

Memorandum
Evidence to the House of Commons Foreign Affairs Committee
on UK-South Africa relations

UK, South Africa and relations with Zimbabwe

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The question of Zimbabwe and how South African policy towards the ‘failing state’ manifests itself is both a cause for concern and to some extent bewilderment. There has been an assertion for some time that South Africa was the key to the problem but ‘quiet diplomacy’ (along with the previous ‘megaphone diplomacy’ of the West) has failed to bring a return to stability for Pretoria’s troubled neighbour. However the situation, as with the stalemate inside Zimbabwe, is far from static, although until recently South Africa appeared to be moving towards stronger overt support for President Mugabe. Not only does the three way relationship of London/ Pretoria/ Harare complicate matters, but there is a great deal of rhetorical grandstanding and much no doubt happening behind the scenes.

Once the Harare government had embarked on the ‘fast track’ land occupation exercise, with its abuses of human and property rights and the rule of law, it was clear that the West, particularly the British government, would act. Following the unfree and unfair general and presidential elections in 2000 and 2002 respectively, and against a background of violent land seizures, the EU and the US imposed targeted sanctions on the ruling party. In 2002 Zimbabwe was also suspended from the Commonwealth for one year, during which time a Troika comprising the heads of state of South Africa, Nigeria and Australia, was tasked with persuading President Mugabe of the need to restore democracy to Zimbabwe. When no agreement could be reached over what democratic progress if any had been made, Zimbabwe’s suspension from the Commonwealth was extended to the end of 2003.

For many in the West/ North and elsewhere there are straightforward human rights, humanitarian and economic reasons why South Africa (and its partners in the Southern African Development Community – SADC) should act decisively to solve the crisis in Zimbabwe. The chaos in land and economy obviously has a destabilising knock-on effect and many expect Pretoria to act (although often in ways unspecified) not least in its own interest. The viability of the New Partnership for African Development (NEPAD) initiative, decline in foreign investment, solidarity with oppressed Africans, worries over refugees in terms of crime, economic and other forms of regional destabilisation, xenophobia etc, sensitivities over the land question have all variously been put forward as reasons why South Africa should act¹. Instead despite occasional critical statements, spasmodically better recognition of the claims of the opposition Movement for Democratic Change (MDC) and human rights activists’ concerns, visits to ‘help out’ (rather than engage with Zimbabweans

¹ And critics can point to no particularly strong historical relationship between the African National Congress (ANC) and Zimbabwe African National Union-Patriotic Front (ZANU-PF) - historically the ANC was linked with Zimbabwe African Peoples Union - ZAPU), a history of personal antagonism firstly between Mugabe and Mandela and then Mbeki., and disagreements over certain foreign policy matters such as the Democratic Republic of Congo and indeed NEPAD.

especially civil society), and denial of the SADC vice-chair to Zimbabwe in 2002², we have had 'quiet diplomacy'— seen by Zimbabwean activists as support for the Mugabe regime. The emphases have been regional solidarity and 'African solutions to African problems'. In essence there has been no concerted regional pressure, but occasional voices of protest. Why does South Africa, seem unable or unwilling to act in a decisive (and to some, rational) manner?

For those seeking to investigate the dynamics of South Africa - UK relations and its implications for policy there needs to be a move beyond the simple ahistorical assertion of a long lasting and unproblematical link between the two nations based on language, shared democratic values etc. Recognition is needed of the underlying historical structures stemming from the repressive and highly inegalitarian experience of settler colonialism and apartheid. The peculiar intensity of these experiences for South Africa (and Zimbabwe) now supposedly superseded by notions of nation-building, rainbow nation and reconciliation are tied into questions of identity, sovereignty, overcoming past inequalities and injustices and building a multicultural but African nation within an unevenly developed region. In particular there are strong (and often not fully understood by outsiders) resonances especially when questions of land, race and restoration from historic injustice are brought together within a Pan-African perspective.

Furthermore these fundamentals are overlaid by the way that the globalisation agenda of the North has exacerbated the extremely uneven way that southern Africa, its states and peoples were historically integrated into the world economy and polity. In a further complication, the process recently has been marked by the emergence of new social forces, often referred to as civil society. These have arisen in part in reaction to new global trends such as structural adjustment and the failure of the African state to continue its legitimate postcolonial task of ending colonial and racial practices and structures (even if one can fundamentally critique the working out of this project³). States which have only recently emerged from liberation struggles against colonialism or apartheid now find themselves challenged by such new social forces, not all of which are coherent and united.

For South Africa, events in Zimbabwe have entered the crucial (and for Pretoria, vulnerable) domain of Pan Africanism and African solidarity. As the ZANU-PF government attempted to deal in its violent and repressive way with the opposition (and largely urban) forces⁴ it knew that it would face widespread national and

² And therefore to the Chair of SADC in 2003.

³ The challenge of turning liberation movements into governments has emerged throughout the region e.g. South Africa, Namibia, Zimbabwe, Angola, and Mozambique. 'Social transition in these Southern African societies shaped by a settler colonial brand.. can at best be characterised as a transition from controlled change to changed control.. The result is a new ruling political elite operating from commanding heights shaped in and based upon the particular context of the post-Apartheid societies by selective narratives and memories related to the war(s) of liberation and hence constructing or inventing new traditions to establish an exclusive post-colonial legitimacy under the sole authority of one particular agency of social forces'. Henning Melber (2003) *Liberation Movements as Governments: Southern African Experiences - with special reference to SWAPO and the post colonial political culture in Namibia*. Paper for 'Futures for Southern Africa' symposium organised by CIIR, Institute for Commonwealth Studies, Nordic Africa Institute and the Southern African Catholic Bishops' Conference. Windhoek 15-17 September 2003.

⁴ Such forces such as students, trades unions, churches etc were once part of the nationalist coalition..

international condemnation in relation to human and property rights, governance, the rule of law and the illegitimate use of violence. To combat this the Mugabe government successfully appealed to a wider Pan Africanist position in order to legitimise itself. This positioned the land occupation process in terms of redress for colonial injustice, and African marginalisation in the globalisation process. Leading Zimbabwean academic and activist Brian Raftopoulos sees Mugabe's offensive against the opposition as formulating an alternative discourse around redress for colonial injustice, especially land – 'the land question became the symbol that could distill a simplistic political binary, in which the ruling party could attempt to conceal all its post-colonial failings'.⁵

By defining the Zimbabwean crisis as one of anti-colonial redress and legitimate land redistribution, President Mugabe set the parameters of the subsequent debate, helped by Western, particularly British, intervention that appeared unaware of the African and to some extent Third World impact of its statements. In 1997 the new Secretary of State for International Development, Clare Short, enunciated the view of the new British government that it saw itself unbound by previous governments' acceptance of any responsibility for past colonial injustices in Zimbabwe and elsewhere. This was then compounded by the Blair government's subsequent embrace of what has been defined as 'liberal imperialism' in response to 'failed states'.⁶ 'Amongst ourselves we keep the law but when we are operating in the jungle we must also use the laws of the jungle'.⁷ This remained at the theoretical level until the 2003 war in Iraq with its rhetoric and indeed actuality of enforced regime change.

While Zimbabwe was never the specific target of 'liberal imperialism', its implications were not lost on authoritarian states, with President Mugabe in particular asserting the doctrine was an attempt at recolonisation of independent-minded Third World states.⁸ South African receptivity to this in terms of world racism, Western selectivity/hypocrisy and its irritability at being asked to deal with what was seen as a 'British problem' is compounded by the view of regional leaders that the MDC is the catspaw of white and imperial interests.⁹

There are also more practical reasons for South Africa's stance towards Zimbabwe:

⁵ Institute for Democracy in South Africa (2003) *Zimbabwe: Moving towards a Negotiated Transition?* Issue Briefing, July. See also Raftopoulos and Phimister (2003) *Zimbabwe Now: Challenging the Political economy of Crisis and Coercion*, forthcoming.

⁶R. Abrahamsen *Blair's Africa: The Politics of Securitisation and Fear* (forthcoming), M. Duffield (2003) 'Human Security: Privatisation, Soft-Power and Global Governance' in *Refugee Studies* forthcoming.

⁷ Robert Cooper *The Observer*, 7 April 2002 – Raftopoulos and Phimister (2003) provided this quotation.

⁸ See for instance *The Herald*, 9 April 2002. See also *The Star*, 2 Sept 2002 for Mugabe's address to the Johannesburg World Summit on Social Development in September 2002 presenting his land policies as part of a continuing struggle against colonialism in defence of independence. 'We are not Europeans. We have not asked for any inch of Europe, any square inch of that territory. So Blair, keep your England and let me keep my Zimbabwe !'. See *New African*, April 2003 for Mugabe's speech at the Non-Aligned Movement Summit in Kuala Lumpur in February 2003, 'no longer willing to subject ...[its] actions to international law, rationality or the force of morality, the United States had one yardstick for its own behaviour and one for the Third World'. See also *Cape Times*, 5 Aug 2002 and 25 Feb 2003 for similar attacks.

⁹ Africa Institute of South Africa study conducted by Che Ajulu. *News 24* 14.8.03.

- South Africa (and indeed South Africans) has tended to see Zimbabwe through its own prism of experience - of drawing back from the brink through the 'miracle' of its own transition, negotiated settlement, and truth and reconciliation process.
- Worries over the performance in office of trade union led parties such as the Movement for Multiparty Democracy which came to power in Zambia in 1991 defeating the ANC's longtime ally President Kenneth Kaunda. The trade union federation in South Africa (Congress of South African Trades Unions - COSATU) is part of the tripartite alliance with the ANC but has considerable unease over much of the latter's governing programme – see point below. Worries over a split in the alliance with the possible emergence of a trade union and populist opposition mean that a successful trade union led government in Zimbabwe is not welcome to Pretoria.
- Pretoria's vulnerability to criticism from trades unions, churches, NGOs and civil society in general over lack of transformation (including land reform¹⁰), increasing unemployment, attacks on the 'failure' of its economic GEAR policy deemed neo-liberal, particularly in relation to privatisation of such assets as water.
- Reliance on alliances with other nation states (particularly middle level/ 'regional hegemons' such as Brazil, India, the Group of (now) 22 at the Cancun World Trade Organisation talks, and indeed in NEPAD with Nigeria, Algeria and Senegal) rather than popular movements to change global unfair economic structures.¹¹
- South Africa wishes to pursue African renewal and solidarity – which makes NEPAD an extremely paradoxical (and for how long sustainable?) moment. It wants to engage constructively with Zimbabwe for reasons of solidarity etc without jeopardising 'African Renaissance' principles.
- South African foreign policy prioritising expedient predictability rather than promoting democratic values¹².

In theory the formation of the African Union (AU) with its commitments to human rights, and its limiting the absolute nature of state sovereignty may see forms of intervention arising, but present performance would not indicate this, given the southern African representative role given to President Mugabe at the July 2003 AU Maputo summit and the failure of the AU to get its Peace and Security Council off the ground. Nor does the recent agreement at the 23rd SADC summit in late August 2003 to set up a mutual defence force seem likely to help bring democratic change in Zimbabwe, given that the same summit committed itself to opposing sanctions imposed on Zimbabwe by the Commonwealth, the European Union and the USA.¹³

¹⁰ South African market-based land reform has since 1994 managed to transfer 2% of agricultural land as opposed to a target of 30%.

¹¹ Although rather playfully, President Mbeki did say at one point that maybe the Group of 22 should join the anti-globalisation protesters on the streets, an interesting difference to the treatment of demonstrators at the World Summit in Johannesburg in 2002.

¹² Even when its observer group at the 2002 elections was physically attacked, the official South African government position was that the elections were 'acceptable' – a hitherto unknown take on being fair and/or free. South African foreign policy-making has often been held to be split between 'realists' and 'idealists' – a somewhat sterile distinction that Stephen Gelb believes the NEPAD initiative has gone some way to resolving – S. Gelb (2001) *South Africa's Role and Importance in Africa and for the Development of the African Agenda*. Prepared for DFID. The Edge Institute, South Africa.

¹³ IRIN 26.8.03. 'SADC rallies around Zimbabwe with a call to lift sanctions'. Reports quote Tanzanian (and new SADC) President Benjamin Mkapa strongly supporting Zimbabwean land reform and deeming the Zimbabwean media overly critical of the government (*Mail and Guardian* 29.8.03) and IRIN <http://www.irinnews.org/report/asp?ReportID=36210>. President Mpaka, somewhat missing the

Indeed in the NEPAD document arguments for interventions on behalf of oppressed populations have been superseded by notions of intervention to protect states' legitimacy and sovereignty.

Both the ANC and ZANU-PF see themselves as the legitimate inheritors of the anti-colonial struggle with any other parties (even new ones like the MDC) tainted by association with previous regimes. For this reason it and other southern Africa states have been only too ready to accept ZANU-PF's policies as in some way Pan-African and 'anti-imperialist'. Strangely, given the support received by the ANC in exile – hardly quiet diplomacy – Pretoria has never supported human rights groups and opposition forces within societies whose governments are undemocratic and/or human rights violators. Instead, it seems to rely on notions of the legitimacy of heads of state and of sovereignty, key African Union (and formerly Organisation of African Unity) positions, but formalistic concepts nonetheless (especially for Zimbabwe which cannot feed its own people). Pretoria has less trouble with the idea of 'a just world order' which means equity *amongst nations*. Recent events at the failed WTO meeting in Cancun in September 2003 and the response from the 'Group of 22' of which South Africa is a member illustrate this strongly.

South Africa at least initially believed that its model of negotiated settlement and compromise was transferable to Zimbabwe. It insisted on 'quiet diplomacy' for reasons of regional solidarity and because it would not jump at the behest of former colonial masters. It pointed to misconceptions about the extent of its power as the 'regional hegemon' saying it cannot unilaterally reorder the region. Rather it vaunts a united regional approach based on avoiding confrontation and promoting multilateralism. Keen to maintain the position of solidarity promoted by SADC and the AU, President Mbeki was particularly sensitive to accusations that South Africa played the role of hegemon, only too aware that Mandela's penchant for unilateral human rights-based foreign policy initiatives e.g. towards Nigeria and Congo had for a time isolated Pretoria within SADC. Simultaneously, President Mbeki has balanced the politics of solidarity (aware of considerable internal support for Mugabe) with establishing the 'good governance' credentials of NEPAD, the project partly under his leadership for Africa's development through partnership with the West. This has led to him negotiating tricky terrain, not rejecting outright Western attempts for him to play a central role in helping end the crisis in Zimbabwe, but not promoting their message either. He also appears to be able to ignore the constant prevarications and broken promises (to him) emanating from President Mugabe. That he has managed so far to do this without losing either American or British (public) support testifies both to South

point it would seem, stated 'I find it insulting that there are powers and people who believe food shortages in the region can only be averted when Africans become servants on white people's land' (SARDC 23.0803). Bizarrely, he continued that the summit's support for Zimbabwe's land reform should not be "interpreted as [an apology] for arbitrary, illegal, unlegislated and economically unproductive and unbalanced restitution". The SADC statement was despite the EU insisting that sanctions only affected top government officials and that the suspension of bilateral development programmes was due to the Zimbabwean government's non-compliance with conditions. IRIN 18.9.03. See also Amnesty International statement AI AFR46/027/2003 on SADC leaders needing to place Zimbabwe on the agenda of the August summit, plus previous ones on repression in Zimbabwe such as AFR46/012/2003).

Africa's regional importance and to Mugabe's astute appreciation of this geo-political fact¹⁴.

Additionally, while South Africa has leverage over Zimbabwe in areas of finance, energy and oil, it asserts that the economies are too closely linked to impose sanctions. Many Zimbabweans appear to believe that South Africa is not unhappy as seeing the drying up of investment north of the Limpopo and South African business being able in the future to get bargains when Zimbabwean reconstruction occurs (all of which may be incorrect, but certainly illustrates the bitterness at 'quiet diplomacy').

From the end of 2002, President Mbeki seemed to have moved perceptibly from 'quiet diplomacy' towards Zimbabwe, shown by electricity and fuel subsidies to open endorsement of its land reform policies¹⁵. Sustained attempts were made to gain Zimbabwe's readmission to the Commonwealth despite Harare not even attempting to hide its non-compliance with the reasons for its year's suspension¹⁶. At the annual meeting in Geneva of the UN Commission on Human Rights (UNCHR) on 16 April 2003 a 'no action motion' on Zimbabwe was moved by South Africa and passed by 28 to 24 votes¹⁷. Additionally South African officials attempted to portray land reform as a great success, suggested that Zimbabwe's government was genuinely representative and that Zimbabwe's problems could not be resolved by removing Mugabe from office since such problems stemmed from a benevolent elite committed to overturning colonial injustice, but running into unsustainable social spending¹⁸. Raftopoulos and Phimister see this as Mbeki sending a signal to those 'restive elements within the Tripartite Alliance (of the ANC, COSATU and the South African Communist Party - SACP) calling for a relaxation of the government's neo-liberal economic policies, even as he bolstered his pan-Africanist credentials by supporting ZANU-PF'¹⁹.

For Raftopoulos and Phimister, the high point for South African freedom to pursue its own agenda was ironically enough President Bush's visit to South Africa in July 2003. With no vital American interests at stake, and with the AU standing four-square with Mugabe in the face of any Western criticism, Bush and Powell left it up to Pretoria, despite rhetoric from the latter politician. President Mbeki, described to his delight by Bush as 'an honest broker' and the 'point man on Zimbabwe', put a pro-Mugabe gloss

¹⁴ Raftopoulos and Phimister (op cit) p.23.

¹⁵ E.g. with South African Foreign Minister, Nkosazana Dlamini-Zuma (seemingly the most openly pro-ZANU-PF minister), endorsing ZANU-PF claims that Britain had to compensate white Zimbabwean farmers for land seized by 'war veterans', because of colonial land theft (*Financial Gazette* 14 Nov 2002). See also *Natal Mercury*, 20 Dec 2000 on the ANC inviting ZANU-PF to its Stellenbosch conference in December 2002. See also *Argus*, 21 March 2003).

¹⁶ Or with the fact that the Nigerians and South Africans were not charged with being 'honest brokers' but attempting to persuade Zimbabwe to comply with the Harare Principles etc. Harare was supposed to ensure the finalisation of the land reform process, begin a dialogue with white commercial farmers over compensation, assist farm workers gain citizenship, reduce violence; look into concerns over AIPPA, and begin inter-party dialogue. With the exception of point 3, none of this has happened in any substantial way.

¹⁷ See Africa Rights statement africarights@hotmail.com 20.4.03. Note also Human Rights Watch statement that blamed Western governments for not pushing hard enough at the UNCHR. IRIN 28.04.03.

¹⁸ ANC Secretary-General, Kgalema Motlanthe, *Star*, 22 Jan 2003, Thabo Mbeki *ANC Today*, 9 May 2003 and *The Guardian*, 29 May 2003. Needless to say this is not an analysis easily recognised by Zimbabweans outside ZANU-PF.

¹⁹ Raftopoulos and Phimister, op cit p.26.

on events. He claimed (in defiance of the known facts) that the Zimbabwe crisis was on the way to being resolved through South African – sponsored talks between ZANU-PF and the MDC²⁰.

Since then, matters have moved again, seeming to necessitate some rethinking in Pretoria.

Changes:

- The internal opposition has become more effective and coherent with several successful stayaways called by MDC and the Zimbabwe Congress of Trade Unions - ZCTU. The situation though remains at stalemate (although not stasis as the balance has swung back and forth); the opposition in its different elements - MDC, civil society, trade unions, independent press, farmworkers has gained increased mass support in the past three years, but its short term strength seems unable to match the government's hold over political power and the administrative, bureaucratic and military arms of the state. Government has not found it possible to crush the opposition. But democratisation through opposition activity on its own still seems unlikely. The ZCTU is planning further protests on cash shortages affecting workers²¹.
- There are increasing regional (non-governmental) concerns from civil society, trade unions, and churches. Whilst Mugabe retains a populist constituency inside South Africa and the region, there is an increasingly better-organised regional opposition to events inside Zimbabwe. Recent events have been the African Civil Society Consultation on Zimbabwe 6th August 2003 in Botswana²² and the Johannesburg Symposium on Zimbabwe from 11-13 August 2003. These highlight the fact that the African Commission on Human and Peoples' Rights (ACHPR) visited Zimbabwe in June 2002. Its report was due to be published in October that year, and was then rescheduled for the AU summit in Maputo in July 2003. Activists at the two meetings above want it released at its next meeting in October 2003 and want decisions to be made in line with Article 58 of the ACHPR charter on whether violations have occurred which would mean a consequent report to the Chair of the AU²³. Such steps are important, firstly because the report is believed to have been blocked to protect Zimbabwe's image ahead of the Commonwealth Heads of Government Meeting (CHOGM) and, secondly, because other human rights organisations' reports such as those from Amnesty International and Human Rights Watch have been rejected by African states who accuse the two of 'Western bias'.²⁴
- Inside South Africa links to regional constituencies have spread to members of the Tripartite Alliance with SACP and COSATU questioning 'quiet diplomacy' on behalf of regional allies such as ZCTU. It may be that the strategy pointed to above by Raftopoulos and Phimister of showing the

²⁰ There were also denials from President Mbeki that he had ever said that Mugabe had promised to leave office by the end of the year.

²¹ *Daily News* 4.9.03

²² *Concluding Statement of the African Civil Society Consultation on Zimbabwe* AfricaFiles 12 August 2003 info@africafiles.org

²³ There are also calls for regional countries party to the Convention Against Torture to investigate and that SADC should investigate if Zimbabwe has violated the Windhoek Declaration and other measures (see *Concluding Statement* op cit).

²⁴ *Zimbabwe Independent* 22 August 2003

internal critics of its neo-liberal international posture its regional pan-Africanism is beginning to unravel.

- From being merely a few prophetic voices there has been a manifest growth in churches engagement,²⁵ witness against human rights abuse, commitment to peace, reconciliation and the process of negotiation (especially from the Zimbabwe Catholic Bishops' pastoral Lenten letter of spring 2003 onwards). Their attempts at mediation were, however, eventually cold shouldered by the government and ruling party.
- The Zimbabwe church has been backed by powerful regional churches. South African and Zimbabwe church leaders at a recent meeting in Johannesburg jointly condemned Pretoria and other African leaders for silence on human rights abuses in Zimbabwe and called for the dismantling of the national youth service training programme which as South African bishop Kevin Dowling highlighted has meant major human rights abuses, corruption of youth including engagement in the 30,00 – 50,000 tortures, rapes etc.²⁶.
- The South African Council of Churches central committee recently called on the South African government to be more proactive on Zimbabwe²⁷.
- Increasing evidence that the Harare government has no idea on how to right matters and is only intent on staying in power at whatever cost to nation and region. The recent supplementary budget defied belief. There is a growing regional awareness that the alternative to immediate significant political pressure will be eventual military intervention when the Zimbabwean economy has almost entirely collapsed. Whilst not unhappy at seeing investment increasingly switch to south of the Limpopo, Pretoria realises this is not just a zero-sum game, but there is a wider regional economy and strategy for its progress at stake. Can this any longer be ridden out with extra international, regional, and domestic pressure adding to this burden?
- In political terms Mugabe is not helping out President Mbeki, by concentrating on how ZANU P-F can retain power and how to orchestrate a succession whilst guaranteeing himself safety and wealth. Various forces are jockeying for advantage in any post-Mugabe settlement; important players in ZANU-PF with no independent power base except Mugabe have been the strongest voices against any deals with the MDC and outside, preferring to believe they can tough it out until the next elections in 2005.
- There is strong civil society resistance inside Zimbabwe for any (Mbeki-preferred) government of national unity (GNU) that assumes national consensus when there is none, that is aware of the history of ZANU-PF in swallowing up opposition voices in the name of national unity as in 1987, and which instead calls for a broad-based alternative to the present repressive and corrupt structure of governance and for 'transition' not spurious national unity governments²⁸.
- The MDC has warned that time is running out for talks given that their court case on challenges to the 2002 presidential election is scheduled for 3 November 2003. There is a lack of movement inside Zimbabwe in terms of

²⁵ See 'Crisis Point' and 'Churches Speak out' *CIIR News* Summer 2003. www.ciir.org.

²⁶ *National Youth Service in Zimbabwe – a report on the youth militia, Oct 2000 to August 2003* Solidarity Peace Trust and others *IOL News* 7.9.03

²⁷ *News* 24 14.8.03.

²⁸ See 'Talks about Talks? Or merely a Waste of Time?' *Crisis in Zimbabwe Coalition* Discussion Paper. July 2003.

talks²⁹ linked to divisions within ZANU-PF (Young Turks with no independent power base e.g. the information and justice ministers, Jonathan Moyo and Patrick Chinamasa, versus the old guard division). It is also possible that this posturing is to gain more leverage internally, and regionally, persuade President Mbeki that negotiations are still possible. The question is how much longer can Mbeki believe this when he has other pressures? (Oddly, party chair, John Nkomo, having along with the rest of ZANU-PF called MDC puppets of the West said the former should 'call off sanctions first')³⁰. The seeming belief in Pretoria that Mugabe was genuinely promising to go by the end of the year appears contradicted by events such as the building of a new presidential palace³¹. Civil society also wants wider participation in any talks especially the inclusion of women - disproportionately affected by the violence³².

- The undermining of the supposed Pretoria ultimatum to Harare for it to engage in talks by November 2003 so the former can report tangible progress at CHOGM or otherwise the latter will face expulsion³³. Constant South African newspaper criticism points out to Mbeki that Mugabe has broken every promise the latter has made to Thabo, with many pointing out that there is a need for stronger sanctions not lifting the existing ones.
- Increasing awareness that the region has lost millions in aid because of Zimbabwe including funds for a regional peacekeeping training centre.
- Perhaps the final straw for 'quiet diplomacy' was the Harare government forcibly shutting down the Daily News. This dramatically contradicted promises (including those made to President Mbeki earlier in the year) on reforming AIPPA³⁴ and hopes that Pretoria could show movement by Harare by CHOGM. This closure of the only daily alternative to the government-controlled press and media followed several community papers and Joy TV being forced to close, and foreign journalists forbidden to practise. The shutdown was the culmination of a process that had seen incessant state provocation against the newspaper, bombing of its printing presses, harassment of its journalists and others from the independent press, *de facto* banning of the paper in many areas of Zimbabwe due to sellers being beaten up by youth militia and lorry shipments disrupted.
- The Supreme Court already under suspicion of being at the beck and call of government showed its supineness in a worrying endorsement of AIPPA whose constitutionality was greatly under question including from influential voices in the region³⁵. The swiftness of the court and subsequent police reactions were equally worrying given that the Independent Journalists

²⁹ The agenda for talks is seemingly the same as it was before talks between MDC and ZANU-PF broke down in May 2002 and are on confidence-building measures, the constitution, political violence, multipartyism, sovereignty and economic recovery. Supposedly Mbeki and Obasanjo were to 'underwrite' the deal that emerged and the USA and other donors would provide a reconstruction package.

³⁰ Personal communication from evangelical church activist in Bulawayo.

³¹ Although it remains possible that he will *de jure* retire but rule *de facto* behind the scenes. One could also point out that funds for this palace could probably only have come from mining in the Congo.

³² www.irinnews.org/report.asp?ReportID35963

³³ *Financial Gazette* 7-13 August 2003 citing South African ambassador to Zimbabwe, Jeremiah Ndou.

³⁴ The apartheid-era sounding Access to Information and Protection of Privacy Act of June 2002.

³⁵ Harare is a signatory to both the African Charter on Human and Peoples' Rights and the International Convention on Civil and Political Rights.

Association of Zimbabwe case against AIPPA was still being heard, that there was an immediate forced closure of the Daily News building, and detention of officials and closure of business without police producing a court order or explanation of the legal foundation for their actions. Cynics also point to the increasing economic unviability of the government-controlled press given that the Daily News and other independent newspapers were gaining an increasing market share despite the harassment. The Media Institute of Southern Africa (MISA – a regional media freedom watchdog) as well as the South African Press Association and the South African National Editors' Forum have all protested loudly. The only South African public response so far has been from Ronnie Mamoepa in the Department of Foreign Affairs that 'we believe in freedom of the press'³⁶. Did this hide a wider concern?

- Time is running out for any movement in Zimbabwe towards democratisation to be apparent by December in Abuja. Whilst it is not impossible for Mugabe to pull a rabbit out of the hat at the ZANU-PF congress just before the Abuja meeting this is not likely to impress Commonwealth heads).
- More interestingly the Nigerian government (for reasons that were not immediately clear at the time of writing) appears to have pulled out of the coalition with President Mbeki and said that neither Zimbabwe nor Pakistan as suspended nations would be invited to CHOGM. This left the South Africans saying limply that it was entirely a matter for Abuja as if they had not been working to get the Zimbabwean government invited to CHOGM.
- There may with the point above be an awareness that the rhetoric of Mugabe attempting to make his policies a black and white issue³⁷ is increasingly under strain – indications from Ghana, Kenya and the Caribbean nations show the rhetoric wearing thin.

It is thus an interesting moment for the House of Commons Foreign Affairs Committee to be asking questions about the whole nature of UK-South Africa-Zimbabwe relations. I have no specific policy recommendations on the matters I raise above, rather the need for all concerned to understand better the current dynamics of this very complicated relationship.

Recommendations for FAC;

1. It will be important to establish the current nature of official South African thinking in terms of policy towards Zimbabwe and what Pretoria thinks it can and cannot do given the points raised above. This would include its discussions within the region, the African Union, SADC.
2. How does Pretoria assess the viability of its 'quiet diplomacy' in terms of its vaunted backing of direct ZANU-PF - MDC negotiations in the light of such events as the Harare government stalling on talks, dismissing church initiatives on peace and negotiations, and the closure of the Daily News?
3. What credibility does Pretoria think its assurances given to the outside world, including Washington, London and Abuja that Mugabe would step down and serious negotiations would commence still hold?
4. In relation to these delicacies, there is obviously a concern North and South over NEPAD, its peer review mechanism and good governance criteria. What

³⁶ *Star* 17.9.03

³⁷ Saying on a number of occasions that it would split the Commonwealth into black and white sections.

are Pretoria's strategies on overcoming the reluctance of donors to engage fully with NEPAD while (rightly or wrongly) many see Zimbabwe as a test case (even if Zimbabwe generally opposes NEPAD)?

5. There is a need to establish from Pretoria what it is about a transition to democracy inside Zimbabwe that worries them more than the 'chaos that they know'.
6. It would be useful to ascertain if Pretoria thinks it helpful for the African Commission on Human and Peoples' Rights report on Zimbabwe to be released in October 2003 as called for by Zimbabwean, regional and human rights organisations (as above).
7. What is the current future of the Mbeki/ Obasanjo/ Muluzi initiative given stalling inside Zimbabwe on talks and Nigeria not inviting the Zimbabwe government to the Abuja CHOGM?
8. There needs to be outside support for those in Zimbabwe and the region who are providing information about the human rights and general situation inside Zimbabwe, and those under threat standing up to repression. This in terms of official British positions is obviously a delicate matter given what was described in the memo in terms of sovereignty, suspicions of both 'neo-colonialism' and 'liberal imperialism'. Other channels do exist, however.
9. In terms of the British government, our Zimbabwean partners concur that it has been useful recently to have had a period of silence as opposed to the previous megaphone diplomacy and for initiatives to have been multilateral and not seeming like bullying from the ex-colonial master. There are several matters in which London could help Pretoria if indeed the latter is shifting its policy. HMG needs to assure all southern Africans of its support for a transparent, equitable, gender conscious land reform strategy – financially, in the provision of expertise, and in engagement with multilateral and other donors. It may be argued that such potential support is already on record, but the opportunity to reiterate should not be lost. It would also be useful to suggest that London's policy in terms of the eventual reconstruction of Zimbabwe should be imaginative and not restricted to Bretton Woods formulae rigorously implemented. Continuing food aid will be vital.

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Outline of crisis in Zimbabwe

According to Chris Alden, Zimbabwe faces multiple crises –a crisis of *legitimacy* as its postcolonial consensus crumbles, a crisis of *expectations* stemming from the failure of its economy and polity, a crisis of *confidence* in the impartiality of the institutions of the state. Since the defeat of the Harare government in the February 2000 constitutional referendum, it is clear that ZANU-PF has attempted to reimpose its control through a number of inter-related strategies:

- A violent land occupation process with logistical and coercive support from the state, but without resolving contradictions in the rural economy by dealing with questions of access by communal farmers, especially by women (the majority of such farmers), and former farmworkers to credits and inputs, tenure questions, the role of chiefs in agrarian transformation. There also needs to be serious debate on collective forms of ownership and control.
- The overt and targeted use of a compromised police and security apparatus against its opponents, including the use of sexual violence as a tool of retribution (with obvious implications given the HIV/AIDS pandemic). This is overlaid by *de jure* and *de facto* impunity for formal and informal agents of the state.
- The use of terror and judicial intimidation as well as ideological demonisation of the opposition to shut down space for independent and opposition voices and for access to justice to be denied to the politically unconnected (helped in this by the reactions of the Western and ex-colonial powers with their selective approach and strong echoes of colonial lecturing).
- Widespread torture and intimidation as national and international human rights bodies have documented. More than 555,000 cases of serious human rights violations have been recorded in recent years. In April 2003 there were reports of 278 cases of unlawful arrest, 75 cases of torture, four death threats and two attempted murders³⁸. To choose one recent moment - following the mass national strike in June 2003, around 800 supporters of the MDC were arrested, two were reported to have died and 150 were injured.³⁹
- The ‘restructuring’ of the judiciary, using threats by the state, the ‘Green Bombers’ and sections of the war veterans movement.
- The co-option or denigration of religious leadership.
- The re-organisation of ZANU-PF structures to ensure the promotion of a provincial leadership committed to a strategy of coercive mobilisation.
- Constant harassment of the independent media, and legislation to consolidate the monopoly of the ruling party over the electronic media.
- The continued use of violence as an election strategy; and the destabilisation of the ZCTU and other civic bodies.
- The use of the land reform process, the indigenisation strategy and the politically partisan use of food as a tool to create a new economic bloc stripping state assets in order to form a new economic bloc based on party affiliation and loyalty (although its sustainability is open to question).
- An authoritarian economic nationalist (‘anti-imperialist’) rhetoric that has resonance in the region bringing together race, land and historical injustice in order to demonise the internal opposition and legitimise/ maintain ZANU-PF’s rule through repression.

³⁸ Zimbabwe Human Rights NGO Forum. *Political Violence Report*. April 2003.

³⁹ Amnesty International Press Release AFR 46/027/2003 22 August 2003

- Latterly an inconsistent and reversible call for some form of dialogue under the rubric of ‘a government of national unity’, whilst continuing the repression and demanding extremely tough pre-conditions. It is clear that this relates to divisions within ZANU-PF in turn linked to the question of succession to President Mugabe and under what terms.