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‘Steep Hills to Climb’: Zimbabwe 2000 - 2006

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1. Introduction

Zimbabwe's anguish hit the headlines again last year with the government's controversial 'Operation *Murambatsvina*,' ('clean up all trash'). In May 2005, the government began destroying all 'illegal'¹ structures in a purported effort to clean up the country and to stamp out all 'illegal' trading² on the black market. Various interpretations and theories have been advanced by critics who, among other things, see the 'cleaning up' as part of the government's move to destroy the urban stronghold of the opposition Movement for Democratic Change (MDC). Others have argued that the government took this step as a way of diverting people's attention from the deteriorating socio-economic situation in the country. Some estimates suggest that while the rate of unemployment in Zimbabwe (putting aside state employees) was 80% before the operation commenced, the destruction of the informal sector, which used to employ 20% of the workforce, has left the rate of unemployment at close to 100%!

The African Union (AU) dispatched Commissioner Bahame Tom Nyanduga, a member of the African Commission on Human and People's Rights on a fact-finding mission.³ Meanwhile the European Union, the United Nations, and various church organizations in South Africa, made attempts to halt the destruction of property without proper alternatives being put into place. While the government promised to embark on a massive project to provide proper housing for the needy, there were no funds to carry this project through. The budget for 2004-2005 had no allocation for a massive housing project. In addition to this, the government was (and is) struggling with a serious shortage of foreign currency. A good indication of this was the fuel and food shortages last year, perhaps the most acute since 2000.

This paper discusses the situation in Zimbabwe and draws insights from Catholic Social Teaching. It argues that 'Operation *Murambatsvina*' must not be looked at as an isolated incident in the socio-political dynamics of Zimbabwe. '*Murambatsvina*' must be seen as part of the ruling party's consolidation of power. Consequently, we trace some significant developments in Zimbabwe since 2000 in highlighting the manner in which the government has dealt with opposition over the past five years. Perhaps the question we should be asking ourselves is, after '*Murambatsvina*' what next? No one knows, but indications are that the government might just pull out another surprise. This paper works with the underlying assumption that since 2000, the government has undertaken various actions aimed at consolidating its power in the wake of the rise of a potentially powerful opposition party, the MDC. Circumstances at each given juncture have called for particular action from the government, so it is difficult to conclude that the events from 2000 till today are part of a grand plan. Various 'enemies' of the state have been identified and dealt with accordingly.

The rich young man asked Jesus, "*Who is my neighbour?*" The parable of the Good Samaritan throws light on the manner in which Catholic Social Teaching might apply to the plight of the victims of the ruling party's consolidation of power in Zimbabwe. The fundamental lesson for the ruling party in Zimbabwe is to realise that responsible good governance incorporates

¹ Some people who had been settled by the government in Hatcliff Extension woke up one morning to be told that they were illegal settlers; backyard shelters which had for a long time offered some shelter for people struggling to find accommodation in the cities were also declared illegal.

² The government has included all tuckshops owners (Spazas shops, as they are known in South African Townships). Most informal sector traders have been wiped out by this clean up operation because they do not have trading licences.

³ African Union Press Release, Addis Ababa, 29 June 2005.

tolerating others, especially those whose political affiliations are different. This paper makes no distinction between the government and the ruling party, ZANU PF, for the simple reason that the ruling party completely controls the government in Zimbabwe.

2. February 2000

A chronology of events from 2000 must include the referendum held in February of that year, which marked the only defeat the ruling party has ever experienced since 1980. This was immediately followed by the invasion of farms by 'land-hungry' Zimbabweans, led by 'war veterans,' who realised that the government was being 'hindered' in its efforts to re-distribute land. In retrospect, we see a direct link between the referendum and the farm invasions. A government-drafted constitution was given to the people for approval through a referendum. While there had been a general feeling that the country needed its own constitution, the process of drafting the constitution resulted in a deadlock between the government and the National Constitutional Assembly, (NCA), the main civil movement that had proposed the drafting of a new constitution. The NCA proposed the limitation of the executive powers of the president and a limitation of presidential terms of office, among other things. The government for its part produced a draft constitution that strengthened the president's executive powers and incorporated a provision that opened the way for the compulsory acquisition of land for resettlement without an obligation on the government to compensate farmers. Land became a critical issue in the government's campaign for the constitution while the NCA, supported by white commercial farmers and the MDC, advocated for a constitution that limited the powers of the president; in effect, it opposed the government's draft constitution. On 11th February 2000, the government suffered its first defeat when the nation rejected its proposed constitution.

The rejection of the constitution meant that the government could not forcibly acquire land. It also showed that the emerging MDC had successfully campaigned against a government initiative with the help of white commercial farmers. With parliamentary elections coming up in June 2000, there was no way that the government would take the defeat lying down. Contrary to Mugabe's assurance that the government would embrace the will of the people by accepting the results of the referendum, what followed was a clear sign that the ruling party had not accepted its defeat in the referendum. On 22nd February 2000, Mugabe told the nation that, "The land question has not been resolved. The people are angry and if we let them vent their anger they will invade farms and then they (the farmers) will come to us for protection."⁴

Shortly after Mugabe's speech, reports of farm invasions began to emerge. The government argued that it could not stop the farm invaders since the people had taken it upon themselves to deal with a matter that the government could not handle because of the rejection of the draft constitution. The Zimbabwean High Commissioner to Zambia, Tirifavi Kangai, also argued that the government would not stop the invaders because "if the current leadership in Zimbabwe fail to resolve it [the land question] now, it will be more difficult for the next generation to do so amicably."⁵

The farm invasions targeted most commercial farmers, the bulk of whom were white. Land was indeed a bone of contention in Zimbabwe. On the dawn of the invasions, roughly 4 500 white farmers, about one percent of Zimbabwe's population, were the proud owners of 11

⁴ Gisle R. Tangenes, 'Zimbabwe's Tragedy- The Background (Part II)

<http://politics.humanbeams.com/p505tangenes-zimelections2.php>.

⁵ 'Zim Farm Invasions a Legacy of Colonialism on www.oneworld.org/afro.net/monitor/m108_report2.htm

million hectares, 70% of the prime farming land. The bulk of the black people lived in overcrowded rural areas and cities, with land that was not suitable for any farming.⁶ As the so called ‘war veterans’⁷ began invading farms, it was argued by some that the ruling party was punishing white commercial farmers for the support they had given to the MDC and to the NCA. In 2000, many white Zimbabweans participated actively in politics, providing funds and transport for NCA and MDC activities. Consequently, the ruling party targeted the commercial farmers as a group, destroying their economic base and thus making it difficult for them to fund the opposition party. White farmers lost their livelihoods, with no compensation put in place for them and with no alternative arrangements made for them. They were thrown out of their homes and a number of them found themselves with nowhere to go to. A number also lost their lives, showing the determination of the ‘war veterans’ to get rid of the white farmers.

Law and order became meaningless, as members of the ruling party were free to commit any crimes with no fear of police action. It was argued that ‘enemies’ of the state were being eliminated, hence the need to suspend the normal operation of the law. It can be argued that it is a myth to claim that the farm invasions were spontaneous. The ruling party must have had a hand in planning and coordinating the invasions. White farmers had to be punished for working against the government. This retribution was disguised as an attempt to deal with a matter very sensitive to the needs of the people in Zimbabwe. Land redistribution was necessary in Zimbabwe but the context and the manner in which it was being done had nothing to do with the need to redistribute land. The process became retribution and reward. There was retribution for the farmers and reward for all who would vote for ZANU in the upcoming elections.

3. ‘Transformation of the Judiciary’

Another set of enemies of the state was identified soon after the farmers were destroyed. After the 2000 parliamentary elections, the MDC challenged the results from various constituencies. The results of the elections give ZANU PF a slim victory over the MDC in the 120 contested seats. ZANU PF won 62 seats while the MDC won 57. This was the first time since independence that the ruling party had had such close competition from an opposition party. In November 2000, the Supreme Court in Zimbabwe ruled that the farm invasions were illegal and called upon the government to halt them. The government simply ignored the court ruling and let the farm invasions continue.⁸ At the same time, the MDC was challenging the results in thirty-eight constituencies. As some election results were being nullified in the courts, the ruling party began complaining that the judiciary was deliberately working against it, promoting the interests of the white minority and those of the MDC. The white minority stood to gain through the halting of farm invasions while the MDC was likely to win more seats in parliament through the constituencies whose results were overturned.⁹

It was not surprising, then, that the government took drastic steps to rid the judiciary of the judges it considered enemies of the state. Most of these judges were white, and their positions

⁶ ‘The Unleashing of Violence: A report on violence in Zimbabwe as at May 15, 2000,’ www.hrforum.zim.com/evmpreports/polviolzim000515c.htm

⁷ During the land invasions, war veterans referred loosely to people who were part of the team of invaders. Not all of them had participated in the war of liberation.

⁸ John Murphy, ‘Tense Standoff over Farmland’ 12 December 2000 www.mindfully.org/org/Farm/Zimbabwe-Hungary-Land-Ownership.htm p. 2.

⁹ ‘Politically Motivated Violence in Zimbabwe, 2000-2001,’ <http://www.hrforumzim.com/evmp/evmpreports/polmotviol0108/polviol0108e.htm>

were to be filled by black judges. Chief Justice Gubbay was forced to retire before the end of his tenure. Other white judges, Justice Ferguson Blackie, Justice Gillespie, and Justice Devittie, were harassed by war veterans and eventually forced to resign, together with black judges who were identified as enemies of the state.¹⁰ Godfrey Chidyausiku, a well-known advocate of the ruling party, was appointed Chief Justice, leading a judicial team whose independence from the executive became suspect from the time the bench was ‘transformed.’ There are some who believe that the judiciary was purged and transformed as a way of ensuring that judges sympathetic to the government held key positions. As such, the government would be assured of the support of the judiciary in its efforts.¹¹ It is not surprising that a court found Operation *Murambatsvina* legal¹² while churches, non-governmental organizations (NGOs), and the United Nations have raised serious concerns over such developments. The ‘transformation’ of the judiciary has assured the government of a cooperative partner in the judiciary. The separation of powers, which is a norm in democratic systems, has vanished as the ruling party has assumed more power. With the support of the judiciary, the government can always argue that it is operating legally while carrying out actions that would offend any decent legal system.

4. Weakening the Independent Press

With the power base of the farmers destroyed and the judiciary ‘transformed’, the independent media and NGOs remained as the key mouthpieces of the oppressed. NGOs catalogued human rights abuses by the government and reported them through the independent media. Through the independent media, the MDC had a channel to reach out to many ordinary people. Journalists were still free to write reports about things that were happening in the country. We mention the *Daily News* in particular in this section because this independent newspaper had overtaken the circulation of the government controlled *Herald*, which many people regarded as a propaganda paper for the government. The *Daily News* was accessible to many ordinary Zimbabweans because it was affordable. In a move to control the information transmitted to the people and silence the independent media, the government fast-tracked the Access to Information and Protection of Privacy Act, which made it compulsory for all publishing houses to apply for a licence and for all journalists to apply for accreditation with the Ministry of Information.¹³ Criteria set for qualification for accreditation left all independent media and journalists at the mercy of a Media and Information Commission, appointed by the Minister of Information, in consultation with the President. The *Daily News* was not happy with the Bill and went to court to challenge the media laws. With court proceedings underway, journalists working for the paper did not apply for accreditation, and neither did the paper apply for a licence. As the new media laws came into effect, the paper found itself operating illegally and so was forced to shut down. Numerous trips to the courts did not help, since the government had already done its homework, ensuring that it had a judiciary that toed the party line. In ensuring that the *Daily News* shut down, the government scored yet another success in its battle against ‘enemies of the state’. Now everyone could read the officially sanctioned news in the *Herald*. The few independent papers that are still on the market, the *Independent* and the *Standard* are published weekly and are out of reach of the ordinary citizens; their readership is not nearly as wide as that of the *Daily News* was. Opposition parties now struggle to transmit

¹⁰ *ibid.*

¹¹ ‘Mugabe man named top judge’ BBC, Friday 9 March 2001, <http://www.zimbabwesituation.com/mar11.html#link3>

¹² ‘Evictions: Challenge Dismissed,’ 3 June 2005, http://www.news24.com/News24/Africa/Zimbabwe/0,,2-11-1662_1716101.00.html

¹³ ‘Access to Information and Protection of Privacy Bill’, November, 2001, http://www.kubatana.net/html/archive/demgg/011130atoi7.asp?sector=DEMGG&range_start=1#39

information to supporters in the townships and in rural areas, while human rights abuses by the government go unreported in the country.

5. The NGO Bill, 2004

Next in the firing line were NGOs. With the independent media silenced, NGOs were identified as another 'enemy of the state'. The government argued that some NGOs were collaborating with the MDC, Britain and the USA, and were bringing in funds for the opposition party from states hostile to the government. NGOs were accused of vilifying the government and misrepresenting facts on the situation in the country. An NGO Bill was tabled in parliament as a way of controlling the activities of all NGOs. The Bill required NGOs to register with the government, disclose the sources of their income, and report to the government how they were using the money. The Bill also prohibited NGOs from doing any work on human rights and from receiving foreign funding for human rights work.¹⁴ Like the registration of journalists, the NGO Bill gave power to the government to decide whom they wanted to allow to operate legally in the country.

Debate around the NGO Bill reached its peak in the run-up to the 2005 parliamentary elections. No doubt most NGOs, uncertain of their future, had to tone down their activities in the run up to the elections. None of them was going to risk being identified as hostile to the government. With NGOs terrified about their future, the ruling party went through its election campaign without much criticism for any anomalies that sought to promote its own interests. After the 2005 elections, President Mugabe refused to sign the NGO Bill,¹⁵ perhaps because of pressure from churches and civil society and probably because NGOs had succumbed to pressure from the government and thus toned down their criticism. However, the damage had already been done. NGOs had failed to be effective at the time of the elections.

6. Suffer The Ordinary People

From May 2005, the government launched 'Operation *Murambatsvina*'. The government argued that the exercise was aimed at ridding cities of all illegal dwellers and illegal structures. Government regarded this as a way of clearing all illegal operations that were giving life to the black market while hurting the country's economy. First to go were all the unlicensed markets that had over the years cropped up on the streets, followed by backyard shelters put up over the years by people struggling to find decent accommodation in urban areas. No alternative arrangements were put in place for the more than 200 000 victims of 'Operation *Murambatsvina*'; people simply lost their jobs and homes. Many wonder what the exercise was really aimed at, but from the look of things, coming up two months after the parliamentary elections in which the MDC won 41 seats, mostly in urban areas, some analysts have regarded 'Operation *Murambatsvina*' as a retribution exercise. Urban voters were being punished for voting for the MDC. They were moved out of the cities, ending up at the mercy of the government in rural areas. Loyalty to the party is going to be a key factor in getting a place to

¹⁴ 'Zimbabwe NGO Bill likely to restrict Human Rights Operations,' 23 November 2004, <http://www.trocaire.org/newsandinformation/zimbabwe/ngobill.htm>

¹⁵ 'Zimbabwe: Controversial NGO Bill Goes back to Parliament,' 20 June, 2005, <http://www.ciir.org/Templates/Internal.asp?NodeID=91790>

live in the rural areas and on the recently acquired farms. Each person who needs a piece of land to settle on will have to become a party member and profess loyalty to the party.¹⁶

The slight anomaly in this interpretation is the fact that *'Murambatsvina'* has affected ZANU PF supporters as well. Some ZANU PF supporters have found themselves forced out of their markets and homes, forced to relocate to the rural areas where they will find themselves at the mercy of chiefs in the allocation of land. However, it can be argued that ZANU PF has worked out that it stands to gain much more in the future by reorganizing urban areas now. Thus, a few party supporters have to be sacrificed in the process of consolidating power in urban areas. This interpretation argues that ZANU PF has begun preparing for the next presidential elections in 2008 in which Mugabe is not going to stand. Since 1980, Mugabe has been the only ZANU PF candidate for the highest office in the country. Come 2008, the party will need an assurance that its candidate will win. Some of this assurance can be gained by dismantling the urban population, which has voted for the opposition party in the last two elections. Disruption of the urban population also means disruption of the opposition party, which will find it very difficult to campaign in rural areas, ZANU's strongholds. The few who will vote for the MDC in urban areas will thus be overwhelmed by the rural vote.

While there is every reason to argue that cities should be cleaned up, the Zimbabwean government certainly has more pressing matters to deal with right now, instead of creating a major housing problem for itself through the current operation. Another interpretation sees *'Murambatsvina'* as a dummy exercise, diverting the attention of the nation and international critics away from the government's failure to provide basic essential services. The country's economy continues to deteriorate, haunted by serious fuel and food shortages. Addressing the shortages and working on the deteriorating economy are two obvious challenges that the government faces. *'Murambatsvina'* does nothing to address these issues; instead, it shifts the whole focus of the nation from pressing issues to a matter in which the government can claim to be doing something. As critics accuse the government of not being sensitive to the plight of the people, the government argues that it is cleaning up so that it can provide proper housing for the people. There is no reason to believe that the Zimbabwean government can afford to construct houses for all the victims of *'Murambatsvina.'* The government just does not have that kind of money. Perhaps the question we should be asking now is, after *'Murambatsvina,'* what next? Who will the next enemy of the state be?

7. Insights from Catholic Social Teaching (CST)

Since 2000, the Zimbabwe Catholic Bishops Conference (ZCBC) and the Catholic Commission for Justice and Peace in Zimbabwe have come up with statements that draw insights from CST in responding to the various challenges that have besieged the country. The June 2005 ZCBC Pastoral Letter, *'Cry of the Poor,'* was hailed by many as a courageous statement in which the Bishops' Conference argued that there can never be any justification of Operation *'Murambatsvina.'* The Pastoral Letter points out that the fundamental rights to shelter, food and clothing are being abused by the government in the process of *'cleaning up.'* The bishops suggest that alternative arrangements should have been put into place before the informal sector and people's houses were destroyed and accordingly call for an end to the operation.¹⁷

¹⁶ 'Operation Murambatsvina: An Overview and Summary,' Sokwanele Special Report, 18 June 2005, http://www.sokwanele.com/articles/sokwanele/opmuramb_overview_18june2005.html

¹⁷ 'The Cry of the Poor,' Zimbabwe Catholic Bishops' Conference, Harare, June 2005, p. 1.

By looking at the events of the past five years, we see that certain individuals and organizations have been identified as enemies of the state and dealt with accordingly. The government has punished farmers, the independent media, non-compliant judges, NGOs, and now urban dwellers, for not toeing the party line. But how should public authorities conduct themselves while catering for people who don't support their policies? Fundamental in CST is the promotion of the common good. Holders of public office should not work for the interests of an elite group only. They must promote the common good of the society; they must create an environment in which the general economic, political, cultural and social interests of all can flourish.¹⁸ In identifying certain groups as enemies of the state, and then punishing them through restrictive legislation or not protecting their interests, the government has failed to create an environment in which the interests of all can flourish. CST challenges the government of Zimbabwe to 'love its neighbour' and thus tolerate and accept differences without causing hostility. We are reminded of the parable of the Good Samaritan, *Luke 10:25-37*, in which Jesus identifies the neighbour as anyone in need of help. We do not have to look at the tribe, race, or political affiliation before responding to the needs of the other. The dignity of the human person should bring us together and motivate our actions. The powerful are called to show mercy and kindness to all who are in need.

While all people have the right to participate in political activities and in elections, a government that punishes its citizens for voting in a particular way or for expressing opinions contrary to those of the ruling party fails in its primary responsibility of promoting the well being of all in the country. Leaders within the ruling party ought to exercise their responsibility with the general well being of all citizens of the nation in mind. Such an approach will then see the government responding appropriately to the most pressing needs of the nation. The deteriorating economic conditions, high unemployment rate and the serious fuel and food shortages should be high on the government's agenda, instead of creating problems for those who are barely managing to make ends meet.

The promotion of proper democratic principles must be at the heart of the government's approach to all issues. In a democratic system, different opinions are tolerated; the proper separation of powers between the judiciary, the executive and the legislative arms of government would create a healthy environment for a better society in Zimbabwe. Instead, an authoritarian approach to administration has seen the ruling party consolidating power in the past five years. There is a need to renew the concept of leadership in Zimbabwe, and political leaders have to be reminded of the need to serve the people. Perhaps, though, this is asking too much of them; maybe politicians are bound to promote the interests of their respective parties to the exclusion of all others. However, we have to bear in mind that the deliberate retribution that has been witnessed over the past five years cannot be condoned. Respect for the dignity of persons requires that the government avoid branding certain individuals as enemies of the state. Having a different political affiliation does not necessarily make one an enemy of the state.

8. Conclusion

The big question remains, who is the next among the group of enemies? My opinion is that if churches continue to work with the victims of '*Murambatsvina*' and they continue speaking out on behalf of the victims, they will soon be branded enemies of the state. The delegation of the South African Council of Churches, which went up on a fact finding mission to Zimbabwe and condemned the demolitions has already been referred to by Zimbabwe's state media as a puppet

¹⁸ *ibid.* p. 3.

of the British government.¹⁹ However, if the churches just take care of the victims without challenging the government, then they will work peacefully. Obviously, one hungers for the prophetic ministry of the church. The Catholic Church must be part of the group of believers who challenge the government to act responsibly in the administration of power, in line with the declaration of the Synod of Bishops that *“The mission of preaching the Gospel dictates at the present time that we should dedicate ourselves to the liberation of people even in their present existence in this world. For unless the Christian message of love and justice shows its effectiveness through action in the cause of justice in the world, it will only with difficulty gain credibility with the people of our times.”*²⁰

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¹⁹ ‘Zimbabwe says church group was on a spy mission’ Reuters, Friday 15 July 2005, http://za.today.reuters.com/news/newsArticle.aspx?type=topNews&storyID=2005-07-15T133744Z_01_BAN543948_RTRIDST_0_OZATP-ZIMBABWE-CRACKDOWN-CHURCH-20050715.XML

²⁰ ‘Justice in the World,’ World Synod of Catholic Bishops, 1971, paragraph 35, <http://www.osjspm.org/cst/jw.htm>

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