
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- 46 Mugabe slams door on talks, ZimOnline, 7 September 2004, <www.zimonline.co.za>.
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- 66 In June 2004, Nigeria's foreign minister, Oluyemi Adeniji, chaired the meeting of the AU's Executive Council at which the report severely critical of Zimbabwe's human rights record was tabled. As a result of the cooling in relations, the new Nigeria envoy to Zimbabwe, Anthony Ufumwen Osula, who was appointed in June 2004, had to wait three months to present his credentials. See We will turn our people into guerrillas again, Mugabe warns, *New Zimbabwe.com*, 3 September 2004, <www.newzimbabwe.com/pages/powell6.11573.html>.
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- 70 UK Parliament, 14 June 2004, Column 523.
- 71 Interview with senior British diplomats in Zimbabwe, February 2005.
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- 73 Charles Stith, the former US ambassador to Tanzania, where terrorists attacked the American embassy in 1998, recently stressed the role of South Africa as an ally "in the fight against terrorism". It can best fulfil this role by working to bring economic and political stability to African countries that are plagued by economic problems and political unrest. See D Wickham, S Africa's role in Zimbabwe bodes well for region, *USA Today*, 26 January 2004.
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